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FINAL REPORT ON
THE INTERNATIONAL SEMINAR ON POLICE RESEARCH

Edited and compiled
by

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and
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F O R E W O R D

by

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Research on the police has made considerable strides in the past fifteen years. It reflects an increasing interest on the part of researchers as well as public authorities in the role of the police and their performance. It is well known that, in the social sciences, only the "problematical" is studied, and in the western countries, the role of the police has reached this point. Questions concerning this role therefore constitute working hypotheses for scientific research.

Curiously enough, these questions are arising in Europe as well as in North America - countries with considerably different political and socio-cultural traditions. To find out the reasons for this simultaneous preoccupation is one of the first functions of comparative criminology. This is a formidable task, for among the large bureaucratic organizations, the police are the least known. The absence of monographs and descriptive analyses, both locally and nationally, is obviously a handicap in comparative work. At the same time, the similarity of the present problems, in spite of political frontiers, prompt researchers to exchange information, to compare their interrogations and work hypotheses, even at this early stage of their work.

A number of topics emerge in the following pages which, over the next few years, are open to concurrent work in the vast area of research on the police. Let us look at them in sequence.

a) Historical studies are crucial. Contemporary problems are incomprehensible without reference to the collective historical experience of the organization. A police force, traditionally centralized and close to a military organization, functions differently in the face of present challenges from a decentralized police force, dependent on local political authorities.

b) The increased differentiation of the police function between that which is strictly devoted to the fight against crime and that which includes social service and prevention, merits thorough examination. Should police functions be re-defined, excluding those that are not strictly repressive? Or if these other services are included, should the legislation and rules governing police activities not be reviewed in order to eliminate any contradictions? What positive or negative experiences militate in favour of one or the other?

c) The selection of candidates and their training requirements will certainly vary according to the answers to the preceding questions. However, by pointing out the present dysfunctions due to the contradictions between the tasks incumbent on the police and the selection and training of policemen, it is possible to throw some light on the difficulties confronting the police in the accomplishment of their work.

d) The heightened feelings of citizens with regard to the arbitrariness inherent in the exercise of police powers of restraint makes "qui custos custodes" a priority problem. A systematic examination of the present methods should show us the advantages and disadvantages of particular systems, such as the control over the police by civilian or outside agencies, or by a system of inspection such as practiced by the army, etc.

e) The increased unionization of municipal policemen in North America, the experience of long established police unions in many European countries, are also subjects for comparative analyses, which are sure to be instructive. The fact that certain police unions are autonomous, that others belong to larger unions with political affiliations, and that it is forbidden in certain countries for policemen to join any union whatsoever, all this creates situations which considerably influence the actual police function.

f) The degree of "professionalization" of the police greatly varies in different countries; there is no title that corresponds to that of "commissaire de police" in North American practice; law graduates do not consider the police a "normal" opening for a successful career as in France. An examination of training requirements, and the emergence of a profession with its corporative characteristics, would also be instructive. The present situation in a number of countries is being criticized and could possibly evolve. What are the existing models? What is their historical and political background?

These are questions that comparative studies should clarify.

g) These questions apropos the police are reflected in the policeman's self image. Attitude and opinion surveys seem to be a particularly good method for exploring this aspect. A whole series of functions exercised by the police are similar from one country to another. Secondary analyses based on "national" surveys would be most informative prior to the elaboration of true comparative studies. The psycho-sociology of the police has a notable contribution to make in our field;

h) Finally, the hierarchical and concrete relationships of the police with other services of the criminal justice system should be the subject of descriptive studies. These relationships vary considerably from one country to another; the researcher, before undertaking his investigations, should consider the policeman in his relation to the court, to the various police organizations and hierarchies, etc. These descriptions are essential for the development of comparative criminology; their absence at the moment obscures a great many problems.

The programme of comparative criminological research on the police, as we have seen, is a heavy and ambitious one. Many obstacles must be cleared away before any real progress is possible. The conditions for progress in research in this field are particularly delicate and not easy to obtain. First there are problems which the police can have studied on their own. Like all public services, they

must have research units which enlighten them on certain decisions to be made. Can one possibly imagine health service, social welfare or labour relations without a research component? The police must open their doors to "bona fide" university researchers who seek to understand and analyze this bureaucracy in the same way that hospitals, schools and businesses are analyzed. Finally, the police should accept criticism from academic milieus as an integral part of the functioning of a pluralist liberal society. Should the conclusions of the researchers appear debatable, biased or incomplete, it is up to the police, their own research services, to question or correct the situation. It is only through contacts such as those that have taken place during this seminar that eventual progress can be made. In the field of research concerning man and the social organizations, the human factor must never be under-estimated. Recent history has proved that it is useful, even absolutely necessary, to recall this truism.

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INTRODUCTION

by

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and

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Co-organizers of the seminar

No one can deny the outstanding importance of the Police, not only in the criminal justice process, but also in the daily life of the citizen. This fact alone shows the tremendous scope of the research that could appeal the scientist.¹

Beginning with their possible role in the prevention of crime, and with their function in detection and investigation, their powers of arrest, the gathering of proof and assistance to the prosecution, the police undoubtedly affect the course of justice. One might even say, along with certain authors, that the outcome of many criminal trials is often based on what the police "wanted" them to be, unless some major obstacle has stood in the way of their obtaining the necessary evidence.

Furthermore, the police are omnipresent: their cars and foot patrols comb the streets, their telephone exchange is available twenty-four hours a day and three hundred and sixty-five days a year. The citizens go to them with all kinds of problems, from the most serious offences to the least little incident, including quarrels with neighbours or family crises.

With the exception of the criminal sector, which incidentally takes up only from 10% to 20% of their time, the police are often involved, in spite of themselves, in the role, of "temporary

¹ See Szabo et al. (1974) *Police, Culture et Société*. P.U.M., Montreal.

expedient", that is, in tasks where they fill a gap in the community services.

There are tasks, however, where the police, instead of referring the citizen to a more competent social agency when approached with a problem, try to cope with it themselves. In this case, instead of being one of "temporary expedient", their role become "competitive", and we may well ask if this is a satisfactory situation.

Whatever the case, and as Mr. Szabo has shown in his foreword, the areas for research on the police are vast, and often largely undeveloped.

The researcher, then, lacks no field of interest, but he often lacks motivation, and this can be easily explained.

The police services are often unwilling to agree to university research, those granting funds are hesitant about financing this type of project, access to data is very difficult, a number of research methods must be dropped for reasons of confidentiality or for other reasons stipulated by the police, and finally, most of the time, the results of these studies merely serve to decorate the book-shelves of the author or those of some documentation centre.

The present seminar, however, has injected a new ray of optimism. The international exchanges that are given in the reports of the discussions of the three workshops, and which appear in the

first part of this document, are witness to the increasing interest of researchers. In addition, the few studies, résumés of which were submitted by the participants, and which appear in the second part of our report, show the "feasibility" of research on the police.

It is to be hoped that researchers and practitioners will pursue this field of study and that the commencement of dialogue will enable both parties to benefit from the exchange of their respective knowledge and experience.

PART I

PROCEEDINGS OF THE WORKSHOPS

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REPORT ON WORKSHOP I
POLICE ACTION AND THE PUBLIC

by

M. PUNCH

Chairman: Albert REISS Jr.

Hitting at butterflies ? A personal reflection.

"Oh, that the sense of reality
might escape the tyranny of words"

St-Augustine.

1 - Introduction

International conferences can hardly be expected to stimulate fruitful discussion. Jet-lagged academics assemble in exotic places - "will you be in Hiroshima?", "no, I have to be in Moscow" - to create a temporary system of incessant talks in smoke-filled rooms, of over-eating, of late nights and hangovers, which conspires to numb the mind and dull the senses. The informal functions of conferences - meeting old colleagues and making new acquaintances, exchanging papers and ideas, and putting oneself about on the international scene - may well prove of more enduring value than discussions or the reading of papers in formal settings. In Leuven, however, there was little formality and much of the activity comprised discussion in groups. This reduced the showman element and potentially offered everyone the chance to contribute to the discussion.

Group one, chaired by Professor Albert Reiss, concerned itself with "Police Action and the Public". Although this was part of a conference concerned with "Police Research", it soon became apparent

that primacy was given to an academic sociological-cum-criminological focus rather than to behavioral, applied, or social-psychological approaches. This meant that of the whole gamut of findings and perspectives implied in the conference few were not considered, and it is doubtful if they could have been; in particular, the areas of "police science" or "police administration" were scarcely touched. In effect, we were concerned with research on the police - or with the police, as Reiss tactfully expressed it - rather than research for the police. In reporting our discussion, the fact that I am a sociologist may colour my account. But a verbatim account, if decipherable to an outsider, would doubtless make for dull reading and consequently I would prefer to see this paper both as a personal reflection and also as an attempt to record faithfully the essence of the debate.

My own feeling is that increasing cooperation between the police and the universities, with research as one significant part, can be to the mutual intellectual benefit of both institutions. For clearly there are considerable dilemmas facing the police in a modern, industrial society. Such a society tends to be characterized by widely different life-styles and cultural patterns, by an increasing relativism with regard to morals, rapidly changing fashions, a great deal of innovation, and an emphasis on the civic rights of the individual and of minority groups, as well as by political violence, rising crime rates, and seemingly inextricable traffic jams. The Police Service in such a society is

placed in a number of predicaments. For example, it is the primary upholder of law and convention at a time when social norms can become rapidly divorced from legal prescription thus making enforcement problematic (one thinks particularly of drug use, pornography, demonstrations, etc.). This dilemma has been made more acute by the fact that the basis of legitimate authority in many institutions has been brought under fire, most notably among young people, and the police are particularly easy targets. And yet for a number of structural reasons, the police have rarely initiated self-scrutiny and have relied on outside agencies - particular watch-dog commissions and academic institutions - to analyze their structure and functioning. This important point is well expressed by Bittner; "Of all the occupations dealing with people, the police alone have not, at any time during this century, raised serious questions about the nature of their mandate, have never moved in any sustained manner in the direction of self-scrutiny and self-criticism, and did not attempt to build into their operations a stable program of study and research. That is, the police alone have never developed a program of research and study of their own. Other occupations - physicians, clergymen, teachers, lawyers, nurses, social workers, salespeople, even the military - have, at some time in this century, once or repeatedly, to a greater or lesser extent, with more or less effect, taken a hard look at themselves, asked fundamental questions, purged their ranks and practices, updated their role in society, and generally sought to reason things out among themselves"(1)

In effect, the inhibition, or resistance, to self-analysis has burdened the academic community with initiating enquiries - one should also not forget the media and political interest groups in this respect - and it is useful to examine the background to research on (with, of, in, or for) the police. Professor Banton, for example, has organized three conferences at the University of Bristol, and at each one the dearth of quality empirical studies on the British police has been lamented and the reliance on American studies was made apparent. At the second meeting there was an interesting analysis of why the picture in America was different. (2) Initially, it appeared that the American academic community was uninterested in the police partly because it was considered a low status area and because there were few funds available for research (money being a great stimulator of intellectual activity!). Grants and academic involvement were only generated following widespread criticism of police behaviour. Interest snowballed in the mid-sixties because the cities threatened to explode and the police were strained to the limit (and sometimes beyond). Racial violence, urban unrest, massive demonstrations, and spiralling crime led to great public interest in "law and order", and suddenly huge sums of money became available to study a range of pressing social problems including the behaviour of the police. The emphasis, then, tended to be on investigation of abuses and on deviations from the legally prescribed norms of law enforcement. Thus presidential missions and projects focussed on relations with the public in high crime-rate areas of major cities, reactions to political demonstrations, the infamous conduct of the Chicago Police during the Democratic Party

Convention of 1968, the deep-rooted corruption in the New York City Police, responses to urban rioting, and relations with minority groups. In other words, the spotlight on the police was generally critical and it highlighted the areas of violence, prejudice, corruption, and abuse of legal powers.

This "leitmotiv" of unmasking abuses will always play a role in police research because of the social and political importance of guarding the guardians. Additionally, it reflects the social scientist's ambivalence to social control agencies which he seeks both to understand and expose. This is particularly true given the radicalization of social science over the last decade and the clashes between largely university-based social and political departments and law enforcement agencies. Indeed, this not only induced a hostile scrutiny and condemnation of social control institutions but also of the fact that what was rather contemptuously called "correctional criminology" with its focus on crime as pathology, be committed to societies where the power to turn deviance into crime is abolished. (3) Eysenk counter-attacked in a review where he remarked. "Even Taylor, Walton, and Young will presumably object to being swindled out of their royalties, being mugged in the street, or having their wives subjected to a gangbang by Hell's Angels; something must be done here and now to deter and, if possible, rehabilitate people indulging in these types of behavior. It is not very helpful to be told that this type of conduct is bred by the kind of society in which we live, and that we should change society". (4)

I raise the radical dimension here because it poses uncomfortable questions for those of us engaged in researching the police, questions which we need to answer or respond to individually and collectively, and crystallizes our motives in wanting to investigate the area of law enforcement.

Three further aspects of research in America deserve our attention here. One is that American studies are frequently critical and forthright because there is a fundamental belief that institutions exist to be criticized (the investigative journalism and legal battles surrounding the Watergate scandal being a prime example). The other is that the constitutional structure of federated states and the patchwork quilt of local jurisdictions promotes easier access to state and local police forces than in the centralized situation in other countries where dry officialdom acts as a jealous guardian over the virtue of the police.

A third point is that now perhaps much of the literature on the Sociology of the Police is rapidly becoming dated. Many studies date from the early or mid-sixties before the numerous technical innovations which "revolutionized" patrol work and detection and before the police became more socially conscious in reaction to the frequently hostile scrutiny to which it was exposed. Obviously I am generalizing broadly, but I would just like to document that our knowledge of the police is based on material that is often a decade old. Westley's thesis, on which "Violence and the Police" was based, was completed in 1951;

Skolnick began his field-work for "Justice Without Trial" in 1962; and Reiss' research of 1966 was commissioned at a time of intense criticism of police conduct in American cities.(5) In Britain we are reliant on Banton's work, carried out in Scottish and American forces in the early sixties, and that of Maureen Cain which commenced in 1962.(6) There is no doubting the quality of much of this work, but I would argue that police work in the middle seventies contains many novel elements not previously discussed. In our group, for instance, Chatterton, Kelle, Manning, Punch, and Reiss were involved in writing monographs and others were writing papers which, when published, might help to reflect how societal changes have influenced law enforcement in the seventies, while four of them had conducted research in Northern Europe and could promise to reduce our dependence on North American studies.

To give a brief example of what I mean I shall permit myself a comparison between Bittner's classic essay on police work in Skid Row, where officers of long experience used local knowledge and personal relationships to keep the peace, and my experience in the cosmopolitan centre of Amsterdam.(7)

The traditional policeman, stereotyped as a sort of elderly, genial game-keeper protecting bourgeois property, has been replaced in Amsterdam by the young, anonymous face of an out-of-towner, with a provincial accent, who gets out a street-map if you ask him the way, but who is more likely to be seen flashing past in a patrol car. In an

increasingly libertarian society which undermines his role, the policeman can become besieged with feelings of futility and powerlessness and begin to feel less like an upholder of law and order and more like a first-aider who, to the amusement and derision of the by-standers, cleans up the pieces after incidents. Open borders, mass tourism, and immigration have made Amsterdam a melting-pot of ethnic groups who are part perpetrators and part victim of a thriving criminal subculture. In brief, the traditional concept of policing a stable community with home-grown policeman of long experience and wide local knowledge is dead. In contrast, there is almost an anomic or normless quality about contemporary policing in the city-centre which has largely escaped the sociologists' attention. The policeman is a stranger policing strangers and policework is largely reactive.

Finally, then, I would conclude by acknowledging the influence of North American studies but would argue that some of these, while remaining essential starting points, are dated, and that there are still significant areas left relatively untouched. Most research tends to focus on why policemen operate in the way that they do with the emphasis on differential enforcement on class or racial grounds. The developing field of socio-legal studies has begun to touch on the concern with citizen rights and the use of discretion. But the effects of police action - say, for instance, in social and ethical areas that scarcely come under the law - and the vital areas of the place of the police in society in its widest social and political context have largely been ignored by sociologists. The social world of the policeman also remains relatively

unexplored and my own preference is for the interactionist and ethnographic approach, employed so successfully in research on subcultures and in deviancy studies, to usefully highlight the situated social world of the contemporary policeman. But that is to anticipate the discussion which, in effect, started with some of my observations, and most of the literature that I have mentioned as taken-for-granted, and addressed itself to the question of research in the "police-public" area.

2 - The Discussion

The initial sessions were employed in brief expositions of the individual participants' backgrounds and research interests. The group comprised four people from North America, three from Germany, three from Scandinavia, two from the Netherlands, one from Britain, and one from Belgium. Most of them produced papers of varying length but, as these can be read elsewhere, it is not necessary to recount their content. What did emerge, however, was a wide lack of knowledge amongst us about the structure and role of the police in specific countries. This was partly related to the differential development of the social sciences in these countries and to the fact that police studies in Northern Europe generally are in their infancy compared to North America. This implicit division was highlighted in three main areas.

Firstly, access was a political issue in countries where the police, or government control of the police, was centralized. The

creation of state police forces in the Scandinavian countries had served to restrict entry, while suspicion and manipulation characterized the academic-police-government relationship in Germany. The Home Office in Britain appears to have played a dubious role in allowing research access to the police. To a certain extent, then, the methods employed by different participants were tailored to local restrictions. Koch explained that in Denmark there was a fiat prohibition so far on observing operational police work but that he hoped to receive a positive response to his request to be allowed to ride in patrol cars as part of his research. North America and the Netherlands, with their myriad police departments (there are over 130 separate forces in Holland, plus a state police force, for a population of thirteen million), enjoyed greater flexibility with regard to access, not only to the organization, but to the patrol-work on the streets. In Kurzinger's study of citizen complaints against the police in a German state he was allowed to wear police uniform in order to freely observe the police handling of complainants inside the situation. We were informed, however, that the defensiveness of the police in Germany had been increased by recent terrorist activity and that funding was a highly political issue with a thorough, and perhaps unsavoury scrutiny of the applicants.

Differences in approach were further amplified by a fundamental underlying dichotomy between Anglo-American and Northern Europe Sociology. Broadly speaking, the Northern European representatives

were working with an experimental or survey methodology. They placed emphasis on "scientific" methodology, on survey research, and on the reliability and validity of their findings. Their projects exemplified "desk" research - observation in formal settings, analysis of crime statistics, and the use of structured interviews, questionnaires, ranking scales, documents, etc. This was partly dictated by lack of choice, in that observation of police conduct on the streets was prohibited, but partly predetermined by the less "developed" nature of the social sciences in Northern Europe. Anglo-American Sociology, on the other hand, has indulged in almost manic self-flagellation and has reviled its recent heritage - functionalist theory and neo-positivist methodology, has rediscovered Marx, the Chicago School, and C. Wright Mills, and has found champions for symbolic interactionism, phenomenology, and ethnomethodology.

The reaffirmation of qualitative data was evident in the work of Chatterton, Manning, and Punch who preferred observational studies of practical police work. Functioning as "lone mavericks", they had built up personal relationships with police officers in the field and entered with empathy into their social and occupational world in order to study interactions, meanings, and justifications in the police culture. Their interest in microprocesses in institutional settings was held to be sociologically and theoretically fruitful, and was not aimed specifically at affecting policy.

For the attitude regarding the application of research findings there was a further latent division which never quite came to the surface and which was never tackled head-on by the participants. Jurgen-Tas, for example, carried out research for a government ministry which financed her research unit, defined its problems, and expected it to be policy relevant. Klette's research on drunkenness when driving had been used to alter legislation in Sweden. Again, it was argued that a neo-positivist methodology was appropriate because government agencies required valid results and clear guide-lines for policy. To a certain extent, Reiss had carried out research which bridged the gap between the two approaches. He had received commissions in areas of practical concern and had employed considerable resources and sophisticated methodology to explore these while also illuminating broader sociological concerns. In retrospect, these three central differences - concerning access (and the consequent maturity of police studies), methods, and application - emerge with more clarity than was the actual case. As with most academic debate, the discussions were diffuse, erratic, and inconclusive, and this was perhaps magnified somewhat for those who were forced to communicate in other than their native tongue.

Following the initial expositions and the occasional skirmish or "war story", a number of areas were identified as being of significance to the police-public relationship. These are clearly overlapping and it did not prove possible to attend to all of them, but I reproduce them here as an indicator of what the group considered key issues.

- a - The role of civilians in police work
- b - dilemmas for the academy in doing research in police districts
- c - the creation, deficiencies, and use of crime statistics
- d - the impact of policing on community life
- e - appropriate methods of research
- f - the social service functions of the police
- g - public expectations of policing
- h - how to evaluate effects of policing and varieties of policing
- i - the nature of police discretion
- j - the relationship between the criminal justice and civic systems

Crime statistics are ritually denigrated but extensively used by academics and policeman. According to Reiss, most, if not all, American police chiefs would dearly like to see uniform crime reporting abolished simply because it can only get chiefs in trouble. It can be used internally and externally to make unfavourable comparisons - 'if Philadelphia can reduce auto theft' by 35% in twelve months why can't Chicago to the same? - and therefore always have a political component. In terms of the reporting of incidents, Hackler argued that perhaps even an apparently definite category like homicide might not stand up to the close scrutiny of informal practices in a coroner's office where definitions of natural death, suicide, and homicide were "post facto" constructions that glossed over the reality. This opened up the "dark number" question which was important because police adapted

their behaviour in the light of official statistics rather than in terms of the social reality behind the figures. Car thefts are probably well reported because of insurance considerations, and bank robberies have to be reported in America because they constitute a federal offence. As such, reports of bank robberies are probably a fairly good measure of the extent of the crime, whereas reporting of rape is likely to fluctuate with changes in social mores and the influence of the feminist movement. Manning recounted some aspects of his study of narcotics units to illustrate that arrest rates were tied to organizational features such as working and recording methods, differential motivation and rewards (such as overtime pay for an appearance in court), and bore little relation to the number of addicts or the amount of drugs in circulation.

Kulhorn explained that Stockholm was organized into 160 police departments which were allocated manpower according to computerized statistics of crimes reported in each district. This opened up the possibility of reviewing the effects of concentration in small areas over time. The consequences of such a policy - with its assumption that more crime needs more manpower leading to less crime - led to a consideration of the occupational constraints that might mediate between the hoped-for relationship. One effect might simply be to change the locus of crime. Also, according to Chatterton, ten extra men in a squad basically meant ten more offenders available for detection. Effects could not be judged in terms of detected crimes because detectives, who often did not carry out the arrest but took over the suspect from a uniformed man, went

"fishing" for crimes "taken into consideration"; in other words, for one arrest there were often several crimes cleared. Kulhan described the difference between an arrest and an identity check in Denmark. Citizens are obliged to provide their name and address for a law-enforcement officer and lack of identification is frequently used as an excuse for detaining young people in police stations. In a notorious case, a police chief tried to discredit a social-political movement of young people, who had occupied an abandoned military area to form a commune, by combining arrest and identification check figures for the area to imply that crime had increased. There followed an exchange of information on when, technically, arrests are made and at what stage they were recorded. In the Netherlands, suspects can be held for up to six hours without being charged and in Britain, citizens can be asked to the station "to help police with their enquiries" and then be denied permission to leave! In narcotics work, Manning spoke of "hidden arrests" because suspects were manipulated by detectives for information with the threat of arrest hanging over their heads, sometimes for weeks, before the arrest was carried out or bargained away. In Germany, the police must formally pronounce the arrest or the citizen is free to leave.

The whole question of participant observation, and in particular the advantages and deficiencies of the solo observer, were roundly discussed. Jurgen-Tas was sceptical of one-researcher studies because of the unreliability of the information collected although she saw such

work as complementary to more refined methods under more controlled conditions. Kurzinger was also critical of the predilection for impressionistic studies on the American police and expanded this in relation to Skolnik's work which he felt was sometimes misleading. Reiss asked us not to begin hitting butterflies and not to engage in a falsely posed debate. His own approach was never to begin systematic observations without first spending several hundred hours in unstructured observation and endeavouring to describe his experiences in words. He also commented on his use of observers in that, as an "equal opportunity" employer, he was obliged to advertise for women as well as men. In fact, he took on two well-qualified women who not only proved expert at observation but whose presence on patrol proved completely non-problematic. Furthermore, he believed (in company with Howard Becker) that the dynamics of an event was important to the observed and this made the presence of the observer largely inconsequential. Some policemen tried to involve the observer in illicit conduct and Reiss made plain to his assistants that he was supervising them in an employer-employee relationship. He went on to counsel us about attempting too much in a project and argued that a study of a non-predictable event, say violence or complaints, might require an enormous investment of time in order to collect data. Incidentally, all his observers became more police-minded in the course of the research, including the policemen he used as observers who saw the job through new eyes and who became more enthusiastic about it than when they were themselves on patrol.

Chatterton emphasized the falsely drawn debate angle by arguing that what passed as positivism was sometimes simply a cross-tabulation with one variable and that this was in fact a specious positivism because it did not satisfy the rigorous canons of scientific method. For him, and he was supported by Manning and Punch, participant observation was essential. He felt that the researcher should be capable of virtually writing an instruction book for a colleague so that he would feel familiar when moving into the same situation. Additionally, there were so many situational factors relevant to the making of an arrest that they could only be handled in a qualitative manner. Koch expressed the research dilemma by positing an ambivalence between methods in which we could believe and methods to be believed - and by whom they were to be believed.

Kurzinger discussed the German situation where the police legally have no choice but to investigate if an offence has been reported, and thus one gets no hint of discretion from documentary evidence. In practice, policemen talked people into redefining incidents as either non-criminal or as a task for some other agency. Kulhorn felt that alternative methods for different problems were required.

Treating arrests from a statistical table as an individual phenomenon might obscure that on a particular day arrests, say for a demonstration, were manifestations of collective behaviour. At this stage, Hoday, the only law enforcement officer in the group, was asked for his opinion on research and he expressed the hope that research would be initiated for the police that would prove of utility to them.

Koch raised the possibility of research against the police in the sense that universities had always fulfilled a critical role and that they should not forget this important function.

Reiss accepted this point, but contended that the researcher should not commit himself to an inflexible ideological position, or, to put it another way, anyone who guaranteed an outcome in advance was a fraud. He also asked if government was always inherently malicious. In colonial America if someone did not "cry the law" then it disappeared after one year, and he lamented the loss of society's ability to create law. There was discussion about the control of access and the alleged hostility of the police to outsiders and evaluation. Where, for instance, a bureaucratic government agency controls access, it may also set the criteria for the outcome. How, then, did the researcher convince the government that research is in its interest? Jurgen-Tas stated quite simply that the Dutch Ministry of Justice expected a pay-off from its investments in research and that it was logical for them to want something back. Reiss was horrified by the British system which was the worst example of a closed bureaucratic system acting as a gate-keeper between academics and the police.

The problems for the academy in doing research on the police were discussed at length. McNaughton-Smith asked why the police should help people to do research anyway. Like most institutions, they would probably only agree if they felt that there was something in it for them,

that it was not going to harm them. Manning maintained that much depended on the kind of knowledge wanted, for this would influence the source of funding, the size of the group to be studied, and the kind of problem being addressed. He outlined three approaches. There was data for in-house groups which might mean good computerized records under the control of a planning division with some research capability; there was research funded from outside which might require bargaining over the ownership of data and the rights to publication; and there was single person research which in America generally entailed easy access, a less threatening profile, low intrusiveness in the organization, and a high capacity for personalized relationships. In essence, each approach should be geared to different types of research problems and would be expected to glean different sorts of data.

With regard to funded research, Reiss asked if there was not any question which the police might ask the researcher to look at that could not be turned into an interesting sociological question. Weiss asked to what extent certain research on the police might be used to prevent other research being carried out. In Germany, the Ministry of the Interior funded a project in cooperation with police unions on the self-image of the police which involved one million marks and a questionnaire with 1,300 items! But this one unwieldy project was used as an excuse for refusing other projects on the grounds that research was already being done. This initiated a discussion on the ethics of research itself. Punch was scornful about the pretensions of much

academic research and argued that it was solely designed to enhance the researcher's career and had little impact on policy. He cited the confusion over the reception of evaluation findings in the Poverty Programmes of the sixties, and tried to place the research process in the academic career structure where prolonged field-work was seen as self-defeating. Some people questioned his apparent cynicism but Chatterton took up the point that for him the relevance of his research was only worked out after several years, whereas for some people, "making it" entails not spending more than two years on any one project before publishing and moving on (and presumably up). He also spoke of the problems of over-exposure to research in that plans in Britain by the Home Office to fund a research unit for police studies at the University of Kent could lead to police officers refusing unattached academics access on the grounds that they have just had a researcher or have one on the premises.

At the same time, the opposition of junior members of staff to the Kent proposal was playing into the hands of influentially placed policemen who were vehemently opposed to criminological research and who would only be too delighted to put back the veil of secrecy. Weiss wondered if access to certain areas was merely designed to deflect us from invisible areas or that the observer's presence meant that some functions were simply shifted to less accessible units. Using the concept of "research contamination", Manning drew our attention to the fact that the current generation of policemen had been exposed to

college-based programmes in criminal justice. He was interviewing a detective once and casually put his note-book on the desk; the detective said "oh, you must have been to that course as well, you know, the one where they tell you to put your note-book down when asking a lead question, in order to put the suspect off his guard". Also a research colleague was trying to explain to a policemen how he intended to do some research when the man intervened "that sounds pretty much like what skolnik did in Oakland, doesn't it?".

With regard to the control and use of findings, Manning spoke of whether or not one could be morally committed to research which might lead to a more effective tactical patrol or an improved riot squad. Chatterton raised a similar dilemma with regard to an analysis of the detective-suspect relationship which might be utilized to improve interrogation techniques. Reiss mentioned the tremendous problems of decision-making during hostage situations where social scientists were involved in advising. In total, more hostages than suspects had been killed in siege circumstances, and this had implications for the moral responsibility of advisers. Punch recalled that in the siege at the Dutch prison of Scheveningen, a psychiatrist had chosen the moment to initiate an assault which had proved successful and bloodless; he suggested that this was the only time that a social scientist had ever been right about anything in a hundred and fifty years. At this stage Koch asked Hoday what he was making of the discussion and if it was of use to him. He replied cryptically that he was glad he was a natural scientist and not

a social scientist.

Reiss spoke of the problem of "hit and run" research and argued that this should be avoided and that the researcher should have a certain commitment to the community he is studying. In other words, it was not simply an instrumental relationship. Taking up Manning's point about "contamination", he explained that policemen now often go to college and read the classics on policing and, over time, we should expect social science to change levels of knowledge and perception of the police in society. He receives hundreds of letters about his book, some even from abroad, and admitted to having met policemen who were more intelligent than he was. He went on to the problem of institutional barriers to research and felt that ultimately social science depended on a free society. In his own relationship with the police he considered that the worst thing they could say of him was that he was dishonest.

In moving on to the question of discretion, Reiss made a distinction between "discretion" and "choice". This hinged on the element of reviewability. The decision not to arrest was not reviewable and was not governed by bureaucratic rules. This was crucial because of the low visibility of much police work. Kurzinger amplified the German situation where discretion was not admitted to by policemen; they denied that they exercised it, but in practice they talked people out of reporting offences. Punch took up the low-visibility component of police work and employed the concept of the "front-line organization". Also he felt that the

concentration on crime neglected the wide range of offences which technically the policeman was obliged to enforce. There was a hierarchy - serious crimes, petty crimes, non-criminal offences, and local regulations - and the law enforcement officer was likely to have norms of discretion/choice to match the nature of the offence. Doubtless he would be much more lax about writing a ticket for throwing rubbish in a canal than about arresting on an assault charge. Furthermore, the massive numbers of offenders in some areas had undermined the legitimacy of prosecution; in Amsterdam, for example, the parking problem was insoluble and policemen themselves parked illegally. In consequence, the policemen had to make a moral justification, e.g., that double-parking hindered ambulances or that driving at 80 km/h in a 50 km/h area was excessive and dangerous. Reiss added that if there was a quota system for issuing parking tickets then the officer's first obligation would be to meet the quota rather than to issue them with a feeling of "doing justice". He also held that turning decisions into "moral" justifications was widespread.

Manning explained that with regard to the legal system, the policeman's first thought was to cover himself against the probability of sanction for an error. In effect, he had two sets of rules, one legal and one moral, for different sets of contingencies based on culpability. In domestic situations he had to act, even where he had no legal backing, because non-intervention could rebound on the organization and cause

trouble. Chatterton outlined the dilemma of the poor "thick" copper faced with ambiguous laws which seemed to have been made without thought for how they were to be enforced. In theory he has the power to arrest every time by using elastic offences like "breach of the peace" or "drunk and disorderly" (where not being drunk was rarely accepted as a defence by the magistrate). But, interjected Reiss, he has the problem that every time he uses that right he has to justify it. There followed a discussion about the stage in enforcement where most cases were dropped; Kurzinger explained that this was at the State Prosecutor level in Germany and Junger-Tas said that the case was similar in Holland where the local Justice Officer (or public prosecutor) rejected a great many cases. Klette maintained that we were all missing the point that perhaps the most important choice was actually made by the public and not the police. Reiss agreed and felt that this emerged clearly from his research.

In the final session, the group attended to the question of the research implications and priorities arising from their discussion. Five areas were identified:

a) Does Policing Make a Difference?

Reiss discussed his research in Kansas city on response times. The police ideology was that response time was crucial. In investigating the reactions of victims and witnesses, however, Reiss had discovered enormous variations in reacting to the incident. A man who has been mugged might first go home and think about it before phoning the police;

an old lady might first tidy her home after a burglary, destroying evidence in the process; and a rape victim might take days or weeks before turning to a law enforcement agency. The traditional justification, moreover, of the preventive patrol, that it prevented crime, was difficult to evaluate. What social science indicators could we use to determine when a crime is prevented? How did policemen pattern their activity; if they patrolled in one area, what was the likelihood and consequences of their not coming back there for a certain period?

Klette outlined his plan to initiate a cross-cultural study in Sweden and the United States to see what preventive measures influenced the relationship between drinking and driving, and what measures might increase the risk of being detected. McNaughton-Smith raised the question of the relationship between the police and other agencies and called for a consideration of other forms of prevention. Reiss spoke of the loss of inspectorial functions by the police - historically they had often been responsible for fire, sanitation, and safety, and this had involved inspection - and wondered if they should not be reintroduced. Funch described the situation in Amsterdam where it was an offence to leave a car unlocked because it was considered an incitement to theft; walking along a row of parked cars was in a sense supervision that they were locked as well as a check that none had been broken open. There was agreement that this whole area of preventive policing needed critical scrutiny.

b) Police Work

There were a number of studies of police work from an occupational perspective (Westley, Skolnik, and Cain) and this approach was central to Chatterton, Manning, and Punch. There was a feeling, however, that the social and occupational world of the policeman was important for research. Reiss explained that one fifth of police time was spent in handling incidents; what did they do for the rest of the time? Manning spoke of the reward system which did not encourage the social service aspects of police work, especially dramatic arrests, and it was perhaps necessary to change the reward system and to keep records on "service" incidents. Hackler also considered this an undervalued aspect of police work.

c) Consequences of Task Specialization

Task specialization within the police meant that there were really different styles of policing for different areas of police work. What was needed, according to Manning, was more comparative ethnography across units within one organization and across more than one organization. In addition, we should avoid narrow conceptions of efficiency - arrest and clear-up rates - for more subtle and complex indicators, such as the quality and price of heroin on the streets. Also the extra-organizational impact of specialization should be taken into account.

d) The Meaning of the Police

McNaughton-Smith considered research on the meaning of the police for people essential. For instance, what did different groups think of the police even when they were not present or were not in contact? Punch said that society was largely self-policing; what factors played a role in this and what were the consequences? Perhaps a general police task, covering all eventualities in all areas, would have to be abandoned for more selective enforcement in selected areas.

e) Stress

Chatterton felt that the cross-pressured role of the policeman needed investigation in terms of stress factors. Were there effects that were different from those found in other occupations, e.g., on family life? Reiss was skeptical about the American findings that white policeman had "battle fatigue" symptoms in black areas whereas black policeman did not.

3 - Conclusion

Now I would like to turn from the discussion to my own evaluation of Leuven in terms of police research. Meeting North American and other European researchers in the field has helped me to clarify some ideas, and here I would simply like to sketch out some sociological perspectives which I think are potentially stimulating. One neglected perspective on the police which I would like to encourage is the historical one. For example, the policeman was often an influential figure

in village life while, in the towns, he was a witness to change and development. Just to take a tape-recorder around to a sample of retired policemen - some of whom will have had a career from the crisis years of the Depression through the Second World War to the affluent post-war period - could produce fascinating social and oral history. The records kept by police stations - message books, charge sheets, and incident reports - could provide historical evidence on the changing nature of crime, the differences between rural and urban crime, and the changing relationship between the police and the community. The early structural development of the police - what norms did it assume, what did it learn by practice, and what social pressures shaped it? - is also rich ground for historical analysis.

Another potentially fruitful area would be the intellectual perspective of Organization Theory. This could focus on more descriptive material by locating it in terms of the structural features, strains and dilemmas of the Police Service as a large, bureaucratic, client-serving institution (8) that has multiple, complex links with a vast range of other agencies, e.g., social services, hospitals, prisons, courts, schools, doctors, voluntary agencies, and alternative social groups and welfare organizations. One particularly interesting way of looking at the police could be that of the "front-Line" organizations (9). The Police Service is a complex organization serving society's legislative demands and its more diffuse social norms, but it depends for its day-to-day cutting-edge

on the lower end of the hierarchy, namely the uniformed branch in face to face contact with the public. In practice, the patrol officer has considerable autonomy and discretion, and Wilson speaks of him as a sub-professional', "working alone, exercising wide discretion in matters of utmost importance (life and death, honour, and dishonour) in an environment that is apprehensive and perhaps hostile". (10)

This area has, in turn, three major sub-areas. Firstly, what is the structure of the Police Service as a formal organization that has to adapt to a wide range of changing activities and values, and that has to cope with a varied and fluctuating clientele of all social classes who present every conceivable type of human problem? Secondly, the goals and values of the police organization, of the wider society, and of the specific community, have to be translated into daily practice by the men in the field and this will involve a consideration of how personal problems and social crises are dealt with by policemen in terms of the "front-line" situation. Thirdly, and finally, there is the vital area of inter-organizational links with other agencies. In this light the Police Service would be viewed as one of a number of voluntary and statutory agencies who assist the Welfare State ideology of helping (and in some respects controlling) people in need. The patterns of formal and informal interaction and the structured links between these agencies, some being highly bureaucratic and others vehemently anti-bureaucratic, are important both in terms of service to the client and in terms of applying models from inter-organizational theory.

The Sociology of Occupations has emphasized the concept of "career" and the process by which, say, medical students are socialized to identify with, and behave like, doctors. For a number of structural reasons policemen learn a great deal of their role and values from informal colleague norms. They also learn from bitter experience how to deal with people — whom to trust and whom not, and whether or not to give a suspect the benefit of the doubt — and how to identify potential deviants. But human interaction is often negotiable because the policeman has discretion to take an incident further or to dismiss it, say with a word of warning or advice. The rigid view of law enforcement and the stereotype of the inflexible policeman has little reflection in reality, and behind its organizational facade a great deal of bargaining goes on both with individuals and with other institutions. Thus Reiss and Bordua remark that: "the Police provide an unusual opportunity to develop and apply a transactional view of organizations since, on the one hand, police departments have clearly defined boundaries, and yet, on the other hand, they must continually engage in the management of highly contingent relationships that arise outside them".(12)

They should perhaps add that the transactional nature of police work is amplified by a fluctuating clientele (some in distress, some seeking personal advantage, and some engaged in criminal and often dangerous activities), by the negotiable nature of face-to-face work in the street, and by the necessity to route clients through, or

receive clients from, a wide range of other organizations. In brief, a vital and valuable project could be carried out on "becoming a policeman", on informal socialization to professional norms, and on the transactional aspects of the policeman's social world.

There exists very little comparative data on the police although academics have argued for the fruitfulness of this approach in contrasting similarities and differences in styles of policing in different cultural contexts. I have conducted field-work with the police in Rotterdam and Amsterdam, and a "permissive" liberal-democracy like Holland, with its strong emphasis on the freedom of the individual, on conflict resolution and on progressive penal policies, can provide extremely useful data to contrast with comparable aspects of policing elsewhere. Another area begging for attention, is the comparative study of the development of police systems. What influence have military values had on policing, why do European police forces often comprise several distinct styles of policing, and what arguments were originally raised regarding the arming of the police, and so on? These sort of areas could shed light on why we have the police that we do and why they have adopted their unique national styles of working.

Another area of interest concerns a largely undocumented area of police work, namely, the extent to which the Police Service performs a social-welfare function as part of its primary function as a law-enforcement agency, and also the extent to which the police

cooperate with the formal social services. A case could be made for describing the police as the "secret social service! (13) Briefly I would suggest that, for a number of reasons, the Police Service is reluctant to acknowledge its social role - largely through fear of becoming a repository for too many diffuse and distasteful tasks shed by other social agencies - and is critical of the perceived failures of the formal social services. Nevertheless, the police and the Social Services, as implementers of social policy and as agencies of social control, often have a common clientele - the drunk, the delinquent, the homeless, the drug addict, the problem family, the battered wife, the immigrant, etc., - but they not infrequently approach their shared tasks with mutual misgivings, clashes of ideologies, and frictions in manner of working.

Yet several studies reveal that in moments of personal or family crisis the public turns in the first instance to the police. Two studies in particular suggest that more than half of the calls to the police are for help in what might loosely be called "social-welfare", rather than law-enforcement, roles (14). This area raises questions over the priorities of policing in a changing society and with the delineation of boundaries between "police" work and "social" work. It raises extremely complex issues related to social legislation, changing moral, ethical, and social norms, occupational ideologies, organizational structures, manpower problems, and so on. Because of the innate diffuseness of its functions, covering man's social problems from birth

to death, the Police Service has gradually, and largely unwittingly, accumulated a broad range or residual "welfare" functions of a social service nature. Indeed, a strong case could be made for describing the police as the only twenty-four hour, fully mobile social-service. In effect, policemen frequently act as untrained and temporary social workers in the role of mental welfare officer, marriage guidance counsellor, welfare officer, accomodation officer, and child-care officer.

As Bittner puts it: "First, there is general agreement that the vastly preponderant majority of police manpower, time and resources, is and must be, allocated to activities that have either nothing, or only very little, to do with law enforcement in the strict sense of the term. Second, these activities, commonly referred to as peace-keeping, entail the methodical handling of an enormously wide-ranging variety of often highly complex and almost invariably very serious human problems. Third, policemen typically receive no instruction, no guidance, and above all, no recognition for this work" (15).

On a more specialized level, the police often have to act preventively with schemes for juvenile liason, community relations, and immigrants. In this area, the research could focus on an analysis of demands made by the public on the police, on the effect of new specialist roles, such as community relations offices (or "wijkagent" in the Netherlands), and on the social and cultural differences between police norms and values and those of a minority group (16).

In conclusion I have suggested five major intellectual perspectives for future research on the police - namely the historical, the organizational, the interactionist, the comparative, and the social-welfare. Consideration of these areas should ultimately lead to a more comprehensive analysis of the changing role and functions of the police in a modern, industrialized society. For many contemporary police forces are now large, complex organizations controlling huge budgets and thousands of men, responsible for hundreds of thousands of people, and interlocked with powerful policy-making and implementing bodies. Research on the police has thus social and political significance besides its intellectual contribution to social science. To a certain extent police and law-and-order issues have not been crucial in Europe as they have been in North America. The academic spotlight has yet to be turned fully on the police in Europe but it is hoped that interest will have been stimulated by the discourse at Leuven. For it is often said that society gets the police that it deserves. I would strongly contend that, at least to date, the police in Europe have not attracted the research that they deserve.

NOTES

- 1 - E. Bittner, "Police Research and Police Work" in E. Viano (ed.), "Criminal Justice Research", Farnborough, D.C. Heath Ltd., 1975, p. 19.
- 2 - The Nuffield Foundation has supported three conferences at the University of Bristol in 1971, 1972 and 1975. Two reports have subsequently been published in The Police Journal, XLIV (3), July, 1971 and XLVI (4), October, 1973, and a third publication is in preparation on the 1975 meeting.
- 3 - I. Taylor, P. Walton, and J. Young, "The New Criminology", London, Routledge and Kegan Paul, 1973.
- 4 - Times Educational Supplement, 4th May 1973
- 5 - W.A. Westley, "Violence and the Police" Cambridge Mass., M.I.T. Press, 1970.

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- 10 - J.Q. Wilson, "Varieties of Police Behaviour", Cambridge, Mass., Harvard University Press, 1968, p.30.
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- 12 - E. Katz and B. Danet, op. cit., p.105.
- 13 - M. Punch, "The Secret Social Service", lecture delivered to senior officers, Irish Police and community workers, Dublin, May 1974.

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- 14 - E. Cummings, et al., "Policeman as Philosopher, Friend and Guide", Social Problems, Vol. 12, no.3, 1965.

M. Punch and T. Naylor, "The Police: A Social Service", New Society, 17th May, 1973.

- 15 - E. Bittner in Viano, op. cit., p.22.
- 16 - For the role of the police in race relations see "New Community" Vol. III, no.3, Summer 1974, and D. Humphry "Police Power and Black People" London, Panther 1972. For the Netherlands, see M. Punch "Rayonagent: Politieaan als Maatschappelijk Werker" Algemeen Politieblad 124^o jaargang, no.3, 1 Feb. 1975.

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REPORT ON WORKSHOP II
DIFFERENT KINDS OF CONTROL AND
THE EVALUATION OF THE POLICE

by

H.D. VAN DER GRIENDT

Chairman: Michael BANTON

During the first session of the working group the participants put forward the topics they thought to be worthwhile for discussion during the following days. In this way a list of over 40 topics was compiled.

The Chairman and secretary selected the most frequently recurring topics, after which the working group agreed on discussing the items listed below:

- 1 - Transcultural and historical aspects of controls upon the police and variations between political systems in respect of controls.

Subject to be introduced by Bayley.

- 2 - Internal and external controls over the police. Police unionism.

Subject to be introduced by Clark and Lucas.

- 3 - Police in relation to the political structure. Political ideology of the police.

Subject to be introduced by Jepsen.

- 4 - Linkage, or relations between researchers and practitioners.

Subject to be introduced by Brusten.

- 5 - Sociology and policing in relation to the training of police.

Subject to be introduced by Brown.

I - Control Systems

Introduced by Bayley and Clark

Three questions could be asked as to control systems:

- a) What would you think of first to use in your country in order to maintain control over the police?
- b) What in fact are you relying on? What methods are being used?
- c) Why wouldn't the methods used in other countries work in yours?

Definition:

Control is not a simple notion. Control implies conformity in substance and manner, with what is required and expected. It is important to specify what is required and expected and by whom.

Control mechanisms over the police can be categorized as follows:

- A - External and Intentional (explicit, deliberate)
- B - External and non-Intentional
- C - Internal and Intentional
- D - Internal and non-Intentional

A - External and Intentional

1 - Governmental:

- a) political;
- b) bureaucratic (civil service);
- c) combination of a and b;

2 - Ad hoc:

- a) civilian review board;
- b) ombudsman;

3 - Legal:

- a) civil law (remedies):
- b) criminal law (remedies);
- c) vitality of prosecutor and judge;

B - External and non-Intentional

- 1 - Press;
- 2 - Public insistence on adherence to norms by civil servants;
- 3 - Status of civil servants;
- 4 - Social background of police personnel;
- 5 - Nature of laws insisted on being enforced;
- 6 - Legitimacy of self-regulating bureaucracies;
- 7 - Recruitment: selection of those who are willing to adhere to certain standards;

C - Internal and Intentional

- 1 - Internal policy and closeness of supervision;
- 2 - Socialization for right behaviour
 - a) formal training;
 - b) informal training;
- 3 - Willingness to regulate one another (code of silence);
- 4 - Sureness and severity of departmental penalties;
- 5 - Police unions or brotherhoods;
- 6 - Departmental policy; e.g., explicit code of conduct;
- 7 - Managerial techniques; e.g., rotation of personnel, specialization of function.

D - Internal and non-Intentional

- 1 - Police view of the occupation (instrumental or vocational);
- 2 - Several educational programmes - community integration programmes;
- 3 - Reward structure and criteria.

One participant maintained that no country could have effective control mechanisms unless it first had a political concept of what role the police should play in a democratic society. One has first to ask "control for what?" Politicians can usually determine how the police should operate, but they do not analyze and choose between the various alternatives. He thought that a political discussion regarding the functions of the police was much needed. Some other participants were less confident about the capacity of political groups to promote a well-informed debate, but agreed that police researchers were handicapped by the poor quality of public understanding.

There was general support for the view that research into the history of the police, and comparative research, could make the reader reflect and prevent him from being caught up too much in his own situation. With the aid of comparative research a reader could find conceptions in other countries which could be useful in his own country. He should also compare the police with other occupations in his country and ask why policemen should need controls different from those employed in these other occupations. There was a general feeling that it was

better to pay attention to the control over the institution of the police, rather than to concentrate upon control over the behaviour of the individual policeman.

As an example of control mechanisms over the police, Klette explained the structure and the inherent difficulties of the Swedish system. This system operates on three levels:

- 1 - National Swedish Board - national level;
- 2 - Regional Boards - regional level;
- 3 - Local Police Boards - local level.

In theory the decision-making power should be strong at the local level, but in practice most power rests with the national chief of police because of his financial powers.

In Gothenburg, lay-witnesses are employed to observe police operations. They are appointed for a three-year period and paid by the municipal government. Usually the defence lawyer is not present in the first stages of a case and the witness is there to see that the policemen stick to the rules. If there should be a complaint against a policeman, the lay-witness could testify on the complainant's side. No research has been undertaken so far to evaluate this innovation. The police appear to be happy with this arrangement and to regard it as a safe-guard for themselves. There may be a tendency for the witnesses to adopt the police viewpoint.

During the ensuing discussion it was remarked that, ideally, different groups within and outside the police should be working towards a common goal. Policing the police can never be a complete safeguard. The policeman has enough power within the present rules. A skilled policeman will not resort to violence, but knows how to apply the rules in such a way that he still reaches his goal. Seen in this light, it could be stated that the system of a layman-witness is only legitimizing the standing procedures of policemen. The time available to pursue these points was insufficient to secure general agreement.

II - Police in relation to the political structure

Introduced by Jepsen

Police actions in violent, open conflict situations are to be seen as part of the reaction of the legal system to a conflict.

Two kinds of response can be observed:

- 1) Confrontation, the legalistic or "hard" response;
- 2) Absorbition, relying on non-legalistic or "soft" measures;

An analysis of five situations of open conflict in Denmark in 1973 suggested that there were five conditions which influence the choice between these kinds of response:

- 1 - Local circumstances;
- 2 - The "visibility" of the conflict; the greater the coverage by the mass media, the more likely the confrontation ;

- 3 - The amount of power needed to succeed by confrontation;
- 4 - The political or class position of the challenging group;
- 5 - If one party mobilizes so as to threaten the legitimacy of the legal system, then a "soft" response is more likely.

The police claim that they are neutral in conflicts of the kind under discussion. They will say that they are not on the side of labour or on the side of management. The police will say that their job is to maintain the peace and to follow the orders of the authorities.

This ideology of neutrality and of keeping the peace has the function of obscuring conflicts in society. It tends to define political dissidence as illegitimate, and political conflicts as the deviance of small minority groups.

It was remarked that Europeans are apt to take a legalistic view in these matters. Although the police define themselves as being neutral, the political authorities do not regard the police as being neutral. If there exists a dominant party, this party will use the police for its own purposes. The notion of neutrality takes several forms:

- 1 - The general self-perception of the police as being neutral;
- 2 - The attempt by policemen to act fairly and not to take sides;
- 3 - The commitment of the police to the enforcement of the law, whether the law is "fair" or not.

From research in the Federal Republic of Germany, it appears that the political party preferences of policemen may influence their behaviour in certain situations. The voting behaviour of one sample of policemen correlated with their attitudes about crime and the judicial system. It should be noted, however, that the actual behaviour of the policeman depends on more things than his attitude. Departmental policies may be a better predictor of behaviour than individual attitudes.

In discussing the political aspects of policing it can be useful to distinguish three levels:

- A - the functions of the police;
- B - their use of discretionary powers;
- C - the level of individual attitudes.

It would be interesting to explore correlations between these levels.

As to political behaviour, it might be useful to distinguish:

- 1 - political participation of the policeman as a private person
- 2 - political topics and the policeman as a civil servant;
- 3 - open conflict in society, and the policeman as a civil servant who is planning strategies and/or following orders from other authorities or superiors.

III - Linkage or relations between researchers and police

Introduced by Brusten

The following questions and topics for discussion were raised.
Is social science to be seen as a means for controlling police or is its task to help the police?

What does the scientist know about the police or, perhaps more interesting, what does he not know about the police?

Who is the person most able to study the police?

- a) An independent scientist being paid by an other agency than the police;
- b) A free scientist who is financed by the police;
- c) A scientist within the police;
- d) The police themselves;

Who will have most problems of access and acceptance?

Which criteria should be used to determine which research to undertake? Possible criteria for deciding which research should be assisted:

- 1 - Usefulness for the police as seen by them, not by the scientist;
- 2 - Political acceptability of the scientist to the police.

How does one - in this context - define usefulness and acceptability? If scientists discover that there are quite a lot of blind spots in their knowledge of the police, a list of priorities for

research should be made. However, who decides on these priorities?

Decisions may be made by:

- Ministry of the Interior/Justice;
- Federal Bureau of Investigation;
- Directors of Police Departments;
- Policemen as a group;
- Clients of the police;
- Scientists.

All these groups will tend to have different view-points and different criteria.

Another point is the legitimation of research. Is research being undertaken to help politicians, private groups, society in general, policemen as a group, or police as an organization? Or is it just pure science?

In what way does the researcher obtain his information? It is clear from experience that if the research worker takes pains to explain the project to policemen this will improve the extent of their co-operation. This in turn can stimulate the researcher, as many ideas are forwarded by policemen, once the researcher has been accepted.

During the discussion, one participant pointed out that in his opinion the police, as a public agency with a monopoly position in society, have the obligation to admit research in order to account

for their work. It could even be argued that a public agency, which is not able to show that it is producing results within a term of several years, should be closed down (in parts of the United States these are called "sunset laws").

What is being done with the results of the research? How does one transfer one's knowledge? A very important point is the publication of results. Should the researcher and the practitioner make an agreement on what to publicize and how to publicize, beforehand? It was remarked that many research reports are not presented properly. Researchers should try to publish on a wider scale.

Does the researcher have the obligation to offer to help with the possible implementation of the results of his work, and should he try to offer alternatives, in case his findings show that things are not working as they are supposed to be? On these issues no agreement was reached.

It was mentioned that the findings of research can antagonize the practitioners as they feel that these results criticize their performance. On the other hand, it was stated that continued relationships between researchers and policemen caused a very positive change in attitude of both researchers and policemen, so much so that the danger even exists that the researcher gets to be too police-minded. There appears to be a new tendency in which police administrators and police

researchers want to co-operate, but have a common problem with the authorities who have to provide the financial means for research.

IV - Police Unionism Research Questions

Recommendations Introduced by Clark and Lucas.

- 1 - What are the differences between unionized and non-unionized police agencies in their delivery of police services?
- 2 - How compatible are the concepts and specific objectives of police professionalization and unionization?
- 3 - What is the nature of trade-offs between union objectives and management prerogatives? (Trade-offs, e.g., to concede management prerogatives rather than pay increases).
- 4 - What are the resultant differences between autonomous police unions and those associated with larger, established labour unions?
- 5 - What are the forces or initiatives which foster police-unionization?

It should be noted that these questions mainly apply to the situation in the United States of America and consequently need adaptation for the European situation. Research should cover different kinds of agencies with police functions and civilian employees within police organizations. In some countries the police are limited in the kinds of representative organizations they may establish. Research of this kind should be related to the broader field of comparative labour studies.

V - Sociology and policing in relation to the training of police.

Introduced by Brown.

If all other control mechanisms fail or work inadequately, it

could be that at least the training of policemen can do something to control the police.

Starting with the recruitment of policemen, it seems to be crucial to have high standards in the selection of recruits, such as high intelligence, and high morale. In the most developed countries there is a tendency to require at least college education for recruits. An issue for research is whether college educated policemen perform better than non college educated policemen. (Some research has been done which shows that such is not the case.) Another issue is the representation of racial minorities in the police force. It could be argued that a police force should be representative of the society it works in. However, how much more effective is a representative police force than a non representative police force?

The police are required to train their own recruits. Severe problems arise when people are not sure as to what the tasks of the police are. If these tasks are not agreed upon, how can one effectively train police recruits? There should be an understanding between the community and the police as to what role is expected of the police by the members of the community.

In police training there appears to be an increasing concern for the social training of the police recruit. Subjects like sociology, psychology, minority rights etc., are introduced into the curriculum,

In the United States of America most training is concerned with law-enforcement. However, this does not seem to prepare the officer for dealing with people in society. Law-enforcement is just a small part of his work. It is crucial to teach the police recruit not only technical skills but human skills, so that he knows how to handle people, how to perceive his own tasks. An issue for research could be the question: to what extent does the incorporation of social skills in the curriculum of the police recruit affect his actual performance on the job?

Another question that needs to be answered is, what happens to the recruit during his training? In many countries the training isolates the recruit from society, the umbilical cord between the policeman and his community is cut. What are the positive and negative effects? It is only logical that the next question to be answered is, what happens during the socialization process of the recruit when he enters the police force? How much of the initial training is being undone and what are the positive or negative results thereof?

In short, there is a great need for evaluation of the activities in police training at all levels.

In relation to the introduction of social skills in the training of policemen, referral was made to the situation in Finland.

During a 26 day police strike in 1976 the amount of recorded crime did not rise, with the exception of homicides within families, which did increase significantly. One could suppose that this effect was caused by the absence of the police, who are usually intervening effectively in conflicts between individuals. Yet though the police are apparently effective in this role, they have received no specific training for it!

As to the introduction of social skills in the curriculum of police recruits, the question should be posed, what is the function of instilling these subjects? Is it to have a better performing police force or is it a political legitimization? A further question should be, who should be teaching those subjects? Should it be done by policemen or by outsiders? If this teaching is done by policemen themselves, the risk of a self-generating sub-culture is rather great.

One of the participants pointed out that research showed that the effects of training recruits in crisis intervention were not very high, due to the socialization process of the recruit in the police force (Canada).

A careful distinction should be made between training and education of policemen. The initial training of the police recruit should be followed up. Further training should take place during the years in which the individual performs his duties as a policeman. If one could construct a programme which contained training and permanent

education, some contribution to an adequate control over the police might be made. To construct such a programme it is imperative to reach agreement on the tasks of the police first, and to have knowledge of applicable evaluation techniques, in order to measure the desired effects of training and permanent education.

The following recommendations on police research were made:

- 1 - Intensify cross-cultural and historical studies of the police, as these studies can make one reflect and prevent one from being caught up too much in one's own situation;
- 2 - Comparative research on the police sub-culture in Europe and the United States of America would give one more insight;
- 3 - More should be known of the self-conceptions policemen have;
- 4 - Police education is very important. However, it is not the only way to improve the self-awareness of policemen as to their role in society.

REPORT ON WORKSHOP III

POLICE AND OTHER AGENCIES OF THE CRIMINAL JUSTICE

by

James H. OLILA

Chairman: G. KAISER

Workshop III at the International Seminar on Police Research was chaired by Professor G. KAISER. The main task of the group was to determine the relationship between the police and other agencies within the criminal justice system.

After an introductory discussion of the subject, the chairman proposed an examination of the following topics:

- a) Police and Prosecution
- b) Police and Courts
- c) Procedural goals, e.g., accusatorial and inquisitorial etc.
- d) Other agencies, including corrections and social organizations.
- e) Questions for research.

Police and Prosecution

The first session was devoted to the relationship between the police and the prosecution. The sub-items which were developed mainly concerned the complementarity between the work of the policemen and the prosecutors, their interaction and the impact it might have on their respective goals and attitudes toward offences and offenders, and finally, the different factors which influence decision-making at this level of the criminal justice process.

Professor KAISER put forward a certain number of questions to be answered by the group: what do we know about the Police and the Prosecutor? What do we need to know? What research has been done? What is the role relationship between the Police and the Prosecution? What is the interaction status?

For Dr. RICCIO, the link between these two components of the Criminal Justice system is via arrest. He suggested that we need to ask if we want to set objectives for the prosecution and police concerning arrest and whether these objectives should be much more closely related. "If we are not ready to agree on the objectives, then let us ask what are the objectives to be?".

Whereas Mr. HANN considers that the agencies should be left to "fight each other" and therefore utilize each as a countervailing force on the others, Mr. WITHERDEN, who is a member of the Royal Canadian Mounted Police affirmed that "there is not supposed to be any antagonism between the police and prosecution... They are on the same side," he said, "the side of the victim, and there is a judge to weigh the prosecution (and the police) evidence against the case of the defence!"

Based on my seven years' contacts with nonmetropolitan police and prosecutors, I submitted to the group my view that there are a number of stereotypes used by the different sub-systems to assist them in remaining separate and, in some cases, to feed the flames of what borders on total non-cooperation.

These stereotypes are troublesome, to say the least, when they are forced to work with each other. A countervailing factor to the separation of the two is the increased fear (and perhaps reality) of false arrest suits against police; this fear drives many policemen, in my experience, into the prosecutors office for advice, cooperation, instruction, and help. Some prosecutors even have police radios and decide to join certain investigations upon a whim or calculation.

Again Mr WITHERDEN stressed that, in Canada, the prosecutors do not tell the police what to do. They only ask for more information they may need in certain cases. "Prosecutor and police are the representatives of the victim and we can't afford a fight between them."

This opinion did not seem to be shared by Dr. RICCIO (from the U.S. Police Foundation), who stated that the only feedback police are likely to get from prosecutors is "don't do that kind of work".

My experience is that both the police and prosecutor do define, label and categorize according to whether they perceive something as criminal or non-criminal. They also determine how severe a label to use, such as felony or misdemeanor. Some jurors in the U.S.A. have complained that they didn't realize the distinction was available to them, that the prosecution withheld this information. Prosecutors have also told us, in our research, that they determine whether to request a felony or misdemeanor charge.

Dr. STEFFEN's research (see summary in part II of the present report) served as a basis for the discussion of the decision-making process within the police and the prosecution.

One major hypothesis was disproven. It was determined that the social class and status of the offender was not significant, but rather the offence itself was found to be the most important criteria for prosecution.

On the other hand, the notion of reasonable suspicion is defined differently by the police and the prosecution. They don't understand each other well enough on what constitutes sufficient evidence.

In conclusion, Professor Van OUTRIVE suggested that this raises a research question, i.e., what other features determine, for the prosecution, whether they will take or drop a case; in other words, the whole problem of the discretionary power of the prosecutors, in relation to the police, is still to be solved.

Police and Courts

Following our discussion on Police and Prosecution, we now turn to Police and Courts. What research has been done? What research should be done? Several lines of thought on this topic were suggested by the chairman:

- investigative function for the police

- police as a source of complaints
- police as witnesses
- police executing court decisions, pre-trial and post-trial
- possible feedback by the court to police

Prof. Van OUTHRIE has done research in this area: he first noted that in the Latin countries, they have the "judge of investigation" and the court judge. The research was on the Municipal Police, and one aspect was on the relationship between the judge of investigation and the police. It showed a negative attitude on the part of the police toward the judge (as toward the prosecutor). The police felt the judge did not have any idea of the workload of the police and thus overburdened the police with new requests for work. The municipal police also have a lot of work with the municipality, not just the court. The police also complained that the judges do not have any appreciation of the time required to do certain tasks they request.

Also there is no communication between the two. Police never learn the results of the case. Often the case is passed on to the judicial police or the Rijkswacht (Gendarmerie Nationale). This results in these two police forces calling the Municipal Police into Court to criticize and interrogate them on their methods. Thus a very bad relationship exists between the branches of the police.

Nevertheless, this situation calls for further research.

The study considered 18 municipal forces with 100 officers. Further problems arise from the fact that the Gendarmerie Nationale have a military structure and that the Judicial Police doing the work are the rank and file members, not the officers who receive the training. They just supervise. So it would be worthwhile to conduct further research on the workload of the judge and interference of the judiciary in the work of the police.

In Belgium, judges do not have confidence in the local police; the belief is that the municipal police are not adequately trained to handle delicate matters. There are detectives in only a few municipal police departments. There are too few people trained as judicial officers. More of these exist in the Constabulary than in the municipal police. The judicial officers are certainly not the common policeman. In the larger cities of Belgium, however, the Constabulary and the municipal police have better relations, due to the more equal competitive footing (this is quite distinct from the vast majority of local or municipal police, who are seen as dummies).

Van Outrive: If the police were consulted on sentencing and dispositions, they would certainly push for heavier sentences because they now work with stereotypes they pick up from the media. Training could dispel this.

I personally shared this opinion as, in my former American State, when police I knew were consulted directly by the juvenile court

they remained unhappy unless the judge concurred with their opinion. I don't think it is simply a case of communication, but rather in part a case of wanting to incarcerate those that they apprehend. Many of the police do not feel the law is valid or feasible when it comes to protecting the rights of the accused. My personal opinion is that the police and courts are successfully working under different systems, different constraints, and, therefore, in an adversary system such as the U.S.A. successfully kept from collusion in most instances. The absence of legal training for most American police is a problem for training consideration. In my former job, I worked, not to bring the court and police into harmony, but to increase the training opportunities for both police and courts separately. With rural systems in much of rural America, the problem, as I saw it, was a rudimentary lack of knowledge of the legal code on the part of the police, and a lack of sophisticated knowledge of the criminal code on the part of the courts. But for other training areas, we found police in rural areas generally lacking in all of them. For example, the worst daily situation for police, in my mind, for which no one is trained or even informed to handle, is management.

Police training

This raised the question of police training on which participants had an exchange of views.

Professor Van OTRIVE stated that members of the "Gendarmerie Nationale" receive basically a military training but are grossly lacking in the socio-psychological areas. They are not trained how to assist and aid citizens and suffer from some deficiencies in criminalistics. Looking at the schools for police one finds that some give 350 hours of training, others give 190 hours. The proportion of the courses is also different. For some there are 50 hours of penal law training and for others 20 hours.

In Antwerp and Brussels they have their own schools, and then there are provincial schools (this refers to the Flemish situation). Some judicial officers have never even had the basic training, just experience. They go for a short time to a specialized school, take an exam, and then become a judicial officer. The problem is that the officers are simply supervisors, not the actual field workers, who remain untrained.

From a more general point of view, Professor HULSMAN stated that training usually claims to have a purpose. The question is, what is the purpose? In Holland there is more training for police than in Belgium. It is mostly legal training. Professor HULSMAN said that this makes the police worse and that one should teach the police to handle the real problems of people.

Police and diversion

Dr. RICCIO then raised the question of diversion by the police, saying that even if this seems new to researchers, the police have been doing it for ages.

Mr. WITHERDEN corrected: "you might better say that we do enforce, but not always through the system.

According to Chairman KAISER, the aspect is different on the continent where action is not as flexible as in North America. In West Germany, for instance, the judges say NO to private justice such as suggested by Mr. HANN when he said that in North America, "we couldn't even count the number of cases that are overlooked by the police". On the contrary, in West Germany, all cases reported must be placed in a dossier which is then handed to the prosecutor. 10% of the cases go to court, 15% receive a written penal order in response, and the others are dropped due to some barriers.

Mr. HANN, confirming again that most judicial decisions in Canada and the USA are made by the police, Prof. KAISER stressed the fact that, in his country, police must determine if it is a legal case or not and, if it is, they MUST send it to the prosecutor and THEY DO.

I nevertheless expressed some doubt about that. I find it hard to believe that the police never "look the other way" and never

allow a case to go unreported or use discretion. It is inconceivable to me, given my experience with police, even in limited rural areas where activity is at a low ebb as far as "technical" crime is concerned.

Prof. KAISER replied that his point regarded only reported cases. However, some people might not be willing to go to the police with a complaint. Then somebody handles it civilly or internally in the organization involved.

Police/Courts Communications

In the field of communication between the Police and the Courts, Mr. HANN said:

I have worked in areas where there were reports issued to the police by the courts, and the police just did not read the reports. What we need to address is the areas where the police really HURT - e.g., court scheduling that does not take into account the other demands on police and leaves police sitting and waiting day after day to be called as a witness.

The chairman therefore asked Prof. HULSMAN to explain his approach about the lack of communication between the courts and police. He raised some questions, such as:

- How can we better oil the system
- How can coexistence be established with separate goals for each institution.

- Should priority be given to other goals or new systems that are victim oriented
- and finally, how can these things be operationalized?

Prof. NULSMAN:

" I have rejected the first path or priority of oiling the system or simply perfecting the coexistence of the sub-systems. I see two things for us to do: 1) goal one becomes: how to abolish the present system. In my way of thinking, it is a good, in and of itself, to abolish the present system, even if we cannot do something about these social problems it pretends to address. 2) goal number two, on the other hand, could be to look at the social problems dealt with under the rubric of "criminality". I have no blueprint in mind for a new system, but to create alternatives. They can spring up.

" From Sociology and Social Psychology we have all types of information on the changing of organizations that we can use. For example, we know that people want to keep their status and jobs, so we must find the criminal justice personnel new jobs that are less harmful. That would be our first goal. Secondly, we would try to find them not only less harmful jobs, but also useful ones. But in my mind, to just find them less harmful jobs is enough of an achievement. We, therefore, have to carefully look at each subsystem and determine what alternatives we can find for each role position. It will naturally have to be different under different political situations. So we must research the different situations and stages. We must present it in a clearly understandable form so that the adversaries of this move can really confront it and understand it. The question to ask as a researcher is: what can I in a comparative manner bring to the people as alternatives?

" In Holland, for example, most judges do more civil work than anything else. For only brief periods do they do criminal cases. They don't like the criminal case work. They don't like putting people in jail and meeting all these "criminals". So, under my plan, we merely offer them a civil approach to this criminal work. That, I think, is already an option agreeable to them, but again I stress that I am only speaking of Dutch judges.

" We should do research in our own countries in an experimental way, an also comparatively between countries, on the means of handling these social problems in a civil way that works. This should be done in a manner that also addresses itself to peoples' present attitudes. We must strive for plausible alternatives that we can offer to the system personnel and the citizenry.

" My second point was addressing social problems directly. Let us take burglary: it is generally considered on the border between the more serious felonies and yet it is also viewed as not that serious. It is, therefore, a good example to begin with, since some already feel it can be handled in a number of different ways. Let us take into consideration other people than just the offender. I asked a group of Dutch prosecutors and judges once to tell me the effect of burglary on people other than the offender. None gave me any data, they simply didn't know. They finally came up with one spokesman who told a personal story of how a man he knew lost in a robbery an antique piece of furniture he had inherited which was very valuable. He was paid handsomely by his insurance company and he felt much happier with the money he made than the original antique piece of furniture. So, in this case we could certainly drop the concept of victim. We must first see how to do something for the real needs of the participants, and certainly let us not start with prevention. Let us see if this approach is preventive. If, as in this case, we are not left with a victim, who are we left with? What is the actual social problem? For sure, I want to get rid of value loaded terms. Lets look at what it all means to the people involved, perhaps others suffer much more damage than the original owner of the stolen goods.

" If you begin to look, as one participant suggested, to more severe offences, your are making it difficult for yourself. I want to start this process with border cases. If burglary can be handled in this new way in my system, then maybe we can recall how hard it was for us at first to originally see burglary as something to approach differently. Remembering that, and seeing the new successful approach, perhaps we will be willing to try our hand at these other social problems.

" About the legalism of the Dutch judges in civil cases, I don't think they handle this kind of affair very well. I want the whole legal approach to disappear. In civil matters what I like in the Dutch system is that the individual has more control than in criminal cases. The individual has more influence through bargaining and negotiation with the opposition lawyers than on the public prosecutor. If the court is unsatisfactory to the disputants, then they settle the dispute in other ways.

" Regarding traffic crimes, there is, in my opinion, more common rationality than in other areas. More impressive information exists than, say, in burglary. You have taken a step in my direction in German traffic regulation. You could do research here. Also there are less accumulative negative effects in traffic by continued infraction."

I believe it has been tried in Chicago where police left information packets for use by people who had accidents for processing their own situation; as police, they only concerned themselves with the injured parties and/or making sure that traffic was able to continue to move in spite of the accident. Also no-fault auto insurance may be a step in this direction in parts of the USA.

We suggested that in rural areas of Minnesota, the Sheriff is truly only a "symbolic", but very important "symbolic" protector. They do little crime related work, but the people feel more comfortable seeing the car moving around or just knowing it is there if the need arises to call on their "crime fighting" services. In many rural counties, however, the people don't like the police car pulling into their property, since their neighbors may conclude something bad has happened in their lives. They just want the Sheriff around.

Mr. HANN opposed Prof. HULSMAN's approach. whereas Mr. VERSELE approved it. Mr. HANN stated:

" We would all like improvement in the present methods and approaches, but before we write off the present system you have at least to give an indication of a better way. This approach is best characterized as needing assessment. But my knowledge and personal experience with what has happened in the health or psychological systems scares me a lot, and I don't want either of them replacing criminal justice. For example, the decriminalization of alcohol abuse showed us that the definite, time-bounded sentence of the courts was replaced by an indefinite sentence by doctors who let the person go only after they determined that treatment was over. They lost their criminal label and got the label of being "sick". I would rather be labeled by the court than labeled as sick. We now have these people under the tyranny of the medical system."

Mr. WITHERDEN agreed that, before "throwing away" the present system, research should be undertaken on alternatives within its framework and on ways of improving it.

One research topic which I think has surfaced here is to try to determine what alternative regulatory systems will crop up with decriminalization. This is an important implementation effect of Louk's ideas we must consider. Professor Van OUIRIVE has already stated in the plenary session that he is afraid of hidden regulatory systems showing up; Mr. HANN has stated that the medical tyranny is worse as an alternative to criminal justice.

Professor Van OUTRIVE also stated that someone presently doing research told him that research within the present system has to be stopped because researchers only become collaborators with a bad system. This topic has therefore to be discussed again.

In fact, there was visible opposition between two positions: the first which sees the need for implementation of radical alternatives but does not necessarily have any systematic approach to propose to replace the present system, and the other which asks for research to improve practices within this system.

Police and other agencies

A report by Dr. Waller was given on the East York (Canadian) divergence project. In essence, he stated that the goal was to bring the disputants together in a particular house with resource personnel at its disposal to sort through their own difficulties. He also cited a restitution study in Alberta in which, for cases under 500 Canadian dollars, people were to sort out their own problems. He states that what is important is the philosophy behind this National Law Reform Commission: the problems of victims, restitution, and victim compensation. He called for a clarification of the goals of the components of the system, and any system-wide goals. He stated that with the closing of the East York project there was no follow-up study, no continuation of the project. A problem, he states, is that alternatives are created

without reducing the "denunciation capacity" of the system in existence. He also noted that one notable result of the NLRC is that they found, where compensation was provided, there was a concomitant reduction in the "cry for punishment": the general interest of the citizenry seemed to lie in the return of goods and a normalization of the situation.

Professor Van OTRIVE commented that each project is an assembly of little projects. If crime is seen as a problem by someone then they call for another opinion poll. In one such poll, when asked if crime is a problem, 80% said yes, when asked if the respondent was fearful of being a victim, only 10% said yes. Canadians also found that in crimes-against-the person, that 80% of the cases involved people who knew each other. Police did not find cooperation in all cases, but did find it a very dangerous situation. Also, in East York they found that very few people go to aid-institutions for help. Of those who did there were two types: the manipulators of aid and the people who still have good social contacts with aid agencies. An important category of citizens they talked about were the 10% who were "isolated persons". They turn to police.

A good deal of the discussion that followed concerned the relevance and the usefulness of researches to decision-makers.

Dr. RIZKALLA was then invited to talk to our work group about his research on communication and consultation between police and federal correctional services in Canada. He stated that both sides

feel an urgent need to exchange information, both to feed the decision-making process in granting temporary absences from prisons and parole and to help in the supervision and surveillance of released prisoners.

Some participants were very critical about the taking into consideration of the police point of view in the decision-making process, but Mr. WITHERDEN confirmed that when confronted with case histories concerning parole, only 1% of RCMP trainees recorded discrepancies with the parole decisions.

Regarding other groups with which police could have relationships, it was suggested that academics, especially researchers, insurances companies, religious institutions and youth and service organizations were among the most relevant agencies to be discussed.

Professor SZABO talked about youth and motorcycle clubs and the action taken by the Montreal Police in that field to prevent crime and violence. But most participants agreed that it was difficult to evaluate such programmes.

I informed the participants of some American experiences where police have been called to patrol the hallways of schools to protect the staff and faculty from the students. In these cases the police are set up against the youth, since the Mayor and others with directive powers can order them into situations they might handle otherwise. We need research on what alternatives can be recommended

for the police to undertake when they are confronted with a worsening situation in their relationships.

We also need to research the fabrication of youth criminality by the police !

Professor HULSMAN stated that:

1) Nils Christie of Norway reports on research on the Norwegian police that police types are distinctive; in Oslo they have 3 kinds, neighborhood police, uniformed police, and detectives. The neighborhood police have become a different kind of agency, with different kinds of social contact and frequency of social contact. They found themselves with a high potential and degree of possibility to solve all kinds of problems -- in other words, they become a helping agency. Research suggestion: What types of police fit in what neighborhoods and what kind of contacts have evolved in these different situations.

2) In Dordrecht, Holland, one local cop did his own research on the number of window panes broken in official buildings in all sections of Dordrecht. His question, then, was why more were broken in some sections than in others. He found that in neighborhoods with more broken window panes the children had less play options. He can now say to officialdom, don't ask me to handle your structural problems too.

3) Why not be a social worker instead of a policeman? When, as I have said, I want to abolish the criminal approach, we do have, nonetheless, to find jobs for the existing employed police - we must give them options, less harmful and more useful options.

Police and Private Security

SHEARING (Canada) delivered a special report to our section at the request of the Working Group's Chairman on the Private Security research underway in Canada.

This is a long term project. The 1st phase was to look at the public information on private security. What kind of picture can we get from it? It was not a consistent picture, the accuracy of the reports was hard to determine. One colleague looked at all the legal controls on private policing, another colleague considered how private policing was used by industry, etc. - both will be released in June. Now they are looking at the employers and employees of the private police sector. Also they are following actual cases through the criminal justice system, trying to determine the role of the private police at each stage and how they interact with the system. The research however is not looking as closely at the decision-making process in private policing as it should. An interview test was administered on their knowledge of the law, and then the same questions were asked of public police. The findings: 1961-1971-growth fast. Reasons for growth is first due to claims of private organizations that they cannot get the public protection wanted and also due to the growth of quasi-public places like apartment complexes spreading over entire city blocks which have private streets, or commercial complexes with streets not accessible to public police scrutiny.

"in 1971 in Canada we had 36,525 private police -- an increase of 38% over 1961, with 335 million dollars allocated for them; also in 1971 we had 41,940 public police, an increase of 60%; money allocated was 630 million dollars; contract security field alone showed a growth rate of 700%".

Private police are defined as those employed for policing and security by private organizations who pay the tab -- this includes in-house security. Their legal position is that of an ordinary citizen with the exception that with private property they have the same power as the owner of the property.

Control of police and policing function is one issue raised -- public police are accountable to a public body, but the private police are only accountable to private factions. The above growth rate shows an increased removal from public scrutiny.

For this and other reasons, some participants mentioned that they should not be called "police". HULSMAN formulated an interesting question for research: compare how participants feel about the results of giving their problem to private or public sector police. What are the chances for violence (e.g., detaining people, interrogation, etc.) in one sector as compared to another,

Research Topics

I will finally try to summarize the participant's opinions about further research:

1 - Where we have the relative freedom to choose the most needed and useful research, we should choose a lot of little projects and

link them with what is happening and determine how things are changing and how we are doing trying different things. We should strive for a good exchange, and by using our results together, we can develop and test a theory. This should also be accompanied by an explicit statement of what aspect of a phenomenon we are looking at. And we should not just do research under the perspective of "social control" but try other perspectives.

2 - We must push for more qualitative information. Never are scientific conditions really fulfilled no matter how hard the researcher tries. Instead we should therefore go intensively into one small aspect; with large representative research you make gross reductions. How statistics and how files are made is a question of great importance. Research on this would be valuable. We need a critique on police statistics, for example concerning their sources of data. Also if you look at the juvenile delinquency statistics of Canada it will make you into a non-believer.

3 - By using victim, police, and judicial statistics together comparatively, we can see through these weaknesses and problems.

4 - There is a total lack of information!! What are the goals of the sub-systems and the whole system? Before anything else, decide if police should sit on the parole board, first tell us what he IS doing now! The systems analysis done to date is not good. No one

considered in their systems analysis that maybe information flows backwards in the system, from corrections saying how much it will cost, what they will do to an offender, and how much bed space they have, saying all this to the court which then decides what to do with a convicted individual and what to encourage the police in - convictions or no convictions, etc. Also the flow charts of the system never include the defence lawyers, a mighty important group. What are the real dimensions of the system, where are the city councils charted and included? We also need more imagination in combining things. We should remember that systems analysts don't have knowledge of the micro stuff and exclude it.

5 - What about research to solve real problems, not just research to increase our awareness. We need more input from the practioners - what are the differing biases, different political frameworks. We must remember that our journals popularize deviance from the status quo and we respond with the junk they ask for.

6 - Not all rejection by our subjects is just defensiveness against researchers and academics and policy makers, but also, a statement to us that we are missing part of the practioners' dilemma; we need to hear that, and accept the feedback.

7 - We need research on the dynamics of frustration within the system, e.g., the Gendarmerie Nationale and municipal police problem in Belgium. The authoritarian and hierarchical military, legalistic bent of the Belgian police is a real problem in doing research, however.

8 - That is part of our task, to overcome difficult supposedly impenetrable rapport situations. It may take a year to get in, but most cop out and settle for a quick photo of the situation.

In conclusion, I would like to add that, as a secretary, I assume full responsibility for the attributing of comments to certain participants and apologize in advance for any errors, omissions, or misrepresentations. I hope the notes are an approximation at least of what I for one considered a very lively and stimulating 3 days. Thanks for the chance to meet and serve you all.

CONTINUED

1 OF 5

PART II

PAPERS PRESENTED BY THE PARTICIPANTS

POLICE IN MODERN SOCIETY:
CENTRALIZATION OR DECENTRALIZATION

The Belgian Case

by

Lode VAN OTRIVE

Katholieke Universiteit te Leuven,
Belgium

Paper presented at the International Seminar on Police Research,
Leuven, Belgium, May-June, 1976.

1 - Analysis of the evolution of police organization.

a) After the Belgian revolution of 1830, and even until today, the determination of the power-relationship between central and local government has been one of the most important and most controversial political questions. On the one hand, local autonomy was defended tooth and nail, on the other hand, there was a constant effort to strengthen the position of the central national authority.

In spite of the recent municipal reform and the so-called regional decentralization, the dispute was really settled after World War II in favour of the central government.

The organization and development of the Belgian police system reflects this governmental situation.

As of 1830, there were both municipal and rural police in Belgium, almost completely subordinated to the local government, as well as a completely centralized police force: "la Gendarmerie Nationale". Until World War I, that situation remained unchanged and there was a relative balance between these police organizations, partly because of the active role of the "civic-guards" and the army in the maintaining of public order, and also because of a relatively clear separation in the execution of the police tasks. Nonetheless there was much discussion

about the matter in the last decades of the 19th century.

Between the two wars (1918-1940) the balance started to swing in favour of the central authority. The civic-guards - a municipal based police force - were abolished and the police role of the army was strongly reduced. At the same time the "Gendarmerie Nationale" was extended and became the main police force. Also the role of the central government in the organization and functioning of the local police was enlarged. Moreover a judicial police - a national organization - was established. This police corps certainly filled a gap in the execution of police tasks, but at the same time contributed to the shift in the balance of police power between local and central government levels.

After World War II (1945), the trend is even more marked. The "Gendarmerie" becomes the most powerful and the best equipped police organization. At the moment it still maintains that dominant position in the whole police system. The evolution of the judicial police, on the other hand, was not so rapid. But at the same time no less than three new national police organizations were set up: women police, the juvenile police and the office of crime information. These new national police corps are still embryonic, but they reflect the trend toward centralization.

From the viewpoint of centralization there is very little change in the situation of the local police forces. It is remarkable indeed that many efforts to realize some degree of centralization were unsuccessful. The very existence of the rural police, already diminished after 1945, was threatened. For instance, within the framework of the actual municipal reform, the government proposed some uniformization of equipment, uniforms and armaments. There are also plans to adapt the organization of the rural police to the new local governmental situation... But in the name of local autonomy, many politicians are opposing these propositions.

By way of conclusion, one can perceive a real trend toward centralization. Because of the one-sidedness of this evolution, i.e., in favour of the already existing central police forces, the equilibrium between the "centrals" and the "locals" is more than ever threatened.

b) This noticeable evolution is the consequence of the following factors:

- a rhetorical and not really operationalized conception of local autonomy in the Belgian traditional political circles;
- the permanent menace of public disorder based on the three important sources of conflict (capital-labour; Catholic-non-Catholic; Flemish-Walloon), has induced the traditional political elites to a permanent reinforcement of the "Gendarmerie";

- the evolution of certain police tasks in the sphere of public order, of national and political crime, of traffic, for which, in some measure, centralized police forces alone are considered adequate.
- a lack of collective action within the local police forces to promote common interests;
- an amazing lack of parliamentary and public discussion and of research about police problems.

2 - Reactions and evaluation

a) The municipal, rural and even judicial police forces react against the evolution of the "Gendarmerie". They fear this powerful, still more differentiated and polyvalent organization, that transgresses without consultation the traditional, factual, territorial and functional conventions.

On the other hand, these forces take the evolution of the "Gendarmerie" as their point of reference in the formulation and defense of their aspirations and interests.

This ambiguity reveals, first of all, an enormous displeasure with the disrupted way the Belgian police system evolved after World War II. It reveals also the opinion that the authority of the central government over the local police must be increased in this very specific

sense, the establishing of a set of rules and regulations that would allow local police forces to function in a more adapted way. At the same time it manifests the need for a general revision of the whole police system.

The recent governments since 1972 seem to admit officially the existence of a police problem. Evidence to that effect is contained in policy statements wherein the coordination between police forces is advocated. As yet there are no results.

Also in the lobbies of parliament there seems to be a consciousness of police problems in general, and more specifically, of the disrupted balance of police power.

How the traditional political parties conceive the solution of the problems, created by an evolution which they themselves for years have either silently witnessed or explicitly approved, is not quite clear. In any case, there does not seem to exist at the present time any serious interest in revising the actual Belgian police system.

Last year the large trade unions also began to demonstrate their interest in the problem: it was a consequence of their interest in the municipal reform. One has the impression that they try to improve the situation of the local police organizations without touching the structure of the Belgian police system. The socialist trade unions, not necessarily the socialist political party, reacted vehemently against

the evolution of the "Gendarmerie" as the dominant police force.

During the past years, judicial authorities complained on several occasions about a lot of problems concerning the police. However, they never openly made clear their evaluation about the general evolution. Slight indications lead us to some suppositions.

1 - They do not really agree with the turbulent development of the "Gendarmerie". This development seems to generate a number of problems for the authority relations between them and the "Gendarmerie" which is seen as constituting a real danger for the judicial police coming under the supervision of these authorities. The plan to give the judicial police a new set of regulations ("status") on a short term basis seems to be a reaction against this threat.

2 - As for the municipal police forces, the judicial authorities advocate a large measure of centralization.

The mass-media most of the time reflect one of the aforementioned viewpoints. But one cannot say that the police problem has an important place in public opinion and/or the press.

b) My personal opinion can be summarized as follows:

1 - In any case it is regrettable that the political authorities have allowed such an unequal development of the different police organizations. The consequence is an ill-balanced and conflictual police system.

with an excess of internal problems and of negative effects on society.

2 - As already said, this is also the consequence of an unjustifiable lack of public and/or political discussion on the police system. That yet at this moment the parties involved don't make their positions known, evokes questions about the interest which groups, parties etc. have in the actual system, and legitimates the presumption that the police problem is now at a stand still.

In order to eradicate the problem from this situation it is desirable that these interests be known.

3 - Most people involved advocate partial solutions for specific problems. In my opinion, the whole system needs very basic revision.

4 - There is perhaps no fundamental reason to object to an intensive coordination, even to a certain unification of the police system. But we reject the actual one-sided Belgian centralization. We agree with unification if it means creating a regulative system on the national level to permit the functioning of regional and local police forces, close to the population. Eventually, some exceptional problems would need more central and specialized services.

The necessary condition, however, for such basic reorganization is an adequate control system over the police from top to bottom. It is evident that it cannot mean a purely internal control system: it must be an external one, wherein the citizens are mediately and also immediately represented.

INVESTIGATION INTO THE POLICY REGARDING THE OFFICIAL
REPORTING OF CRIMINAL OFFENCES BY THE POLICE

Research and Documentation Centre,
The Netherlands

Paper presented at the International Seminar on Police Research,
Leuven, Belgium, May-June, 1976.

1 - Introduction

At the request of the Committee on Police Reporting of Criminal Offences, the Research and Documentation Centre carried out an opinion poll among public prosecutors and the police in order to ascertain how serious the various penal offences were considered to be, on the one hand, and what bearing a number of factors, inter alia, the gravity of the offence, had on detection and prosecution policy. A list of about 50 offences was used for the first subject and the persons interviewed were requested to indicate the gravity of each offence on a scale containing the figures one to nine. For the second subject a "simulation" experiment was carried out in which the persons concerned were requested to indicate for each particular case what kind of information they would require before they could decide whether or not to take action by preparing an official report.

Reports have already been published on both subjects but they are not all exhaustive. A report entitled: "The Gravity of Offences: Opinions and their Measurement" (De ernst van delikten: Mening en Meting), containing detailed information on the first subject, was published in 1974. Somewhat later a report entitled "Police Reporting Methods; Kinds of Information and Decision-making" (Verbaliseringsgedrag; Informatie en Beslissing) dealing with the second subject was published. Both reports were discussed in the Committee.

It appeared that the members were of the opinion that the Dutch public as well as the police forces and public prosecutors would have to be sounded on the matter if a true picture was to be obtained. They also believed that critical evaluation of the impact of the outcome on policy would be particularly useful.

The present report is intended to satisfy the requirements of the working group.

2 - Definition of the problem

I the Committee asked us to provide narrower terms of reference than those on which the two previous reports were based. Assuming that one of the Committee's duties is to recommend policy directives for police reporting, some indication must now be given as to the direction in which the Committee could proceed in establishing such directives in the light of the results of the investigation. The outcome of the opinion poll on the gravity which the police and public prosecutors accord to the various offences is one factor to be considered; another is an evaluation of the various points in the light of which the decision whether or not to report is made. In view of this, we wish to give further attention to the following subjects. First of all, we shall consider what weight the officials involved in the policy, such as the police and the public prosecutors, attach to the offences concerned and, additionally, what the public has to say about the offences. Next we shall devote some attention to any differences in the opinions of the public prosecutors, the police

or the public. To conclude this section, we shall try to find out if, despite any differences that may emerge, there are any general criteria for the way in which the police, the public prosecutors and the public form their opinions.

When we have thus obtained some idea of the weight which the persons interviewed attach to various offences and of the criteria on which their judgment is based, we shall also need to know to what extent the gravity of an offence determines police policy when preparing an official report on it.

In view of what is stated in the introduction, the last subject will be the possible effect of the results on policy.

3 - How public prosecutors, the police and the public evaluate the offences submitted

First of all, the poll to ascertain the weight attached to 50 offences was held among 131 public prosecutors and 3 representative groups of officials belonging to the municipal police forces, and regional divisions of the National Police.⁽¹⁾ The sample totalled 1,424 persons.

The poll was repeated at a later date with a representative sample of the Dutch population totalling 1,151 persons.

(1) Organizationally the National Police is divided into various district divisions. Each district division in turn is divided into regional groups. Officials who are responsible for crime detection or traffic problems at the district level are directly attached to the district division while other officials belong to the regional groups.

The persons interviewed were asked to give their opinion on about 50 offences.⁽¹⁾ They had to tick their reply off on a scale ranging from 1 (not very serious) up to 9 (very serious).⁽²⁾ What was the result?

Before answering the question whether the public prosecutors, the police and the public evaluated the gravity of offences differently, we should consider the average rating obtained from the five sample groups for all 50 offences. We saw that the highest average rating for the 50 offences was reached by the public at 6.6. The second highest rating was obtained by the National Police regional groups with 6.0 and the National Police district divisions with 5.8, the Municipal Police with 5.5 and the public prosecutors brought up the rear with 5.3. So there actually were differences between the five groups. The difference between the public and the public prosecutors was quite considerable, while the three police groups occupied intermediate positions. The differences could in principle have been caused either by there being a small number of offences on which opinions differed widely or by the circumstance that we were dealing with small systematic differences in respect of all the offences. Which was it? To reply to this question, we ascertained for each of the 50 offences to what extent the public prosecutors, the police and the population differed in their judgment. It appeared from the statistical analysis that the variations observed could certainly not be explained by differences in

(1) The persons interviewed were given a short description of about 50 actual cases which according to the police officials consulted on the matter were more or less representative of the offences with which the police are usually faced. For the sake of brevity they will hereinafter be referred to as "the 50 offences".

(2) For a more detailed treatment of the "Gravity assessment investigation", see the report entitled "The Gravity of Offences: Opinion and Assessment"; a final version of this report will be published at the beginning of 1976. The most important results of the investigation are given in Annex 1 of the present report.

opinion on the gravity of a small number of offences.

On the contrary, we found a fairly systematic trend. The public prosecutors, for instance, rated more than 40 of the 50 offences submitted significantly less harshly than the public and the regional groups of the National Police did. The Municipal Police and the Districts Division of the State Police occupied an intermediate position. Even here, however, the differences in opinion compared with the public prosecutors were considerable. In well over 30 of the 50 offences the public prosecutors attached less weight to the offences.

4 - Gravity ratings by public prosecutors, the police and the public compared

As stated in the preceding paragraph, there were marked differences between the average gravity ratings awarded by the five sample groups for a great number of offences. It is every bit as important, however, to know whether the sample groups classified the 50 offences in the same order of gravity; shoplifting, for instance, was given a gravity rating of 1.7 by the public prosecutors while it was given a rating of 3.1 by both State Police groups. Although the absolute gravity ratings differed, the public prosecutors and both of the State Police groups gave this particular offence the lowest rating, so the gravity ratings of all these groups were relatively the same.

What was the position as regards the other offences? We adopted the following procedure to answer this question. The offence with the highest gravity rating in each group was given the number 1,

the offence with the next highest gravity rating was given the number 2 and so on . In other words, the 50 offences were listed in descending order of gravity as evaluated by each group. The rating numbers for the public prosecutors and the three police groups were seen to be very similar. The rating numbers for any particular offence did not differ by more than 3 or 4 places in any of the groups. The high degree of similarity also appeared from the sequence correlation coefficients calculated for the 4 groups. None of the coefficients was below 0.94, which may be regarded as very high (complete correlation is expressed by the coefficient 1). The similarity between the population group sequence and those of the four other groups was slightly less. The correlation coefficient for the public prosecutors and the public was 0.82.

Broadly speaking, we may therefore say that the five groups came up with the same sequence. This does not mean that there were no differences of opinion on the subject. For this reason it might be interesting to consider the number and nature of the offences concerned.

Our analysis showed that for 13 offences the rating numbers given by the public prosecutors differed by more than 10 places from the rating numbers given by the public. The three police groups again occupied an intermediate position. The rating numbers given by the latter were mostly halfway between the extremes, i.e., those of the public prosecutors and those of the public.

What was the nature of the offences? Did they have something in common or were they widely differing matters with hardly anything in common. We believe that some of the 13 offences can be regarded as representative of a particular kind of offence. In the first place, there were some sexual offences among them. "Exhibitionism" (offence No.46) was given the rating number 16 by the public, number 46 by the public prosecutors and number 36 by the regional groups of the State Police. "Sexual offences against a 12-year-old" (offence No.6) was also placed more than 10 places higher on the list by the public than by the public prosecutors. Two of the remaining offences were "the sale of 5 grams of marihuana" (offences No.13) and "the use of heroin by an addict" (offence No.26). In effect, therefore, the public prosecutors judged certain forms of sexual deviation⁽¹⁾ and certain forms of offences involving drugs much less harshly than does the average citizen.

A third group of offences which the public placed much higher on the list than the public prosecutors was made up of offence No.24, "fraudulent conversion of funds collected for the blind"; offence No.25, "battery of wives", and No.31, "stealing a colleague's tools". What these three offences have in common is that they are not serious if considered solely in the light of the gravity of the resulting damage or injury.

(1) One of the offences which was placed much lower on the list by the public than by the public prosecutors was offence No.27, "black-mailing a homosexual". The fact that the gravity ratings given for this offence by the 2 groups differ also proves that the public considers sexual deviations more serious than the public prosecutors do.

Perhaps these offences are regarded as so grave because they embrace contravention of a secondary norm of decency. The fraudulent conversion of funds collected is abuse of the charity of others, beating a woman is an offence against the code of gentlemanly conduct and stealing from a colleague is usually regarded in most working communities as a very serious offence indeed. Standards of fair play seem to weigh much more heavily with the public when evaluating offences than with the public prosecutors.

The public invariably attaches greater weight to the offences referred to above than do the public prosecutors. As might have been expected, the public placed a number of other offences much lower on the list than did the public prosecutors. Three offences involving violence or the threat of violence on the public highway belong to this category, i.e., Nos. 16, 30 and 45. The common contention that the public regards this particular kind of offence as relatively grave indeed appears to be incorrect. The relative weight which the public attaches to these offences is less than that of the public prosecutors.

Conclusions

The public prosecutors' ratings of the 50 offences and those of the three police corps exhibit great similarity. In general, the public's ratings correspond as well, though the public's evaluation of certain sexual offences, drug offences and offences which involve contravention of what could be called a secondary norm of decency differs

considerably from that of the public prosecutors. The public considers these three types of offences to be much more serious than the public prosecutors do. The opposite is true of offences of the "violence on public roads" type; the public attaches less weight to this type of offence than do the public prosecutors.

5 - Differences in rating within the public prosecutors group, the police and the public

In the preceding paragraphs we compared the rating by one group with that by another; we shall now look at any differences there may be within the five groups.

First of all, let us examine the evaluations within each group and see whether any differences might be attributed to personal criteria such as age, rank, length of service or region. The following main points emerge.

- 1) The public prosecutors appear to be a very homogeneous group in which such factors as age, areas of jurisdiction or length of service cannot be correlated to the rating.
- 2) The police were a less homogeneous group. The younger officials (from 18-30 years of age) attach much greater weight to 34 of the 50 offences than does the group aged 51 to 64. The 31- to 50-year group's evaluation is closer to that of the older than to that of the younger group.

- 3) A breakdown according to rank also reveals great differences. The lower ranks (constable, constable 1st class and comparable ranks) attach greater weight to 44 offences than do the intermediate ranks (sergeant, sergeant 1st class and comparable ranks). There is little difference between the ratings of the middle ranks and the highest ranks (i.e., from inspectors upwards).
- 4) The absolute rating by the police also varies according to region. Police in Amsterdam consider many offences to be less serious than do their colleagues in other areas.

The most important conclusion to be drawn from the foregoing is that the younger (18-30 years of age), less experienced police officer with a low rank tends to attach greater weight to most offences than does his elder, more experienced colleague with a higher rank. Accordingly, it might be assumed that the difference in the public prosecutors' rating and that of the three police corps is due to the difference in the age structure of the four groups (the average age of the regional groups of State Police is relatively low, while the average age of the public prosecutors is indisputably the highest). On closer examination, however, we see that the differences in the four groups' ratings can only be attributed to a very slight extent to the difference in age structure.

A similar analysis of the population groups was also carried out to find out if there was any connection between the rating and personal factors, such as age, sex and the size of the place of

residence (i.e., the extent of urbanisation). There was hardly any correlation between the size of the place of residence of the persons interviewed and their rating. Apparently the inhabitants of rural areas judge the various offences in exactly the same way as people in urban areas do. The rating of female respondents scarcely differed at all from that of the male respondents. The average absolute rating of the male half of the population was 6.5 while the women's average rating was somewhat higher, viz. 6.7. There did appear to be some correlation between the weight of the rating and the respondent's age. The 18-24 age group had an average rating of 6.4, the average rating of the middle group was 6.5 and that of the group of 50-69 years old was 6.8, so there appears to be a very slight positive connection between the respondent's age and the weight of his rating; the older the respondent the heavier the rating. Within the police groups we also found a connection between age and weight of rating but in the opposite direction: the older the police officer the lighter the rating. Combination of the two results leads us to conclude that the relative mildness with which the older police officer rates many offences is mainly due to his long experience with crime.

6 - Criteria used in rating an offence

In principle, an offence may be rated by various criteria. We have tried by means of a certain technique called "factor analysis"⁽¹⁾

(1) A more detailed description of "analysis by factors" and a summary of the results obtained with the method will be found in the report entitled "The Gravity of Offences: Opinion and Assessment". It should be stressed that we are not dealing with criteria which, according to the investigators, should or could have been applied to the assessment of the gravity of the 50 offences, but with criteria actually adopted by the respondents as revealed by the analysis. We indicate in Annex 1 which factor was the most decisive in rating each offence.

to determine what features of the 50 offences respondents felt to be decisive when rating the latter. Seven decisive factors came to light, viz.:

- I - Causing injury or damage through wantonness or negligence;
- II - Injuring a person intentionally;
- III - Contravening codes of sexual morality;
- IV - Causing material damage (usually for one's own benefit);
- V - Manslaughter;
- VI - Failure to observe a statutory regulation (i.e., illegal acts which the offenders themselves probably do not regard as a real offence);
- VII - Instrumental violence (i.e., violence aforethought used to achieve a particular aim).

Analysis of the outcome by factors was carried out in the light of the overall ratings of the 50 offences by all the respondents and of the ratings by the public prosecutors, the three police groups and the public. It transpired that broadly the same seven factors were distinguishable in each group. In other words, the public prosecutors, the police and the public apply the same criteria when judging the gravity of offences.

7 - The weight attached to each of the seven criteria by each sample group

The fact that people apply the same criteria when judging the gravity of certain offences does not necessarily mean that they all

attach the same weight to the criteria. What was the position here? Unfortunately, analysis by factors cannot supply the answer.

Nevertheless, we can obtain a certain impression of the relative weight attached to the seven criteria, because the results of the analysis by factors do show which groups of variables are closely connected with a certain factor. Consequently, we now know which of the seven criteria loomed largest in the assessment of each offence. By determining the average rating of the seven groups of offences we can now obtain some indication of the absolute weights of the criteria (or components of the rating). By arranging the average ratings obtained in this manner in descending order we can get some idea of the relative weights of the criteria. The relative weights of the criteria are particularly interesting because it may be assumed that the same criteria will generally be applied when assessing offences. What we wish to find out is whether there is any correlation between the weights which the various sample groups, (public prosecutors, police and public), attach to the criteria. If there is, we would have a useful framework within which to formulate a policy on official police reporting. Can we produce a framework of this kind?

Table 1 shows the order in which the five sample groups rated the seven factor groups. The factor group with the highest average rating heads the list; the one with the lowest appears at the bottom. The average ratings are in brackets.

Figure . Breakdown of gravity rating by the seven factor groups of the five sample groups of respondents.

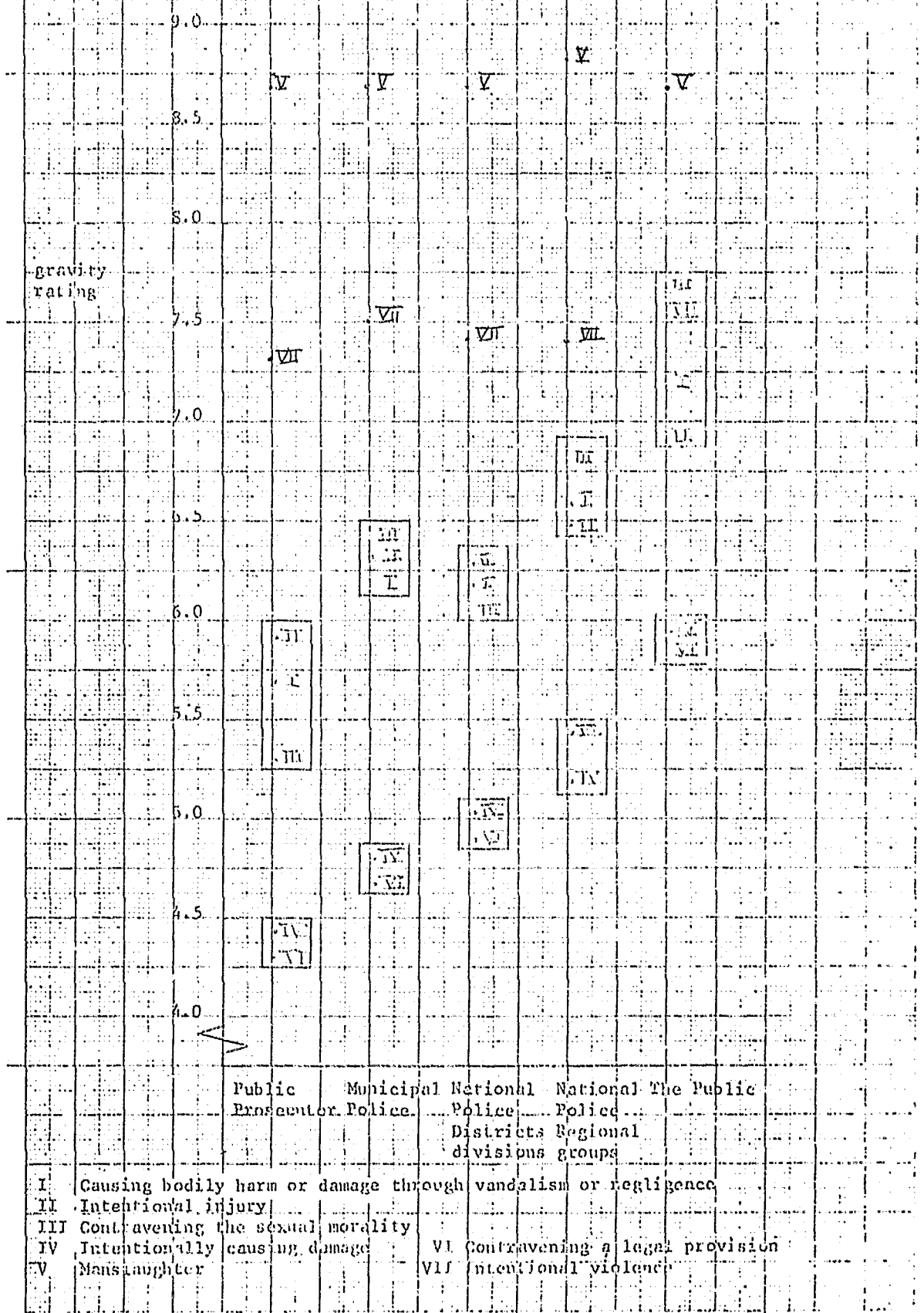


TABLE 1

Relative ratings of the seven factor groups by the five sample groups

The public prose- cutor	Municipal police	national police district divisions	national police regional groups	public
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Table 1 shows that the public prosecutors, the municipal police and the National Police district divisions placed the seven factor groups in almost the same order of gravity. Evidently, the seven criteria corresponding to the seven factor groups are accorded about the same weights by the members of the public prosecutors and the police.

The relative ratings of the seven factor groups by the National Police regional groups and the public, however, differ from the relative ratings of the public prosecutors. Criterion III, "Contravening sexual morality", carried a proportionally greater weight with both these groups than it did with the public prosecutors. The opposite was the case with Criterion II, "Intentional injury"; it was accorded greater weight by the public prosecutors.⁽¹⁾

(1) In paragraph 4 we compare the relative ratings of the 50 offences by the sample groups. Even there it is already evident that the public attaches relatively greater weight to certain sexual offences and rates certain violent acts committed on the public highway as less serious than the public prosecutors did.

The five sample groups attached little weight to Criterion IV, "Intentional material damage", and Criterion VI, "Failure to observe a statutory regulation." The five sample groups all agreed that the offences rated mainly according to one of these two criteria were the least serious.

The graph in Figure 1 shows the weights attached to the seven criteria by the sample groups. Evidently, Criterion V, "Manslaughter", carried by far the heaviest weight with all the groups. The ratings of the offences assessed according to this criterion are far above all the rest. All the sample groups except the public attach the same weight to Criterion VII, "Intentional, purposeful violence"; it occupies second place. With the public it occupies third place. Criteria II, "Intentional injury", I, "Wanton or negligent injury or damage", and III, "Contravening codes of sexual morality" occupy intermediate positions in all groups.

All the sample groups attached less weight to these criteria than they did to the first two (i.e. IV and VIII); on the other hand, they attached considerably more weight to them than they did to Criteria IV and VI, which are dealt with below. Criterion IV, "Intentional material damage", and VI "Failure to observe a statutory regulation", carried the least weight in the opinion of all the sample groups.

The absolute weights which the five sample groups attached to the seven criteria differed widely. The absolute weights attached to Criteria V and VII were the only ones that were about the same. The police ratings of all the other criteria were definitely higher than those

of the public prosecutors, and those of the public were higher still.

The knowledge that all the sample groups attach the least weight to Criteria IV and VI could be a great help when formulating a police reporting policy. There would be very little opposition to a restrictive or selective reporting policy from the police and the public if that policy were to be adopted primarily for such offences as vandalism, shop-lifting, theft from cars, drug usage and social security frauds. A selective policy with regard to certain sexual offences, on the other hand, would probably not be readily accepted by either the public or the police.

The ratings also show that the assessments by both the police and the public of plain theft depend to a great extent on the value of the goods stolen. The offences involving the theft of goods worth less than 75 guilders (offences Nos.3, 20, 21, 32 and 44) all belong to the group of 10 offences which were considered to be the least serious. This result again confirms that it is precisely in the assessment of these offences that a framework for a selective police reporting policy may be found.

8 - The simulation experiment

Introduction

Within the framework of the research project "policy on the official police reporting of offences", a simulation experiment in which ten actual complaints were submitted to a group of 486 police

officials was carried out. The complaints concerned shoplifting, stealing from a colleague, stealing out of a parked car, extortion, damaging of a neighbour's fence, conversion of funds collected, burglary, battery of a pub owner, the theft of a bicycle and attempted rape.

The respondents were asked to select the information they required to enable them to decide on the procedure to be followed. The information they requested was recorded together with the decision they finally made. An additional question put to the respondents was in what order they would investigate the ten cases. We refer the reader to the report entitled "Police Reporting Methods; Kinds of Information and Decision-making" (Verbaliseringsgedrag: Informatie en Beslissing) for a more detailed description of the investigation and a comprehensive report on the results. We wish to confine our attention here to results which have some bearing on the formulation of a policy on the reporting of offences by the police.

Decision-making

Respondents could select one of the following alternatives to indicate how they would deal with a complaint:

- 1 - No action at all on receipt of complaint;
- 2 - Record only;
- 3 - Record complaint and pass through routine administrative procedures;
- 4 - Record complaint and initiate low priority investigation;
- 5 - Record complaint and initiate high priority investigation.

Any alternative could, if required, be supplemented by a decision to attempt to arbitrate in the matter or to refer the matter to some other organization. Analysis of the results showed that there was little difference in the decisions taken by the three groups of police officers. However, the municipal police were clearly less inclined to investigate - whether with high or low priority rating - than were the National Police.

Many municipal police officers considered that especially "stealing from a parked car", "damaging the neighbour's fence" and "theft of a moped" did not merit an investigation. The Municipal Police were also somewhat more inclined to abstain from recording some of the offences and considered that an attempt at personal arbitration was sufficient.

Where decisions differed, efforts were made to ascertain if there was any correlation with other factors, such as the nature of the information selected, the age and rank of the respondent, etc. Hardly any correlation was found but there was a very marked connection between the individual respondents' ratings and their final decisions. This finding enhances the significance of the results of our investigations into the police officers' ratings of the 50 offences.

Priority

As stated in the introduction, the respondents were asked at the end of the experiment to give the order in which they would investigate the ten complaints submitted. Also here there were no very great

differences between the three sample groups. All the groups, for instance, gave the highest average priority to the extortion case and the lowest priority to theft from an unlocked car. A check was made to ascertain the extent to which the priority given to a complaint by each respondent depended on his views on:

- a) the gravity of the offence;
- b) the likelihood of his bringing the matter to a conclusion;
- c) the weight the public attached to the offence;
- d) the likelihood of the public prosecutor dropping the case;
- e) the degree of personal satisfaction he would derive from dealing with the case.

In six of the ten cases the closest correlation was found between the gravity of the offence and the priority given to investigation. Analysis of the correlation between the five variables named above and the priority given to investigation in which all ten offences were considered together showed that the rating was the most important variable (the probability that the correlation found was due to chance was smaller than 1 in 1,000). A second important variable appeared to be the likelihood of success. Here it appeared that the cases in which the likelihood of the respondents being able to bring the matter to a satisfactory conclusion was greater were tackled sooner than the others.

Inference

The decisions taken by the respondents in the simulation experiment involving dealing with and detecting or investigating

ten offences exhibited a high degree of similarity. Where the decisions differed, however, the differences were largely due to differences in the participants' ratings of the offences. The results of the investigation concerning the ratings of the three sample groups of police officers have consequently gained considerably in importance.

9 - Conclusions

On considering the most important results of the investigation we believe we may draw the following conclusions.

1 - The opinions of the various sample groups of respondents (police officers, public prosecutors and the public) on the gravity of the offences concerned are noticeably different. The public regards the majority of the offences submitted to them as more serious than do the public prosecutors. This is particularly true in respect of certain sexual offences, offences involving drugs and offences which entail the contravening of what may be called a secondary standard of decency.

2 - As a group, the public prosecutors are very consistent in their judgment. Differences, if any, were slight. The opinions of the police, on the other hand, differed considerably. The greatest differences

those between the views of the "regional" groups of the national police and those of the municipal police officers. It also appeared that older, more experienced police officials were inclined to consider many offences less serious than did their younger, less experienced colleagues.

3 - In spite of all the differences in the opinions on each individual offence, seven criteria could be distinguished, all of which were of approximately the same relative weight to the various sample groups.

4 - The gravity rating of an offence appeared to have an essential bearing on the decision as to whether or not an official report on the offence should be submitted.

The reader may be wondering what the link is between these results and day-to-day detection, investigation and prosecution policy practice. The authorities are already having to sift offences before taking any action owing to the fact that it is impossible to investigate all of them and/or prosecute every offender.⁽¹⁾ There are understandable norms, but improper motives may also play a part, and this can give rise to a variety of difficulties. It is the duty of the working group responsible for formulating policy to find out whether there are any remedies. Can the results of this opinion poll offer any solution? We have two points to make before we answer the question.

The first is that a policy decision to set priorities for the official reporting and prosecution of offences can never be based solely on the results of this investigation. The formulation of any such policy plan will always be essentially a political matter. The second point we wish to make is that the outcome of any investigation into the rating of offences is bound to depend to a certain extent on the choice of the

(1) The norms used when sifting offences are not always different

offences to be assessed. While the 50 descriptions of offences used in the present poll may be deemed to be more or less representative of the kind of offences with which the Netherlands police forces are confronted nowadays, ratings given by the respondents to the various offences listed will often have been influenced by certain characteristics of the "cases" submitted. Consequently, no general conclusions concerning, say, the gravity of the offence of defrauding the social security department can be formulated in the light of the single case we selected.

However, the likelihood that respondents' ratings will have been influenced by the choice of the offences submitted to them is very much reduced if the average rating of several offences which represent a particular type is considered. In view of the fact that in interpreting the information obtained from the investigation we have almost exclusively considered the ratings of types of offences, we believe that the results presented provide a useful tool for testing any proposals concerning a selective policy for the official reporting of offences.

The first item which may be used as an aid in formulating policy is the evidence obtained from the investigations that the public prosecutors, the police and the public rate offences by virtually the same criteria and that these criteria have relatively the same weight for each of the groups.

Another item which might serve to make the first more precise is the fact that in several instances the public prosecutors,

the police and the public have different opinions on the gravity of a particular offence. This part of the investigation serves to highlight the controversial offences, i.e., those which require a careful approach. A third item that might be useful is the evidence that personal factors such as age and professional experience influence ratings. Finally, the results of the simulation experiment might be of some importance. These points are dealt with at greater length in the following pages.

Let us start with the latter point, viz., the results of the simulation experiment. The importance of this investigation was that it showed that the gravity rating was the factor that tipped the balance when it came to deciding what steps to take with regard to official reporting and investigation. This emphasizes once again that the method by which the gravity ratings of the offences were obtained was sound. This information, however, would only carry weight in the formulation of policy if it could be established that the gravity ratings of the public prosecutors, the police and the public provided evidence of consensus of opinion. Without some such consensus the formulation of a more selective policy would be a risky undertaking. It would be only too easy to create a situation in which the public prosecutors decided on the basis of their criteria not to prosecute certain offences or kinds of offences, while the police on the basis of their criteria would do exactly the opposite and devote much attention to the detection or investigation of such offences. It need hardly be stressed

that such a situation might cause considerable frustration. What has the opinion poll taught us in this respect? Factorial analysis of the information brought to light about seven criteria on which the various groups broadly concurred. They were, in descending order of gravity:-

I	1.	Manslaughter
	2.	Instrumental violence
II	3.	Intentional injury
	4.	Injury or damage resulting from hooliganism
	5.	Contravention of sexual morality
III	6.	Intentional material damage
	7.	Failure to observe a statutory regulation

It should be noted that there are two offences on which the public's opinion differs from that of the public prosecutors and the police: the public attaches greater weight to sexual offences and place intentional injury lower down the list. Closer study of the information obtained therefore makes it clear that selectivity will have to be limited to the offences the rating of which was chiefly determined by the components "intentional material damage" or "failure to observe a statutory regulation" (there is no difference of opinion concerning their relative positions). Offences the rating of which

was mainly determined by one of the other components found by us are less suitable for selective reporting, because the poll shows that on the whole such offences are regarded by and large as much too serious by the public prosecutors and certainly by the police and the public. In concrete terms this means that a less stringent policy with regard to official police reporting can only be safely adopted in respect of offences such as vandalism or plain theft at the one end of the scale and certain contraventions of such legislation as the Drug Act, the Road Traffic Act or the Social Security Acts at the other.

It should in no way be assumed, however, that the expedient pursuing of a less stringent policy with regard to these offences solves all our problems. We have seen that within the general criteria, the opinions of the police and the public prosecutors on individual offences do differ, so careful manoeuvring will still be required to avoid the frustrations described above. Minor offences involving money which entail the contravening of a secondary standard of propriety are still regarded as very serious indeed, especially by the public.

Nevertheless, if such limitations are borne in mind, the adoption of a rational selective policy within the framework described would appear quite feasible. In practice, the public prosecutors will probably act as a kind of "trendsetter" in the sense that the police will adapt their investigation and reporting policy to the prosecution policy of the public prosecutors.

The difference between the two groups may not become too great, however, otherwise frustrations will ensue. It may be taken for granted that the risk is greatest in rural areas, where the regional groups of the National Police hold views very different from those of their colleagues in urban areas, which far more nearly approach those of the public prosecutors.

Even at this early stage it may be assumed that the differences of opinion between the public prosecutors and the police will set up certain tensions, simply because differing ideas concerning the gravity of offences may cause the police wrongly to believe that in certain cases the public prosecutors erred in not prosecuting.

The last point we have to deal with is an incidental result of the opinion poll. The poll shows that among police ranks the gravity rating was strongly influenced by the age factor. On the whole, younger policemen adjudge offences more harshly than do the older ones. Expansion of the Police Corps might well lead to a drop in the average age. An influx of inexperienced personnel could well result in offences being given heavier ratings; this would increase the existing differences between the views of the police and those of the public prosecutors. It would be a good thing if we started taking this into account.

ALBANY GRAVITY RATING AND SERIAL NUMBER OF EACH OFFENCE

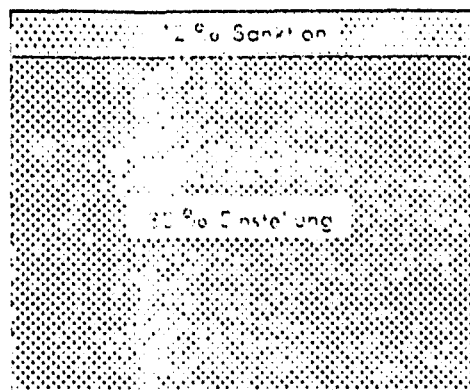
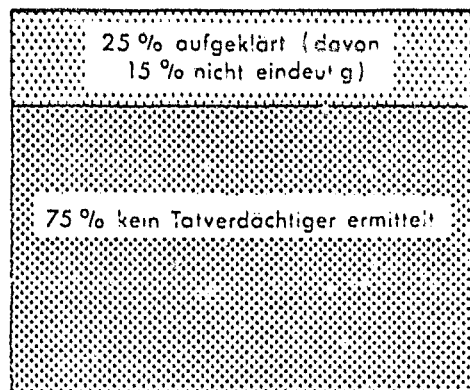
Serial Number	Factor	Description	Municipal Police		National Police Regional Groups		National Police Districts Divisions		Public Prosec- utors		Population Sample	
			GS	RN	GS	RN	GS	RN	GS	RN	GS	RN
1.	VI	Hold-up (service station)	8.1	4.5	8.0	4.0	8.0	4.5	7.8	5.5	7.9	7.0
2.	IV	Smashing cash register	5.4	33.0	5.8	31.0	5.7	28.0	5.3	27.5	6.5	32.0
3.	IV	Shoplifting (coat)	3.5	45.0	4.1	43.5	3.8	45.0	2.5	48.0	5.1	41.0
4.	IV	Theft of car	5.7	26.5	6.3	20.5	6.0	23.0	5.7	21.0	7.1	18.0
5.	IV	Embezzlement of funds (petrol money)	4.5	39.0	5.1	39.0	4.9	36.0	4.1	36.0	5.9	30.0
6.	III	Sexual offence against boy	7.3	9.0	7.6	7.0	7.1	10.0	6.1	16.0	8.2	4.0
7.	II	Stealing landlord of inn	7.4	7.0	7.5	8.5	7.5	7.0	6.9	7.0	7.6	11.0
8.	IV	Smashing fence	3.0	49.0	3.6	47.5	3.3	49.0	2.7	47.0	4.7	43.0
9.	V	Mismanagement of barkeeper	8.5	2.0	8.5	2.0	8.4	2.0	9.3	2.0	8.6	2.0
10.	VII	Lapse	8.2	3.0	8.2	3.0	8.2	3.0	8.0	3.0	8.4	3.0
11.	VII	Parse snatching	6.4	15.0	6.2	25.0	6.2	19.0	5.8	19.0	6.8	25.0
12.	VI	Illegal possession of shotgun	3.5	45.0	4.0	45.0	3.6	46.5	3.4	42.5	4.5	47.0
13.	VI	Drug pushing (5 gr. morphine)	4.8	38.0	5.7	33.5	5.0	36.5	3.4	42.5	6.9	24.0
14.	VI	Running gambling den	3.5	45.0	4.6	41.0	3.9	43.0	3.7	39.0	4.7	42.0
15.	IV	Burglary	6.1	18.0	6.3	20.5	6.2	19.0	5.9	17.5	7.1	12.0
16.	II	Planting paper-bly	6.5	14.0	6.5	17.0	6.6	14.0	6.2	14.0	6.7	23.0
17.	IV	Fraud (forged cheques)	5.9	23.0	6.6	14.5	6.2	19.0	6.2	14.0	7.3	15.0
18.	VI	Abuse of social security	3.8	42.5	4.1	43.5	3.9	43.0	4.0	37.0	4.6	45.0
19.	I	Pollution (oil)	5.8	24.5	6.2	25.0	5.7	28.0	5.6	23.0	6.9	20.0
20.	IV	Smashing (floodgate)	2.7	50.0	3.1	50.0	3.1	50.0	1.7	50.0	4.4	49.0
21.	IV	Theft from parked car (Fls. 7.0)	3.9	41.0	4.3	42.0	4.0	41.0	3.4	42.5	4.6	42.0
22.	IV	Theft of money	5.4	33.0	5.8	31.0	5.6	31.0	5.0	31.5	6.8	27.0
23.	III	Attempted rape	5.5	31.0	6.2	25.0	5.5	32.5	5.4	26.0	6.9	23.0
24.	IV	Conversion of funds collected for charity	5.6	21.0	6.3	20.5	5.7	19.0	4.9	39.5	7.2	11.0
25.	II	Wife beating	6.1	15.0	6.5	17.0	6.3	16.0	5.3	27.5	7.5	12.0
26.	VI	Drug addiction (heroin)	5.0	36.5	5.3	38.0	5.0	16.5	3.4	42.5	6.5	31.0
27.	VII	Blackmail of homosexual	6.3	16.0	6.2	25.0	6.4	15.0	6.6	9.5	6.8	25.0
28.	VI	Assaulting landlord of pub	5.6	21.0	6.3	31.0	5.5	32.5	5.2	29.5	6.4	24.0
29.	II	Assault (stabbing)	7.3	9.0	7.2	11.0	7.1	10.0	6.5	11.5	7.4	12.0
30.	VII	Offering unwanted protection	7.0	11.5	7.1	12.5	7.3	8.0	6.6	9.5	6.9	21.0
31.	IV	Theft from colleague	5.7	26.5	6.1	29.5	5.8	25.0	4.6	35.0	6.6	20.0
32.	IV	Theft from parked car (Fls. 5)	3.3	46.0	3.4	45.0	3.5	45.0	2.4	47.0	3.0	30.0
33.	IV	Damaging bicycle tyre	3.4	47.0	3.5	47.5	3.6	46.5	3.1	45.0	4.5	41.0
34.	IV	5 burglaries	6.0	21.0	6.3	20.5	6.2	12.0	5.9	17.5	7.0	20.0
35.	VII	Shoplifting with violence	8.1	4.5	7.2	5.0	8.0	4.5	7.8	5.5	7.9	7.0
36.	I	Damaging cars	6.0	21.0	6.6	14.5	6.1	22.0	5.5	24.5	7.3	14.0
37.	VII	Hold-up	7.8	6.0	7.8	6.0	7.7	6.0	7.9	4.0	7.6	5.0
38.	IV	Breaking into school	5.4	33.0	5.6	36.0	5.3	33.0	4.9	33.5	6.3	26.0
39.	VI	Driving under the influence of alcohol	6.0	21.0	6.5	17.0	6.2	19.0	5.7	21.0	6.5	31.0
40.	I	Causing fatal road accident	7.0	11.5	7.4	10.0	6.4	12.0	6.7	8.0	7.9	6.0
41.	III	Incest with under-age daughter	7.9	9.0	7.5	8.5	7.1	10.0	6.5	11.5	6.1	7.0
42.	IV	Picking pockets	6.1	18.0	6.1	28.5	5.7	28.0	5.5	26.5	6.7	11.0
43.	IV	Joy riding	3.8	42.5	3.8	46.0	3.9	42.0	3.5	40.0	4.7	41.0
44.	IV	Theft from till	4.4	40.0	5.0	40.0	4.7	39.0	3.8	35.0	5.8	41.0
45.	II	Assault after provocation	5.8	26.5	6.6	36.0	5.4	34.0	5.2	29.5	6.0	27.0
46.	III	Exhibitionism	5.0	36.5	6.6	35.0	4.4	43.0	2.8	46.0	7.2	11.0
47.	IV	Preffering forged currency	5.6	21.0	6.2	25.0	5.9	21.0	5.7	21.0	6.2	31.0
48.	IV	Knowingly receiving stolen goods	5.2	33.0	6.1	33.5	5.7	28.0	5.0	31.5	6.1	21.0
49.	VI	Driving under the influence of LSD	6.7	13.0	7.1	12.5	6.7	13.0	6.7	11.0	7.0	11.0
50.	V	Robbery with violence	8.8	1.0	8.8	1.0	8.6	1.0	8.8	1.0	8.8	1.0
Average rating			5.7		6.1		5.6		5.3		6.0	

Polizeiliches Ermittlungsergebnis und justizielle Erledigung

Polizeiliches Ermittlungsergebnis

Justizielle Erledigung

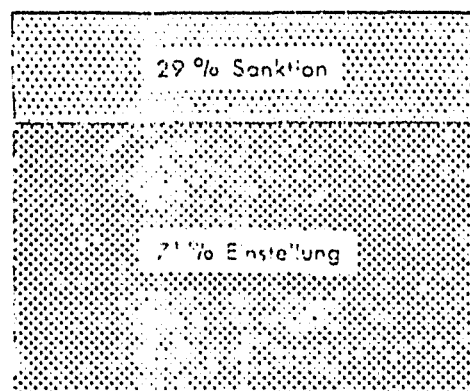
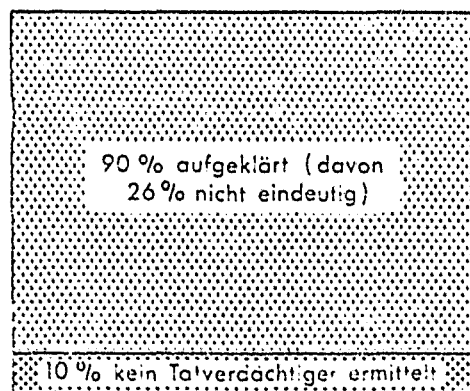
Diebstahl
(N = 2945)



davon - 50 % Verurteilung in der Hauptverhandlung
- 43 % Strafbefehl
- 7 % Einstellung mit Auflagen nach § 45 JGG

davon - 97 % nach §§ 170 Abs. 2, 205 StPO
- 2 % nach §§ 153 II StPO
- 1 % Einstellung und Freispruch in der Hauptverhandlung

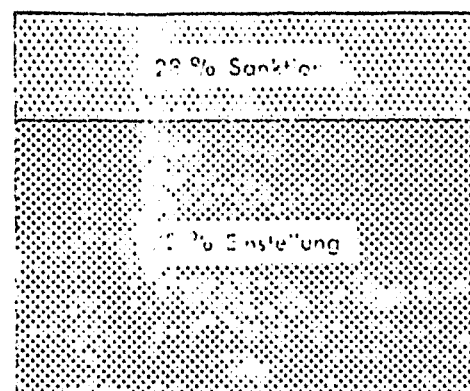
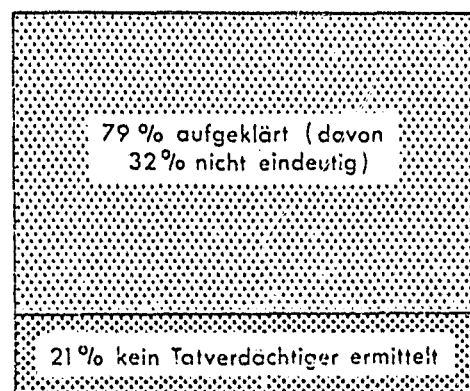
Betrug
(N = 655)



davon - 50 % Verurteilung in der Hauptverhandlung
- 44 % Strafbefehl
- 6 % Einstellung mit Auflagen nach § 45 JGG

davon - 60 % nach §§ 170 Abs. 2, 205 StPO
- 28 % nach §§ 153 II StPO
- 12 % Einstellung und Freispruch in der Hauptverhandlung

Unterschlagung
(N = 424)



davon - 50 % Verurteilung in der Hauptverhandlung
- 43 % Strafbefehl
- 7 % Einstellung mit Auflagen nach § 45 JGG

davon - 81 % nach §§ 170 Abs. 2, 205 StPO
- 15 % nach §§ 153 II StPO
- 4 % Einstellung und Freispruch in der Hauptverhandlung

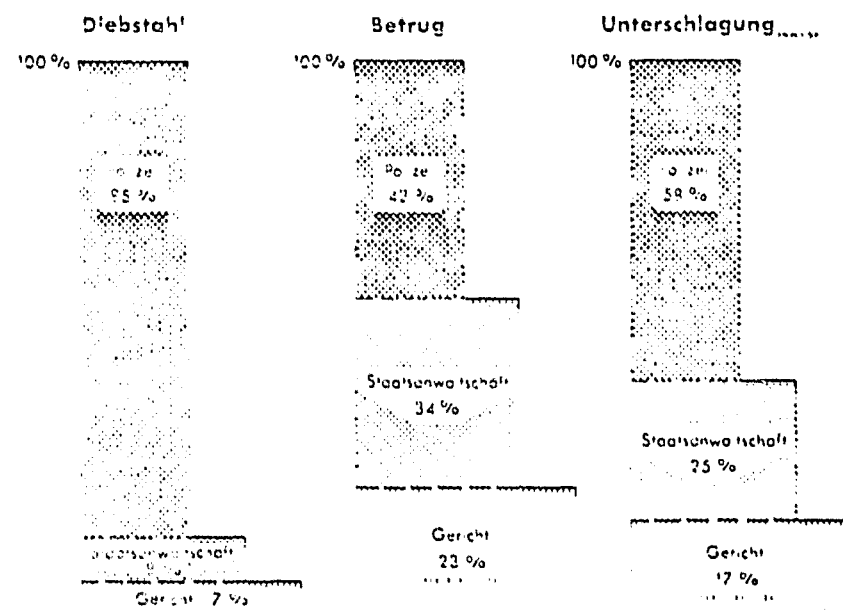
Bei anderer Untergliederung ergibt sich folgendes Bild:

	Einstellung *)	Sanktion **)	(N)
Diebstahl	88 %	12 %	(2945)
Betrug	71 %	29 %	(655)
Unterschlagung	72 %	28 %	(424)


*) Einstellungen nach §§ 170 Abs. 2, 205, 153 II StPO und Einstellungen und Freisprüche in der Hauptverhandlung


**) Verurteilungen in der Hauptverhandlung, Strafbefehle und Einstellungen mit Aufgabenerteilung nach § 45 JGG


Schaubild 2: Eriedigungsstruktur



Die Prozentzahlen quantifizieren die Art der Eriedigung durch die Strafverfolgungsorgane

 Quote der Verfahrenseinstellungen nach §§ 170 Abs. 2, 205 StPO. Die Entscheidung über die Einstellung liegt dabei de jure bei der Staatsanwaltschaft, de facto bei der Polizei.

 Quote der Verfahrenseinstellungen nach §§ 153 II StPO und Quote der Eriedigungen von Verfahren durch Strafbefehl.

 Anzahl der Fälle, die nach Anklageerhebung vom Gericht durch Verurteilung, Freispruch etc. erriedigt werden.

WHAT PEOPLE THINK THE POLICE ARE FOR ?

by

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Paper presented at the International Seminar on Police Research,
Leuven, Belgium, May-June, 1976.

In this study my colleague Richard Rosellen and I were concerned with a very basic question: in which of life's situations it is relevant to call the police and perhaps trigger off the series of reactions that leads to somebody becoming criminalized, and for which situations it is not. At a more extreme level, the question shades into why criminalization of another person is ever seen as an appropriate response to a situation.

This sort of "why" question can be answered at many levels, in terms of sociological function, individual psychology, theory of institutions, and so on. Our enquiry was into the meaning that calling the police had for the private citizen, either in his own experience or in his beliefs about the world around him. Naturally this also brought us a great deal of information that had nothing or very little to do with crime, but which nevertheless shed light on the role and image of the policeman.

We interviewed 98 adult German inhabitants of Freiburg, out of an initial random sample of 128. Foreign workers were not included. Our sample showed a shortage of unmarried people and people under 30. This may be because about 11% of the population of Freiburg are students, and our interviews were in September and October 1974, when many of these were away. In all other respects that we could test, our sample was representative.

The first part of the tape-recorded interviews consisted of very general questions using as "empty" or "neutral" a vocabulary as possible (avoiding words like "crime", "property" , etc.) To these questions we obtained conversational answers, structured by the respondent himself. For example:

Q. In what circumstances, would you say, do people in general call the police?

A. Accidents... God, I mean, if you don't know to help yourself, accidents, beatings-up, thefts, but otherwise I really don't know. There are people who inform the police, for instance, if someone throws earth in their garden, there are such people too, haha.

Other questions related to cases where the respondent himself had called the police; where he would call them; and cases he knew of where someone else had called them. We also asked, when appropriate, what the caller had expected from the police, what the police did, whether they were successful in what they did, what would have happened if they had not been called, what would happen if they were never called to cases of this sort, whether the respondent would call them again in a similar situation, and who one could call instead of the police. We also recorded sociological and demographic information on each respondent. The answers were not pre-coded. Transcripts were made of each interview, and a contents analysis carried out.

We also carried out a taxonomic analysis, that is to say, one that sorted our respondents into groups so that the general trend of the interviews in any one group is similar, but contrasts with that in the other groups. To get as near as possible to the respondent's own

perceptions, and away from any distorting criminological theoretical preconceptions, we used a numerical, objective method of taxonomic analysis, and as data for this we used the vocabulary of the respondents, that is, the presence or absence in each interview of the words most commonly used by all the respondents. Perhaps this one-sentence description isn't very clear: if I had more time I could make it even more obscure. The underlying assumption, which was borne out in practice, was that the content and meaning of what a respondent said would be closely related to the words he used to say it.

So for each interview we had a transcript, a contents analysis and a list of "key-words" representing the respondent's vocabulary. What did all this tell us?

To-day I want to discuss not so much the answers to individual questions as the overall pattern that these answers appear to make. Of course, much of what I have to say is speculative rather than proved, since there is a basic principle of scientific method that data that have been examined to see whether they suggest their own explanation cannot then be used to test or prove that same explanation.

The first striking feature of our data is the very high level of apparent self-contradiction, far higher than the disagreements between different respondents. In fact, the differences between respondents are much more a question of emphasis than of contradiction. Thus the groups

formed by the taxonomic analysis included a majority group of 61 out of our 98 respondents whose replies tended to be unspecific, to use conventional "newspaper" language, and to put more emphasis on the concrete event than on its consequences. Over against this stood four minority groups ranging in size from 2 to 17 members, offering more specific views and regarding the consequences of the event as being just as important as the event itself, but not basically contradicting the views of the majority group or of each other.

But most respondents appeared to contradict themselves very thoroughly indeed. Now it will not do to try and explain this simply by saying that people do not think deeply on these matters, which are not important enough to them to provoke them into resolving dissonances in their vague and diffuse consciousness of these phenomena. For those of our respondents with the most specific awareness appeared to contradict themselves just as much as the others. Furthermore, for some of our respondents the topic was important, but this did not make them more consistent.

I shall try to show that these apparent self-contradictions are reconciled, or at least explained, if we drop certain assumptions about social behaviour that, without being explicit, have tended to limit our explanatory abilities, and if we adopt a model of police-calling behaviour that accepts these apparent self-contradictions instead of trying to explain them away.

One apparent contradiction is that people are very content with what the police do in a particular case, even when, as is usual,

they cannot say that they received any concrete benefit from the police intervention. Biderman commented on this. But he was so immersed in the conscious or unconscious idea that the determinants of human choice can be modelled as a pay-off maximization process, that this apparent inconsistency puzzled him. But very many features in our data suggest that calling the police is fairly rarely best seen in terms of maximizing a pay-off.

We asked those respondents who reported having called the police to some non-traffic incidents, "If neither you nor anyone else had got in touch with the police on this occasion, what do you think would have happened?"

Of 44 people so questioned, only 8 (19,5%) said that some negative consequence would have followed. We asked "And if nobody ever called the police in this sort of case, what do you think would happen?" 28 of our 44 cases (67,7%) foresaw negative consequences. Combining the two answers, only 3 respondents mentioned any idea of a need for self-help, or of "being your own policeman". We asked "Was there anything special that made you call the police in this case, or would you always call them in a similar case?" 39 out of 44 (88,6%) said there was no special feature, they would always call them. Thus, very many respondents specifically say that they would call the police again although no benefit to themselves was experienced or could be expected.

The idea that people who call the police but are not maximizing a pay-off are observing a norm also breaks down. Among the possible

consequences of not calling the police, not one person mentioned any sanction. Furthermore, since police-calling can often be done by a passer-by, and there is usually no way of knowing which passer-by incurs such an obligation, the so-called norm often refers to no-one in particular. Further, people contradict themselves as to when one should call the police, saying that other people call the police about trivial things, which is silly, but later saying that they would, or one should, call them every single time without exception. What we have is something looking like a norm but not being one.

When calling the police is neither maximizing a pay-off nor following a genuine norm, what is it? Now let us be careful here. Given that the police exist, some people will sometimes call them in pursuit of a rational goal; at least, it will sometimes be inconvenient not to call them. Similarly, one will sometimes be expected to call them, and blamed or otherwise sanctioned for not doing so. Both pay-offs and norms exist. If I had time, I would argue that these situations are accretions to the concept of a policeman; frequent but not central. But the most appropriate model for the central type of police-calling arises from Huizinga's extended concept of play.

Let us again be careful. I do not mean that at the everyday phenomenal level, either the police or those who call them are

playing. I mean that for purposes of analysis, the concept of police-calling as a free activity, divorced both from obligation and material profit, played by rules which are relevant to this activity only, and substituting a temporary reality for that which prevails at other times, may have a great deal of explanatory power.

If so, what can we say about this particular game? It is certainly not "cops and robbers" . One of the most striking features of our interviews is the way the offender is ignored. He is a grey, invisible, unimportant man, not an adversary, and the police are not described as fighting him, nor as seeking a victory. The

From data that I cannot present to-day*, especially from the descriptions of the police and their unknown, resultless but important and satisfactory activity, it seems clear that the adult's description of the policeman is the same as some parts of the child's description of the adult, especially of the father. I mean here the good, powerful father, including the authority figure as a component but not as the most important one. In other words, calling a policeman is mainly (but not exclusively and not consciously) "pretending" to be a child calling its father.

* But which, of course, are presented and discussed at length in the full project-report (in preparation).

As to the vast subject of when and why we play this game I can only say that we solve problems at the play level mainly when at the level of everyday reality we either cannot or will not solve them, and are not prepared to leave them visibly unsolved. This, it can be argued, is the function not only of police-calling but of the whole criminalization system; not to solve problems, but to disguise our non-solution of them.

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PRIVATE COMPLAINTS AND POLICE REACTION

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1 - Introduction

Because criminality is a result of a societal process of control and stigmatization which ends in the sentencing of a criminal, we have to analyse, as well as the personalities of the criminals, the process of social control which takes place. This analysis cannot - as is claimed by the German versions of the labeling approach - begin with the activities of official agencies of law enforcement. The reaction of the public toward crime must also be considered. Obvious though it is, the labeling approach almost totally neglects the importance of private crime control. I think that it is the extremely critical political position of this approach, rather than any lack of real importance given private crime control that determines this abstention. We know that at most five to fifteen per cent of all complaints are initiated by proactive actions of the police (Steffen). Most of the complaints are a result of the activity of the public. This implies that the whole process of selection can only be correctly evaluated if its beginning is included in our considerations. For this reason the social interaction between the complainant and the police has to be studied. It is here that the further course of prosecution is determined. Until now it seems that almost everyone has seen laying a complaint as a formal event in which a

citizen brings an offence to the notice of the police and the policeman fills in a written complaint. But even a first glance at police practice shows that this is far from true. Laying a complaint is a very complex event. It has been the aim of my research to study this social action by participant observation at a police station. Additionally, the importance of complaint-laying for the public was studied by interviews with known complainants and a control sample.

First, I shall comment on the results of the participant observation. Then, I shall report some of the survey findings.

2 - The result of the participant observation

The participant observation took place over 650 hours on 81 days in the only police station of a middle-sized town in South-West Germany. The observer wore police uniform. The results of the observation were recorded during the observation or immediately thereafter. 100 complaints were observed. Although this is a small number, the cases are representative for this police station. All of them were unselected and concerned with not too serious offenses of everyday criminality. In spite of the difficulty of verifying the results statistically it was possible to get results that were relevant for many areas.

2.1 - Basic results

Only 79 per cent of the observed complaints succeeded.

Almost one fourth of all complaints were refused by the police. Here the police took no action at all. Of those complaints which failed, one third referred to non-criminal acts and two third referred to offences. Summarized, therefore, the police refused to take an action on about one sixth of all crimes which were reported. This practice contradicts German laws. According to their regulations, police have to accept all complaints on crimes if they have concrete reasons to suspect that an offence was committed. As expected, the distribution of crimes which were reported to the police did not harmonize with that of the Criminal Statistics of the town observed. Most (69%) of the reported crimes were crimes against property (theft, fraud, wilful destruction), followed by (11 %) offences against the person (e.g. coercion, assault, bodily injury) and other offences, for example, disturbing the peace, hit-and-run driving, violations of traffic regulations. The non-offences complained of were mostly quarrels between landlord and tenants or among neighbours.

2.2 - The offences complained of

Whether the police took an action or not as a result of a citizens complaint depended on the character of the reported offence. In seventy per cent of the personal offences but only in three per cent of property crimes the reporting did not lead to police action. The police followed up none of the non-criminal acts. They were rather inclined to undervalue crimes. According to the police, 11 % of the

reported cases involved no offences while the observer rated only 7 % as non-criminal. It was decisive for the police reaction whether there was any financial damage in the reported cases. The higher the damage was the more likely was a police action. But the formal seriousness of an offence was also important. Minor contraventions led to police action in 55 % of the cases, while this was true for 89 % of the reported misdemeanors and felonies.

2.3 - The complainant

Three fourths of the complainants were males. The number of younger complainants seems astonishingly large. More than a half of the complainants (56 %) were younger than 30 years. 78 per cent of the complainants came to the police station alone. About one fifth were accompanied by others, obviously because of their timidity in going to the police, or else to add weight to their complaints. Nevertheless, this circumstance did not have any positive effect on the success of their complaints. Among the complainants were 35 per cent blue-collar workers, skilled workers, office-workers and civil servants. 15 % of them were in public positions, senior office workers or business-people. 28 % of the complainants were house-wives, pupils, students, apprentices, and pensioners. The profession of 22 per cent was unknown. According to other information we can assume that most of these were blue-collar workers. Considering the mentioned distribution of professions it seems permissible

to conclude that most of the complainants observed belonged to the lower social classes. This is confirmed when we note that in the group of "house-wives etc." there must be a larger quota of persons with a low socio-economic status. It is remarkable that almost half of the complainants charged a suspect by name. But naming a suspect had at first glance, a very paradoxical consequence. Complainants who named someone were far less successful than the others. The reason was that the naming of a suspect depended mostly on the reported offence. Crimes where a suspect can be named are often personal offences. But these are followed up far less severely by the police than other criminal acts. The possibility of bringing a successful charge against a suspect was obviously not decisive for the police. Even though we do not know the socio-economic status of the suspects in the cases observed (and nor did the police) we are entitled to assume that they were mostly from the same social status as the complainants. This can be concluded from the fact that many of the reported offences involved private social conflicts. These conflicts generally occur among persons of the same or a similar socio-economic status. Thus no evidence was found that the police acted against lower class citizens more severely.

2.4 - The police

The reaction and behaviour of the police were determined by the character of the offence complained of. Policemen were far more authoritarian in cases where a personal offence was reported than for

complaints of property crimes. If there was financial damage the police were more cooperative and polite than in other cases. The higher the policeman's rank, the less likely was a police action and the more authoritarian and less cooperative were the police. The reaction of the police also correlated with the appearance of a complainant, which indicated the police's perceptions of his socio-economic status. The more neglected and squalid the complainant's appearance, the more uninterested were the policemen. The success of the complaint tended at least, to be determined by the socio-economic status of the complainants. Those of a higher socio-economic status were more successful than others. However this result has to be carefully interpreted because police reaction to a complaint was also determined by the character of the offence. But this depended partly on the social status of the complainant. None of the middle-class complainant, reported a personal offence to the police.

3 - The survey

The interviews were carried out in the same town in which the participant observation took place. 296 persons over 14 years of age were interviewed. One part of the sample consisted of known complainants, the other of inhabitants of the town who were selected at random. The interviews should allow us to obtain a clear picture of the attitudes of the public toward police, complaint-laying, and crime. Beside this, we also wanted to find relationships between the actual reporting of crimes

and attitudes toward them.

3.1 - The attitudes toward crime

The people interviewed showed that the public's fear of crimes and criminals was slight in this town. Fear was no greater among those who reported having been victimized.

Sex and age showed no relationship to the attitudes toward criminality. No extreme rigorism was seen in handling the crime problem. The reaction to criminality was moderate and rational. More than two thirds of the people interviewed thought that the police handled the criminals rigorously enough. But at the same time - apparently inconsistently - two third of them thought that the police should have more power in dealing with criminals. This result, however, need not be inconsistent. It could equally well indicate that the people interviewed thought that within the present limits of the law the police handled cases severely enough, but that they should be entitled to use stronger means in the future. Differences in the attitudes between the known complainants and the control group were not found.

3.2 - Attitudes toward the police

The attitudes toward the police proved themselves very positive. More than four fifths of the sample said that the local police had a good reputation. This reputation was more positive among complainants

than among members of the control sample, although one third of the complainants were not contented with the work of the police on their last complaint. The younger the respondents, the more negative were their attitudes. Also membership in a particular social class determined their opinion of the police. The higher the socio-economic status, the more positive were the attitudes toward the police. But nevertheless members of the upper and upper middle classes interviewed showed more sceptical attitudes and did not fit the otherwise linear relationship between social class and attitude toward the police. The survey also showed that the police were seen as an institution existing to help with accidents and crime. The perception of the police as a guard against losses of property was more clearly impressed than that of a guard against dangers to life and limb. More than a half of the sample could not name an occasion when they would certainly call the police, although almost all (99 per cent) of them said they could imagine such a situation very well. The opinion that the police discriminate against members of lower social classes was very widespread. 62 per cent of the sample agreed with this statement. Differences between complainants and the control group were not found but socio-economic status proved itself as important. As expected, persons of lower socio-economic status tended more strongly to assert the discriminatory aspect of police practice than those of higher socio-economic status. Whether this reflects reality could not be determined. But obviously the answers to our question reveal among other things the experiences of the people interviewed with the police.

3.3 - The importance of the complaints

Complaints for the prosecution of criminal acts were generally accepted by the public, even those against persons with whom the complainants were more closely linked . The sample reflected condemnation of complaints as "denunciation". But the attitudes changed as soon as concrete situations were involved. Only 29 per cent of the sample rejected the statement "If it were possible to avoid it, I never would complain to the police against anybody". Thus more than two third of the people interviewed regarded a complaint as a last possible response to crime. Males interviewed claimed about one and a half as often as females that they had laid a complaint. Obviously persons younger than 30 years complained more often than older. Almost twice as many of those not older than 30 years said they had reported a crime to the police during the last two years as older persons did. These statements harmonize with the results of the participant observation. A linear association between social class and readiness to complain could not be proved although the results indicate that people of higher socio-economic status reported crimes to the police more often than those of lower status. Ascending social status was connected with a higher rate of complaints . This result seems to contradict that of the participant observation. But while the participant observation dealt with unselected complaints, the survey, on the contrary, considered only successful complaints. Because persons of lower socio-economic status were less successful in laying complaints it could be consistent with our other

results that the number of successful complaints is greater with people of higher socio-economic status. Therefore the two results do not necessarily contradict each other.

4 - Concluding remarks

If the statements in the labeling approach about the more severe prosecution of persons of lower socio-economic status are correct, we should expect to have observed two facts about complaint-laying. First, complaints against members of the lower social classes should be more successful. Secondly, offences which are committed more often among persons of lower socio-economic status (because they express their way of life) should be prosecuted more severely than those crimes which cannot be regarded as having any specific class-significance. However, the observations showed that we have to suppose that this was not true. The police decision whether or not to react to a complaint depended on other factors. Nevertheless, we can see another source of discrimination against the lower social classes. Complainants with low socio-economic status are far less successful in gaining help from the police in social difficulties. The justification for condemning this would derive from a view of the police as a social agency for the solution of conflicts rather than as an agency of repression. Indeed, newer conceptions (especially from the police unions) indicate this. The results of this study show that until now police action is not in conformity with this perception. The socially weak do not get help from the police in solving their conflicts, though they apparently expect this. Police do not orientate solely toward the penal code and the

penal process laws in following up (or not following up) offences.

Both sets of regulations would oblige them to take action on every complaint of an offence. In fact the action of the police is determined by their own ideas of which crimes should be prosecuted or not. This decision seems to follow norms which are accepted by other members of society, too. The police therefore act according to a "second code" (MacNaughton-Smith) of criminality which still has to be described.

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THE POLICE MANDATE AND INSTITUTIONAL CONTRADICTIONS*

by

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One tradition in the study of occupations and the organizations in which they are rooted is to view the development of an occupation in terms of an emergent social psychological (role-based), political and cultural consensus on the mandate of the occupation. Although this thematic emphasis is not Hughes's, it has grown from his classic formulations of the concepts of mandate and license in Men and Their Work (1958). Yet, the achieved mandate, or the right to define the proper attitude toward and conduct of an occupation may contain unrecognized contradictions. Consider, for example, in the case of the police, the contradictions between what is claimed and what is honored by the public; what is expected from the police and what they "deliver"; what is symbolized publicly and what the everyday reality of the work requires of the practitioners; and what is politically expedient and what is required of the police in the ideology of policing in democratic societies. An examination of policing's mandate, even a superficial sketch, will reveal that structural and functional compromises have produced survival capabilities which in turn undercut both the mandate imagined by Peel and others, while at the same time reducing long-range flexibility and change potential. Insofar as these contradictions can be mediated by public ceremonies, dramaturgical management (Manning, 1974) strategies and ideologies, apparent political calm can persist. The growing dissent within police ranks, professionalization and unionization drives and strikes

indicate internal contradictions are being worked out in the public-political sphere. Public attempts to control the police through the passage of anti-strike laws, civilian review or participation in policy-formulation, reduced and carefully scrutinized budgets, all mirror unresolved public expectations of policing. The particular explosive mix created in the American context by emphasis on individualism, violence, and materialistic success, makes understanding the historical Anglo-American pattern critical since it is the template by which such strains have been shaped. The generality of the institutional dilemmas identified here is an empirical question, but in considering the pattern of police and public interactions, the limitations of the mandate are a useful background against which to study such transactions. An outline of the received mandate, as transformed into a set of structural, functional and organizational features, is the basis for arguing in the last section of this paper for the convergence of the present institutional dilemmas.

THE RECEIVED MANDATE

The representation of police power, what can be termed the police mandate, evolved over a period of 144 years from the principles enunciated by Sir Robert Peel into the present American police mandate. The police were initially designed to prevent crime without resort to repressive legal sanctioning and to avoid military intervention in domestic disturbances; to manage public order nonviolently, with the application of violence viewed as an ultimate means of coercing compliance; to minimize and indeed reduce if at all possible the schism between police and public

and to demonstrate efficiency by the absence of crime and disorder, not visible evidence of police action in dealing with them. (Peel, as quoted in Radelet, 1973:5). It might be said, subject to empirical validation, that the American police rarely seek to prevent crime, characteristically utilize excessive violence, mobilize systematic organizational effort to increase the schism between police and public, and seize hungrily upon evidence of police action or intervention as a verification of their effectiveness.

Functions and Legitimacy.

Of the police functions or activities most central to accumulated police obligations, none are more salient than supplying the range of public services without which complex pluralistic urban societies would eviscerate themselves and symbolically transmitting the concern of the people for each other through their fiduciary representatives. In order to implement these functions coercion is inevitable - for the sine qua non of governance is its capacity to project the formal capability to constrain citizens from each other (and from altering the pattern of governance itself). Because these services are themselves grounded in values with a high potential for conflict (personal rights to privacy, property, and political expression), and are transmitted by organizations which must establish priorities in allocation, targets, content, and levels and type of delivery of services, adversary relations result. Adversary relations in complex pluralistic societies, especially those involving large numbers of persons (whether routinely or on former occasions), lack the enduring structuring of normative constraints

provided in simpler societies by sanctity or tradition.

Why must the police act in a coercive fashion? It has been argued convincingly that the police have merely inherited this function as an historical residue (Bittner, 1975). It is perhaps more accurate to point out that the mandate of the police as preventive was to provide full-time availability to citizens, and to be open to their demands and requirements for service. Like the military, the police stand legally obligated to act in response to demand from whatever quarter. In a sense, the law, by requiring police action, has formalized the practice which is inimical to the police - the constantly ready response of one citizen to another in time of need. Further, the police possess a range of undifferentiated skills, tools and technology and the intelligence (information and communication systems) to respond to an enormous range of human difficulties.

The legitimating source for order-norms and reactive norms which define which response is appropriate to the violations of order-norms is the law. Agencies entrusted with provision of services with a high potential for violence, non-compliance and conflict, view the law as the fount of legitimacy. The linkage of law as a legitimator of official violence becomes conventional wisdom in mass societies, suffuses the ideology of everyday law and order conceptions. This acknowledged link represents a recognition of the empirical fact that in such a society only such bare- minimum rules as those in the law abstractly define the

range of events requiring intervention by the police. In order to cast the relationships with which they deal in the modes of legalism which provide their coercive force with legitimacy, the police engage in the symbolic transformation of facts into legal components: elements, rules of law, and hence create cases. Legal rules function in use by the police and their legal allies to guide the reconstruction of facts to facilitate entry of the cases into the legal system. In so transforming these facts, they state the official (i.e., legal) consequences of the occurrence of certain sequences of behavior. They create predictability in the anticipation of sanctioning. The exercise of official coercion is not only made possible by the legalistic legitimation of the police, but by the back-up or support function which they can obtain from other agencies within a community. As Cumming (1968) demonstrates, the police are the principal and initial referral source for the largest number of persons entering the social control network. The police provide a front-line definitional coding system thru which large numbers of persons are processed and referred to other cooperating or symbiotically dependent agencies of control. Two consequences result: the police act as "trend-setting" definers of deviance (or controllable offenses), and they enjoy the supportive coding supplied by other agencies within a social control network. Although standards and conceptions of causation of deviance and appropriate response to it are in conflict within the system, acceptance of the hierarchy of referral goes unchallenged. The police are dependent upon the more powerful discretionary agencies in the network -

the courts - for the affirmation of their decisions (Reiss, 1971: 125-134). This primary coding role vis-à-vis the community combined with a dependent status with regard to the courts, its ex post facto control on some police discretion, makes the utilization of the legal code imperative as a preparatory formulation for the submission (certification and validation of police action) of cases into the next "higher" level of the criminal justice system. It can be stated in a more forceful manner: the law serves as a mystification device or canopy to cover, legitimate and rationalize police conduct (Arnold, 1935). It does not prospectively guide police action, nor does it provide the principal constraint upon their practices. (cf. Bittner, 1970: Chapters IV and V: Alprin and Wilson, 1974).

Policing can be seen as a) a representation of coercive potential, b) backed by law and conventional institutional structure in the community, and c) reflecting the interests of those who control and define situations requiring the application of authority. In modern societies, these interests refer not only to the ostensive legal - political structure of a community, but to the patterns of influence upon decision-making which are endemic in segmentalized class societies. There is little question that the setting of public policy is everywhere determined by economic elites, and disproportionately reflects their political and social interests. The police, as an instrumentality of public policy, are no exception (Runchelman, 1974). Policing is the application of force to everyday affairs legitimated by the law. Police Agents are held responsible on an around-the-clock basis for the behavior of citizens who might

otherwise not comply with the law. Policing cannot be other than a reflection of those interests which define the nature of the legitimacy on which they draw. This is not to say that the police cannot exceed this authority in a variety of ways, but to say that the direction of the excess is patterned by the interests of the community reflected in the law and political elite . These arguments present in outline form some social structural aspects of policing and the meta-political environment in which they work. (For other influences on police organization, see Clark and Sykes, 1974: 466-472).

Police Organization:

Given these broad structural features embedding the mandate (further presented on pp. 10-15), policing as an organized activity inherits a mediating organizational position between elites, power groups and publics and their targets (principally the lower classes). Their principal concern is surviving. They attempt to do this by identification with the conventional symbols of order, invocation of the law and absolutistic morality, (Douglas, 1971: Ch. 3), and the myth of the neutrality of the state (Chambliss and Seidman, 1971: 2-4ff). More specifically, the police subscribe in public to the view that they enforce the law, attach its legitimacy to the state, and define the state as a neutral entity of which they are by extension suppliers of appropriate "police service". They define their action as politically neutral agents of the politically neutral state delivering a uniform product.

Organizationally, the police seek to mediate a problematic organizational environment by selectively presenting those functions which most clearly tie or associate them with a) the law, specifically the criminal law; b) crime-related activities, in specific arrests, warrant-serving and court appearances and c) symbols and activities which affirm the connection between the state and the police as a vehicle of secular power and authority.

For a number of historical reasons, the principal of which is the decline in the recognition of violence as a generic fact in complex societies (and the symbolic tagging of the police with the moral freight associated with violent intervention in society), the actual and unavoidable politicality of policing, and increasing reliance upon the law and other formal means of social control, the police present themselves rhetorically (symbolically) as bureaucratically organized. The term rhetorically is used advisedly, for although the police claim a bureaucratic organizational mode, critical aspects of police organization and practice might be called situationally justified action rather than bureaucratically mobilized and controlled paramilitary responses. It may be that the bureaucratic mode of organizing the police service was at the time of its formal legal creation in 1829 the only well developed mode of organization with promise.*

* Peel was impressed with the effectiveness of the Irish Constabulary, a quasi-military agency in Ireland, when he was secretary to Ireland from 1812/1815, and endeavored to insure control of police action by a variety of means which would insure its honesty, non-corruptibility and effectiveness in dealing with disturbances and crime in the streets of London. Chief among these were the installation of two commissioners (one with legal, the other with military experience), the insulation of the police from domestic politics (rather than parliamentary politics) and the creation of mechanisms

The early description of the police mission was indeed as crime preventative and public order control with minimal emphasis upon violent intervention. Foremost of the guarantees against violent excess was said to be strict accountability through a clear rank structure, military symbols and procedures rigid communicational hierarchy and close supervision. Over time, these innovative conceptions became less binding as the size and complexity of the organization and the diversity of the police function became apparent. Yet, it remained politically expedient for the police to symbolize the police function in bureaucratic terms. The rhetoric of policing became rigidified in a form which has been described as a "symbolic bureaucracy:"

...it is possible for an organization to conform little or not at all to the conditions of bureaucracy, while maintaining an image of complete adherence to bureaucratic ideals. The existence of such a situation will hereafter be referred to as 'symbolic bureaucracy'. Under such conditions, the relative success of the organization in realizing its ends in a more efficient fashion would not easily be subject to an accurate assessment either by the agency's administrative personnel or the outside observer. (Jacobs, 1969: 414).

This imagery, it is argued below, when combined with the actual diversity of police function, the quasi-entrepreneurial nature of the activities of the patrolman, and the vulnerability of the police to their political environments, creates an explosive combination. That is, the imagery of the symbolic bureaucracy is contradicted by the internally

to make the Commissioners accountable to the Home Secretary and hence to the Parliament and the Prime Minister. He proposed setting rigid standards of recruitment and discipline, and designed a system of actuarial control. These mechanisms were designed to create accountability, organizational control, and compliance within, and to enable control by politicians of the actions of the police.

decentralized style of operation. Clark and Sykes state this dilemma succinctly:

Those who have systematically observed police operations first hand, however, cannot help but be impressed with their nonmilitary and nonbureaucratic nature. In actual practice, in the critical aspects of responsiveness to top command, identity with a chain of command culminating in the ranking officer, and adherence to notions of centralized communications, control, and supervision, police departments are profoundly nonmilitary. Put in alternative rhetoric, much of the potential militarizing and bureaucratizing effects of selective recruiting from the military, in-house training, standardized dress, formal organizational structure and procedures, and so forth is neutralized by the de-bureaucratizing effects of relatively isolated and atomized police operations in detached individual or two-man patrol or investigation teams, under weak or nonexistent supervision, operating within an organizational ethos of the individualization of each case and each officer's solution to it. (1974: 473).

The translation of the police mission from external forces and pressures into an organizational structure is not well understood. Studies which have seized upon a feature of the patterning of police action e.g., the legalistic focus of Skolnick (1966) and Reiss (1971), have not been able on these grounds to account for the structure of policing, or sound an empty criticism of policing based upon the assumption that they should be legal agents. Bittner (1970; 1975) has clearly understood the relative autonomy of the police from the law, and their central mission empirically as the application of force. Noting the "residual" nature of many police obligations, and viewing the internal structure as a reflection of the extreme diversity of police tasks (see Webster, 1973), we have revealed that the police must be seen as a rather special sort of social control organization reflecting contradictory public expectations. The

discrepancies between the public demands for police service and their own symbolic focus on crime control constantly exposes them to dramatic dilemmas - how do they cope with a diverse set of organizational tasks while maintaining a socially defined place within an environment?

STRUCTURAL, FUNCTIONAL AND ORGANIZATIONAL CHARACTERISTICS OF POLICING IN ANGLO-AMERICAN SOCIETIES

The following outline of the structural, functional and organizational characteristics of policing reproduces some of the themes of the introductory section of this paper and aspects of the received mandate. It will in turn introduce a set of eight structural contradictions inherent in modern American policing, and will allow us to examine some of the consequences of the police structure on the police role.

I - Structural

A - The police represent in symbolic terms the most visible representation of the presence of the state in everyday life and the potential of the state to enforce its will upon citizens.

- 1) The police are dependent upon the trust and compliance of the citizenry to the political and moral order which legitimates their operations and existence, and sanctifies their commands with authority.
- 2) The legal obligations of the police cannot be fulfilled in the absence of citizen compliance in a democracy. (see below, F, F1, F2, F3).

- 3) The police are dependent for their mandates upon local political culture; there is no unifying, abstract mandate which crosses national, state or even municipal boundaries.*

* Nearly half a million persons are employed in over 40,000 law enforcement agencies in this country. They work for agencies located at five separate levels of governmental responsibility. In 1966 there were 420,000 full- and part-time law-enforcement officers and civilians employed by police agencies in the United States. Most of them -- 371,000 -- were full-time employees; about 11 per cent -- 46,000 -- were civilians. Of the full-timers, 23,000 served at the federal level of government, 40,000 at the state level, and the remaining 308,000, or 83 per cent of the total, were divided between county and local political jurisdictions. In addition to 50 federal-level agencies, including the FBI, Bureau of Narcotics, Post Office, IRS, Customs, the Alcohol Firearms and Tobacco Unit of the Treasury, the Immigration-Border Patrol and U.S. Marshalls, there are agents in 100 agencies in the 50 states, including state police forces and criminal investigation agencies, county sheriffs and deputy sheriffs in over 3,000 counties; there are 33,000 agencies of police of a thousand cities and in over 20,000 townships and New England towns; and the police of 15,000 villages, boroughs, and incorporated towns, together with a small number of special purpose forces serving public quasi-corporations and ad hoc districts. Within certain county or metropolitan areas, there are ad hoc "squads" to deal with organized crime, drugs, or riots which are composed of members of a number of police forces and are commanded by officers from several departments. The number of private police agencies such as Pinkerton's (an agency now employing over 30,000 persons) and other protective and detective agencies is presently over 3,000 and growing. The amount spent on legally constituted private forces is over 3 billion dollars. An unknown number of more than ad hoc "vigilante" groups (which do continue to appear to conduct voluntary searches, patrol neighborhoods, and make inquiries in communities) exists, such as the Maccabees in Brooklyn (Marx and Archer, 1971). There are no accurate estimates of the numbers of people involved on an ad hoc basis or on a semi-official capacity such as these, but they form a type of quasi-legal social control even though they normally do not arrest persons. What all these figures indicate is the massive dispersal of police authority -- and political authority -- throughout the nation. What these figures also indicate is the existence of overlapping laws governing law enforcement. Further, they show that the responsibility for maintaining public order in America is decentralized, and that law-enforcement officers are largely under the immediate control of local political authorities.

- B - The police are organizationally legally bound to apply sanctions against persons and elements of the population of a politically defined region where the probability of retaliation (against the police by the citizens) by persons other than those to whom reaction is directed is low (Reinstein, 1954: 5; Gibbs, 1966).
- C - The police are not officially delegated the responsibility of evaluating and gathering data on the moral/political status of the character of the entire civilian population under their jurisdiction. They are expected to concern themselves with those matters considered to be violations of the criminal law (and juvenile statutes), not with issues of "national security" broadly defined.
- 1) This limitation distinguishes the Anglo-American tradition of "Crime" or "low" policing from the Continental tradition of a high policing where the mandate includes both criminal law enforcement and surveillance of the civilian population (Bordua, 1968; Chapman, 1970; Tobias, 1972).
 - 2) This centralized pattern of police authority broadens the political meanings of police activity and the meanings of crime to include "political" crime or disaffection from the legitimacy of the political order itself.
- D - The police are expected to act in asymmetrical relation to the army. The army is utilized only bilaterally with the police in quelling, containing or managing domestic upheavals.

- 1) The police will have been called in any disturbance where the army has been mobilized.
- 2) The police are viewed as the first line of formal social control while the army is seen as the ultimate application of force.
- 3) This means specifically that the police are sanctioned to act where:
 - a - the political authority of the government itself is not challenged in a significant fashion by the numbers, power and organization of the opposition.
 - b - the intention of the opposition is defined as "criminal" rather than "rebellious" or "revolutionary". (Turk, 1967; Horowitz and Liebowitz, 1967).
 - c - military and civil law coincide on the definition of joint action.

E - The enforcement or sanctioning authority of the police stands in relation to the criminal law as follows:

- 1) Private associations have rules binding in the same sense that the law is, however they can only at best expel associates; they lack the monopoly on violent sanctioning reserved to the state (Ross, 1958: 60).
- 2) The law consists of rules concerning the application of force and secondly, rules (or norms) concerning the competence of given organized or institutionalized bodies to stipulate these norms of conduct and the exercise of this force (Ross, 1958: 59).

3) The police thus enforce legal norms among others insofar as the police are the source of institutionalized violence in the society.

(Ross, 1958: 57-58; Bittner, 1975).

4) The police, under the rubric of violence as a final solution to non-compliance to command, may apply variants up to and including the use of lethal weaponry.

5) Under the conditions stipulated above (D, D1, D2), the police may use in legal sequence violence necessary to enforce compliance until resistance is no longer encountered (operationally, these modes of coercion e.g., commands, persuasion, lying, threats, and physical force may be used in step-wise fashion).

F - The police act as transducers; they gather, screen, and respond to information which mediates between private bounded associations and the criminal justice system (Mayhew and Reiss: 1969).

1) This information provides citizens with awareness of legal contingencies and legal implications of private relations.

2) The police information system acts as a source of information surrounding a case in the legal system, and this shaping or transformation may pattern its subsequent passage through the legal system (Clark and Sykes, 1974: 460-461).

3) Police are not, therefor, merely respondents to behavioral events, but shape, process, screen, amplify and otherwise code events coming to their attention.

G - The police actively mediate between the political-economic elites and the citizens.

- 1) Threats to these interests are seen as located in the lower classes, and the responses of the police thus mark the limits of the respectable segments of society, the boundaries of informal social control and the shapes and location of evil.

H - The police are information-dependent.

- 1) The police are dependent on the citizenry for information and corporation:
 - a) Reiss (1971) found 87% of mobilizations of patrol cars were citizen initiated; only 13% were police initiated.
 - b) The police have little control over the settings in which they work: 70% of citizen-initiated encounters where a citizen was present took place in private places.
 - c) Four times as much "crime" can be discovered (if victim surveys are to be believed) than is actually reported (Hood and Sparks, 1970, Chapter 1).
- 2) Proactive policing (where the police mobilize themselves thru information gathered from informants, other officers, or criminals) reduces police dependency upon the public at large, and
 - a) increases the potential power and influence of informants and agents provocateurs (Cobb, 1970; Marx, 1974).
 - b) increases the amplification power of the police and the importance of the police occupational culture in defining crime.

- 3) The greater the proportion of police time and energy given over to proactive policing, the closer it resembles structurally "high policing" (C, C1, C2).

II - Functions

A - Crime-related functions (27%) *

1. Crime detection
2. Crime prevention
3. Investigation of alleged crimes
4. Arrest and warrant serving
5. The circulation, analysis and publication of crime-related information (information on wanted felons, criminal statistics, etc.).

B - Public order maintenance functions (9%)

1. Traffic control
2. Public order maintenance
3. Crowd control

C - Miscellaneous public services and administration services which are inaccessible, closed, or unacceptable to citizens e.g., handling mentally ill persons, dispatching ambulances (64%).

* Figures in parentheses refer to the amount of police time given over to each of these functions in Webster's (1973) study of a large West coast police department. The category of "service" contains internal or self-maintaining functions which amount in themselves to better than 50% of police time. The per cents do not total to 100% because the category "on view"—which can be assumed is crime-related intervention of patrol in on-going situations—amounted to 9%. If added to the category of crime-related functions, the total is 27%; in the crime category under 3% of police time was devoted to person-related crimes. It should also be noted that his analysis was for patrol only, thus the time spent in detective work (categories 3, 4 and possibly 5) is excluded. I estimate that it does not amount to more than perhaps 10% of total policeman hours, although no time study has analyzed both patrol and detective work.

III - Organizational Characteristics

A - The police are symbolized externally as a paramilitary bureaucracy, but features of internal lack of control, lack of supervision of lower participants and their freedom of action, make it more a symbol than a reality (Jacobs, 1969; Clark and Sykes, 1974).

1. Modes of control over lower participants are harsh, arbitrary and punitive, tend to be legitimated by administrator's values, and make police organizations "mock bureaucracies".
2. Rules proliferate, and complex systems of internal regulation are utilized to punish violators.
3. Uniforms and other symbols of hierarchy predominate.
4. There is a relatively undifferentiated task structure.
5. No lateral entry is permitted; administrative-supervisory command personnel almost exclusively have risen thru the ranks.

B - Quasi-legal internal structuring occurs i.e., the divisions within the department reflect legal categories of offenses - juvenile, traffic, detective (homicide, burglary, auto theft, etc.)

C - Police departments are characterized by high degrees of segmentation, factionalism and informal groupings.

1. Unionism is one basis for segmentalization.
2. Cliques and cabals form around themes of mobility and success (the former, schemers to "get ahead"; the latter, schemers against change and mobility - Burns, 1955).

3. Racial, ethnic and religious organizations are very important informal rallying points within the organization.
 4. Competition revolves around information (power) within the organization.
 - a) this can take the form of informal competition between persons or divisional (detective vs. patrol) competition.
- D - Police departments have a high degree of asymmetrical knowledge - all higher participants have been patrolmen, but few (or none) of the patrolmen have been administrators or supervisors.
- E - All administrative decisions are made situationally and contextually, involve discretion, and cannot be based upon an abstract theory of policing, the law as an authoritative locus, nor upon the internal rules and regulations of the organization itself. Any given decision, at any given level, cannot be solely based on a set of precedents, systematic theoretical propositions or assembled scientific tenets (Bittner, 1970; Wilson, 1968; Davis, 1969).
- F - Policework at levels including and below Sergeant is discretionary — it is concealed from close supervision, and untrammelled by formal rules which clearly define when, where, how and why one should intervene. It is understood that not all laws can or should be enforced. Policework is primarily seen as an individualistic, entrepreneurial, practical, face-to-face activity involving particular people and their problems (Manning, in Blankenship, forthcoming).

G - The police as an organization are isolated from other organizations, minimally interact with organizations outside the criminal justice system, and isolate themselves by choice (Haurek and Clark, 1967; Clark, 1965).

INSTITUTIONAL CONTRADICTIONS OF THE STRUCTURAL POSITION OF POLICING IN ANGLO-AMERICAN SOCIETIES

There are at least eight structural contradictions of Anglo-American policing which are seemingly inherent in their present mandate.

First, the police symbolize the state (I A-A3) in the sense of displaying the unity of the political organization of the state and of the consequences of public failure to comply with the state's dictates . In a general sense, they symbolize the appearance of a consensual, unitary moral order under which all citizens stand equal and deserve equal protection. Yet the police must enforce the law against some segments of society and in so doing they place themselves "behind" or "above" that law. The act of enforcement thus sets the police apart even as they legitimate themselves as representing the whole of the state and the people.

The police represent the means by which political authorities maintain the status quo. They act in the interests of the powerful and the authoritative against those without power and without access to the means to power. But not only do they serve this function, they serve to maintain the relative placement of social groups upon the politico-moral ladder. By enforcing the law, they are always enforcing someone's interests against someone else's. This is given in the nature of the occupation. By enforcing (or failing to enforce) a law they underscore the norms of the society, and

inferentially, the distribution of status within the group. However, although they claim the higher status, they must in fact mediate between large segments of a society and play an anomalous role. They are both of the society as its representatives, and outside of it as enforcers, or reactors against the delicts of others. They are of the society as citizens, but outside as adversaries of those who commit wrong. They stand not only in an anomalous position within the society, but are anomalous with regard to the line drawn between conceptions of society and non-society, chaos, threat or anarchy. The police view their position as marking the boundaries of the social order, standing between the higher and lower, the sacred and the profane, the clean and the dirty.

Secondly, (I B, E) although they symbolize their activities as being consensual and serving the state as a whole, especially the respectable middle class segment of the society, they are obligated to enforce the law against these respectable citizens. This is the case in the enforcement of some vice laws such as gambling and drugs and in traffic. In arrogating to themselves the "higher" moral ground, the police have also shrunk the basis on which they claim a right to legitimacy as the dominant agency of social control. For although they associate their actions with honorable defense of the social order, they are also the inheritors of the violence obligation. In this society, the application of violence is associated with honorable, but not especially prestigious occupations. It could be said that the greater the actual application of violence of a control agency, as opposed to the mere threat of violence, the lower ranking of the agency within the hierarchy of control agencies. Since the application of violence in this society is almost entirely limited to control of the lower classes,

the greater this exercise, the lower the prestige of the group, and obviously, the greater the contact with the lower orders.

Thirdly, although they are required legally to enforce the law and to maintain public order, there are many conditions with which they are confronted where the law is a weak resource (I E; F, F3; G1) (Banton, 1964; Bittner, 1967). The law does not always provide a means for controlling behavior which may be "irritating" to a person, yet, this is often the type of situation where, having received a complaint, the police feel constrained to act. (They may take action to alleviate the phenomenon or to mitigate the pressures on themselves [Manning, 1974a]).

No matter what the basis for actions of private citizens, the patrolman's job is one of practical decision-making within a legalistic pattern.* Police decisions are expected to include an understanding of the law as a system of formal rules, the enforcement practices emphasized by his department, and a knowledge of the specific facts of an allegedly illegal situation. The law includes little formal recognition of the variation in the private arrangement of lives; the police take these into account.

* The perspective of the patrolman as he goes about his daily rounds is a quasi-legalistic one. The law and the administrative actions of his department provide him with a frame of reference for exercising the mandate of the police. The citizen, on the other hand, does not live his life in accordance with a legalistic framework; he defines his acts in accordance with a moral or ethical code provided him by his family, his religion, his social class. For the most part, he sees law enforcement as an intervention in his private affairs.

Structurally the police must exercise a discretion vaguely defined at law.

(I F, F1 - F3). Wilson summarizes an inherent difficulty in law enforcement:

Most criminal laws define acts (murder, rape, speeding, possessing narcotics), which are held to be illegal; people may disagree as to whether the act should be illegal, as they do with respect to narcotics, for example, but there is little disagreement as to what the behavior in question consists of. Laws regarding disorderly conduct and the like assert, usually by implication, that there is a condition ("public order") that can be diminished by various actions. The difficulty, of course, is that public order is nowhere defined and can never be defined unambiguously because what constitutes order is a matter of opinion and convention, not a state of nature. An additional difficulty, a corollary of the first, is the impossibility of specifying, except in the extreme case, what degree of disorder is intolerable and who is to be held culpable for that degree. A suburban street is quiet and pleasant; a big city street is noisy and (to some) offensive; what degree of noise and offense, and produced by whom, constitutes "disorderly conduct"? (1968: 21-22).

The complexity of law enforcement stems from both the problem of police "discretion" and inherent tensions between the maintenance of order and individual rights. The law contains rules on how to maintain order; substantive definitions of crime; penalties for violations; conditions under which the commission of a crime is said to have been intended; the procedures for the administration of justice and for the protection of individual rights. This, then, is a fourth structural dilemma, for the police must enforce the peace while having few guidelines, and enforce the law while procedural constraints dealing with the protection of individual rights must be observed. (I A - A3; B; C, C1 - C2; D, D1 - D3). When dealing with order-maintenance, the police are thrown back on their own sensitivities and "readings" of the dynamics of the situations they encounter:

(I E1 - E2)

Order maintenance arises out of a dispute among citizens who accuse each other of being at fault; law enforcement arises out of the victimization of an innocent party by a person whose guilt must be proved. Handling a disorderly situation requires the officer to make a judgment about what constitutes an appropriate standard of behavior; law enforcement requires him only to compare a person's behavior with a clear legal standard. Murder or theft is defined, unambiguously, by statutes; public peace is not. Order maintenance rarely leads to an arrest; law enforcement (if the suspect can be found) typically does. Citizens quarreling usually want the officer to "do something," but they rarely want him to make an arrest (after all, the disputants are usually known or related to each other). Furthermore, whatever law is broken in a quarrel is usually a misdemeanor, and in most states, an officer cannot make a misdemeanor arrest unless one party or the other will swear out a formal complaint (which is even rarer). (Wilson, 1969: 131).

When dealing with situations covered by the criminal law, (I B; E, E1 - E2) — as the patrolman perceives and understands it — one must recognize that the working knowledge of the policeman of the law is in fact limited to those types of situations he is routinely expected to enforce. (Buckner, 1967; Harris, 1973). The police operate because of their unique experiences in dealing with criminals and the public and the legal obligation to ascertain "probable cause" as if they "know" the guilt or innocence of persons arrested. The police provide evidence, and are required to construct the strongest case to the prosecuting attorney. This creates a fifth structural paradox, for decisions on guilt or innocence are complex matters negotiated between the police, lawyers, judges, juries, and charged persons. (Blumberg, 1967; Newman, 1956). Thus, police possess little certainty or control over final outcomes, once their discretionary task i.e., in founding a crime, investigating an allegation, arresting and charging a person, have been performed (Reiss, 1971: 125-134; Reiss, 1974; Skolnick, 1966).

Sixthly, the police must both gather, organize and use information as well as conceal it. Policing assumes the centrality of controlling and concealing information on the activities of criminals (e.g., their movements, addresses, past criminal records, associates, present occupations, automobiles driven/owned), and the activities of other categories of people who might cause police trouble: political activists; families frequently involved in marital/family disputes; "dishonest" businessmen; potential drug users. Enforcing the law requires preserving a degree of ignorance on the part of the public (and especially what is seen as the criminal element in society), because it makes possible undercover vice work (posing as a prostitute, or a "john" or an eager buyer of narcotics is only feasible where appearances are taken to be just that). The protection of informants, essential to vice work, often conflicts with variable public expectations of arrest and conviction of known offenders. In order to win the respect and deference of the upper and middle classes, and to maintain control over the moral high ground, the police must act against (and with in the case of using informants) "criminals" and the powerful classes. An alternative theme, which is more present in traffic enforcement and to some degree in drug law enforcement, is the deterrent strategy which emphasizes to the relevant target populations the risk inherent in certain matters of police concern. Social groups aware of such required and intrinsic matters of police operations such as discretion, differential attention to certain activities, and variable administrative policy directed to given problems in a community, might conceivably,

in police eyes, withdraw support from police operations. (The practical police concern here is primarily with that segment of the public which they define as the respectable middle class. (Cain, 1973: 69).

Seventhly, in theory, the American police are apolitical. The police must enforce the law, a political instrumentality, while eschewing all politicality, personally and organizationally. (I A - A3; C - C2; E-E ; G-G1). Their own political values and political aims are supposed to be secondary to the institutional objective of law enforcement. In practice, however, police organizations function in a political context; they operate in a public political arena and their mandate is defined politically. They may develop strategies to create and maintain the appearance of being apolitical in order to protect their organizational autonomy, but they are nonetheless a component of American political machinery. There are three reasons why the police are inextricably involved in the political system:

- 1) The vast majority of the police in this nation are locally controlled. They are embedded in the context of local political culture: the expectations, especially of the elites, of what issues are important, how they will be defined, what are the acceptable options for their solution, and what are the available resources for allocation.
- 2) Law is a political entity, and the administration of criminal law unavoidably encompasses political values and political ends. The police are tied to a political system that develops and defines the law, itself a product of interpretations of what is right and proper from the perspective of different

politically powerful segments within the community. 3) The police must administer the law. Many factors pattern this enforcement, but they all reflect the political organization of society. The distribution of power and authority, for example, rather than the striving for justice, or equal treatment under the law, has a direct bearing on enforcement (Quinney, 1970).

Patterns of police and politics within the community are tightly interlocked. The sensitivity of the police to their political audience, their operation within the political system of criminal justice, and their own personal political attitudes undermine their efforts to fulfill their contradictory mandate and to appear apolitical.

Eighthly and finally, although the police claim an active control over crime and public order, they are, in fact, highly information-dependent. (I C; F-F3; H-H3). They receive a large proportion of calls for assistance, but among them are the crime-related calls which eventuate in the vast majority of their law enforcement (arrest-related) functions. Little police activity resulting in arrest is initiated by police patrol. The police must deal with problems in settings where their own information and control is often minimal, and where they require citizen assistance. And most importantly, the police deal with only about one-quarter of the crime which has been uncovered in victim surveys. That is, they claim responsibility for phenomena which in one case they cannot define (order-relevant events) and in the other case about which they have only minimal information (crime-related events).

This is the "informational bind" problem of the police.

It should be clear that these characteristics of the police and the organizational adjustments that they create are at least partially a function of the attempt of the police to carve out these functions and characteristics, and at least in part a function of the inertia of organizational patterns. Much of what any organization does is done simply because it has always been done that way. It cannot be argued, then, that these characteristics are solely the product of patterns of past policy-making on the part of police organizations, but rather that they are incremental products of the conjunction of what we above termed the violence inheritance, the obligation to enforce the criminal law, and historical increments in the residual service and intelligence-information functions.

COMMENT

In the writings of the Americans, Wilson, Bittner and Clark and Sykes, an initial formulation of the police mandate has been sketched; there is some suggestion in their writings that this mandate may be more general in nature, and may conceptualize the police mandate in Anglo-American societies, or in industrialized democracies. It is unlikely that the needed ethnographic and historical work has been done to support the claim for the generality of the pattern. On the other hand, an attempt to develop historically rooted conceptualizations, and to locate them within the political economies of nation-states may be of considerable analytic promise. For example, the conceptual scheme tentatively

advanced in this paper may allow further cross-cultural research to be developed. For we have no truly comparative cross-cultural research on the police mandate itself, what the police claim to be doing, what respective political elites demand and expect of them, and expansions and contractions in the mandate over time. Research which focuses on "public attitudes" reifies the notion of public, and obscures the fact that "publics" do not set police policy, nor are the attitudes of an aggregated sample the relevant political audience to which the police respond. Likewise, sensitive research on the role of the police officer restricts attention to interactional dynamics, and may distract attention from the historically selective attention police pay to types of crimes, powerful groups and especially their role in politics.

To mobilize cross-cultural research on the police mandate will require close examination of the evolving structure of "law" or crime policing, and how it has been defined as such. The mystifying effects supplied by the hegemony of the idea of the law must be critically set aside. Key turning points and crises, such as the passage of the 1829 Police Act in London, and the founding of the police in New York and Philadelphia in the mid-nineteenth century, should be studied. Links to the economy and the fluctuations in scope and type of policing expected could be explored. But in each of these massive domains, the institutional contradictions will have to be probed, for they seem to be deeply rooted in American policing, and perhaps in Anglo-American policing.

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POLICE IMAGE AND YOUNG PEOPLE'S ATTITUDE

by

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Amongst the institutions concerned with social order, the police, whose traditional role is to impose the law and keep the peace, is possibly the most interesting one to study; the direct, constant contacts its members maintain with the public place it in the front rank of such institutions.

By observing how the police are judged, assessed, accepted or rejected, we can see how the acceptance of social constraint is affected by the manner in which it is exercised. At the same time we can observe the more general problem of the police function within the social framework. This is a topical problem at a time when we are witnessing the development of two apparently contradictory phenomena:

- a change in the role of the police, desired both by the authorities or the public and by the police themselves, towards greater emphasis on crime prevention and less on repression, and a broadening of police activities to cover tasks and missions of social and even educational aid;
- criticism, amounting even to stigmatization, of the police institution and its individual members.

The criticism increases in volume and force when voiced by young people in spite of the special efforts made by the representatives

of the law to better the quality and the effects of their contacts with the young. Are these efforts sufficiently developed? Do they bring results? Are they noticed by the young ? What in fact is the cause of their animosity towards the police force or its members?

In an attempt to find answers to these questions the "Centre d'Etude de la Délinquance Juvénile" in Brussels has undertaken a study of the police image amongst a sample of Brussels high-school students and a survey on the attitude towards the police and the latter's image amongst a group of young delinquents (2).

The police image amongst young people in Belgium.

A first objective of the "Centre d'Etude de la Délinquance Juvénile" was to study the police image amongst a sample of Belgian high-school students (3). For this, a questionnaire was used with two attitude scales and various questions of opinion.

Since the sample was limited, the following conclusions, in the form of comments, have only an indicational value. These conclusions show that the police image amongst the high-school students of our sample, mostly belonging to the middle class, is somewhat the same as what we know of the police image in public opinion in general.

(2) POTVIN, J.P.; TISSEYRE, C.; "Attitudes des jeunes envers la police", Centre d'Etude de la Délinquance Juvénile, Brussels. To be published around Jan. 1977.

(3) POTVIN, J.P.; "Image de la police chez les jeunes"; CEDJ.; Bruxelles, 1974, 159 p.

These young people recognize the utility and necessity of the police and justify their acceptance of this institution by its role as protector of individuals and society against criminality. They recognize this necessity strongly enough not to oppose an increase in the numbers of police.

The "political" side of the image, connected with the use that might be made of the police by those in power, is absent amongst the majority of the young.

In the view of the young people, apart from road traffic, the main tasks of the police are surveillance and pursuit or arrest of offenders. Therefore, the profession of policeman has its disagreeable and dangerous side and almost all the young people are in favour of the police being armed and of being better paid than they are.

On the other hand, in spite of the many different tasks carried out by the police, young people do not believe that policemen perform any work of a social aid nature amongst the population. They tend only to bear in mind the preventive protection role of the police and the coercive and repressive aspect of its activities.

Further, they think that police surveillance leaves something to be desired, that the police are never there or arrive too late when they are needed, and that on the question of pursuit and arrest they concentrate only on serious affairs and forget about the others, especially when they concern complaints made by the victims of minor offences.

From this largely arises the negative image of police efficiency amongst young people.

They partially explain this lack of efficiency by the lack of professional conscience, incompetence and the low intellectual level of police officers in general. This lack of qualifications, in the opinion of the young, is due largely to low standards of recruiting and training of policemen. The profession is not highly thought of; for many young people, it is a profession which a man goes into when he does not know what else to do.

Police activities are seen as directed essentially towards repression; the behaviour of individual police officers and the contacts one can have with them are seen in the same way.

Young people do not doubt the honesty and integrity of policemen as individuals, but it is towards these same individuals dressed in a uniform and invested with authority that the reproaches are made. In a uniform, the honest man becomes an unjust and indifferent authority.

He is accused of being overbearing, sometimes vulgar, vexatious, inflexible, but above all, of lacking understanding, closed to any communication and to any attempts at explanation or justification, especially when enforcing the law.

He is also accused of undue suspicion and discriminatory behaviour towards certain categories of persons when these persons are not a priori to be suspected more than others of having broken the law. According to the young people, the exaggerated surveillance or even persecution affects mainly hippies or vagabonds (in the opinion of 80% of the young) and youth in general (in the opinion of 50% of the young), whereas only 7% feel that it affects citizens in general.

This opinion of young people on the discriminatory behaviour of the police originates in the identity checks they are sometimes subjected to.

However, according to young people, the hostile attitude of the police is directed especially towards suspects and the guilty, and it is disturbing to note that only 16% of the young persons in our sample did not believe that the police use third-degree methods to obtain confessions.

However, the hostile attitude of the young is mainly restricted to criticism, sometimes dislike or mistrust, but it does not necessarily go as far as constant disparagement or antagonism. It is superficial rather than deep-rooted and the opinion of the young is often shaded with understanding.

Still, they do not seek closer contact with the police: they would refuse, for instance, to have the latter mixing in their educational activities except for such things as teaching the highway code in schools, or to have police officers taking part in their leisure-time activities.

They feel that the police are not qualified for this or they claim that the police would make use of their acceptance by the young in order to keep tabs on them.

In any case, in this study as in others, it appears that the police image is essentially influenced by contacts with the representatives of the law. Amongst young people who have been placed in a victim's situation and have been helped by the police the image has often been seen to improve; amongst young people who has been subjected to identity checks they have considered as harassing, the image deteriorates.

The attitude of young delinquents towards the police in Belgium.

A second objective of the "Centre d'Etude de la Délinquance Juvénile" was to examine the attitude of young delinquents towards the police, measure the influence of the contacts with the representatives of the law on their social integration, and to assess to what extent certain schemes, such as the creation of police youth squads with police-women included, improved the quality of police-delinquent contacts.

To this end, a sample of 60 young delinquents was interviewed. These were young people about 16 years old who had committed one or more serious offences, been arrested and questioned by the police, appeared before a juvenile court and sent to an institution for at least six months.

These were young delinquents in the most classical sense. Most of them were characterized by the following: poor schooling and scholastic failure; attempts to hold a job and failure due to absenteeism, indiscipline, refusal to work ...; a poor socio-economic background; family or educational deprivation or disturbance, and in most cases previous sentencing to some institution or other as a result of administrative measures concerned with parents or minors, or upon parental recommendation, etc.

Essentially, the crimes with which they were officially charged were theft (90%), running away from home (60%), indiscipline (40%), morals (20%), drugs (3%), etc., the most frequent combination being flight from home accompanied by theft.

The young delinquents in our sample had, in general, a good acquaintance with the various squads or divisions of police, even if it concerned such squads or divisions with limited duties. But a good number seemed to consider other professions to be part of the police force, such as prison guards, detectives, inspectors in the big stores, or even judges and magistrates, which points to the fact that certain delinquents do not see a difference between the police and the judiciary, both being involved in the same procedure and both exercising the same repressive functions. This does not imply that the delinquents' image of judges was the same as that of policemen. The police officer came in at the first stage: it was he who arrested them, took their statements and drew up his report

for use by the judges; and the delinquents thought the police charges were the main, if not the only, determining factor in the judge's subsequent decision.

The youngsters' resentment was therefore aimed at the police officers and not the judges "who had no responsibility for what happened" and who appeared as "secondary" elements whose attitude was governed by what was in the police report. If the judges were described as "good" or "bad" by the young people, it was not because of the decisions they took since such decisions were in a way dictated to them, but because of the impression they had left with the young people of listening to them attentively and understanding them or not.

What appeared more significant in this knowledge the young people had of the various divisions of police was that none of them referred to the juvenile police squads although there were such squads in all the big centres.

Many of our delinquents had in fact been involved with these services but were not aware of it, either because it was usually regular police officers who had arrested and questioned the young offender and it was only afterwards that he had been handed over to the specialized services of juvenile police, or because the members of these services especially the policewomen - had been perceived as "social investigators" whose duty it was to make an evaluation or social report on him, which he might have experienced many times in his career as a delinquent.

Young people's recognition or lack of recognition of the juvenile police is a problem, as is the way the latter should be used - at what stage should they enter the picture and what should be the task of the officers, some of whom have had training as social assistants and find it hard to reconcile the social aspect of their mission with the repressive one?

The ignorance of the existence of a juvenile police division by the delinquents was confirmed several times during the interviews; they were asked whether they would be in favour of the creation of such a branch of the police and the big majority of them answered in the affirmative. Many of the younger ones and those who had been apprehended for the first time felt that policewomen would be better in this role; the more hardened ones considered that only male police officers should be in the youth services and they should be young themselves, others that they should be chosen amongst the older policemen; to justify their opinion they all referred to actual experiences with policemen or to parental images. They all felt that the juvenile police should differ from the others in being more understanding, less severe, willing to drop charges. In their minds, to be an understanding police officer meant coming to an arrangement with the offender, giving warnings but not starting up the machinery of the law, explaining what they had done wrong but not punishing.

In this connection, most of the delinquents tended to consider their own behaviour excusable and often said they "could not understand why what they had done had been made into something so serious". They rarely saw themselves as fully guilty even if the deeds which had justified their arrest were attempted murder or gang rape for example. They present themselves either as victims of their lack of education or as victims of circumstances, or in the case of theft - even when important and oft-repeated - they easily and it would seem sincerely, justify their "right" to take the vehicles, goods or money they want (stealing from the rich is not really stealing, stealing in a big store does not harm anyone, stealing a car (for joy-riding) cannot be serious since it is returned to its owner eventually, stealing money when they "really need it" is justifiable, etc.) A good policeman who understands young people should let them explain, and try to "understand why" they acted as they did and their misdeeds would then, in their view, be excused.

In confirmation of the fact that the young delinquents do not see themselves as offenders or criminals, it was ascertained that they recognize almost unanimously the utility and necessity of the police institution. No more than other young people, they cannot conceive how one could do without the police; their opinion is justified by the protection the police afford against criminals and criminality.

However, more often than other young people, delinquents bear in mind only those police activities that are connected with repression: their main task is to pursue and arrest offenders, keep an eye on the

young, find runaways, etc. Also, more than the other young people, they express doubts as to police efficiency, on the grounds of the lack of professional conscience amongst police officers and the poor organization of the police service. Their low opinion has its origin mainly in two facts:

- the exaggerated surveillance young people feel they are subjected to in cinemas, dance-halls, bars ... and the numerous identity checks when the police "should be doing more important things ...";
- when "on the run" many young delinquents are not apprehended by the police in spite of "provocative" behaviour on their part. By "provocation" they mean letting the police see them, going up to policemen and engaging them in conversation for no reason. Many young people imagine that because they are on the run all policemen have been alerted and are looking for them. The fact that they are not apprehended immediately, even after an identity check, leads them not only to believe in the inefficiency of the police but reinforces the idea that they can easily commit an offence without being discovered.

The absence of guilt feelings and the poor opinion of police efficiency, no doubt connected with the considerable amount of hidden delinquency, may explain their surprise when they are finally arrested: many of them were not expecting it and resent it as an injustice. They explain that they were caught "through their own fault", "because they made a mistake", "because they had been pushing it too much and in the end they become known", or because someone had told on them. They conclude

that when they are finally arrested the police should at least "give them a chance".

However, though the fact of being arrested is felt to be an injustice, the young people do not necessarily resent the police officers personally for this, admitting that "they have their job to do".

The resentment comes when the arrest takes place in particularly disagreeable circumstances, and their chief reproach concerns the publicity given to the arrests and the assimilation to criminals and "hooligans" (with brutality, threats, sarcasm, insults, intimidation ...). The public array of force (the "black maria", the siren, groups of policemen, guns ...), the public arrest by uniformed police, having handcuffs put on them, have a profound effect on the young, especially if their family or acquaintances are present (neighbours, members of the family, workmates or schoolmates ...).

The delinquent may be so ashamed that, for a long time and throughout his stay in an institution, he wonders how he can ever go back home or appear in front of his workmates when he is freed.

Publication in the local papers of his arrest and the facts surrounding it may have the same effect.

When he leaves the institution where he has been confined, the young delinquent may in fact avoid his old area and haunts and go

directly to places frequented by the underworld where, in spite of himself he will be drawn into a career of delinquency.

We have mentioned the importance the young delinquents attach to the police reports and charges. It is at this stage that they have the impression their future is at stake, hence the importance of the way their first interrogations are perceived and experienced.

The chief complaints of the young delinquents are directed against:

- the waiting period before the questioning which can engender nervous crises, states of despair, feelings of rebellion;
- custody (Which may last 24 hours) during which they are not allowed to communicate with their family;
- blackmail-type behaviour on the part of the police: threats to make them confess (threats of beatings, of having them placed in the worst institutions, of making them "pay for the others"...) or promises that are not kept (promises to release them if they confess...);
- the attempts of some policemen to make them confess to offences they have not committed. Young people often accuse the police of trying to charge them for all the offences for which they have not found a suspect;
- the attempt to make them denounce their friends;

- certain techniques used in the questioning (the police keep repeating the same questions, confront them with other delinquents, use several police officers at one time to question them, tell them that the others have already confessed);
- police brutality. There certainly have been cases where the young have been treated brutally by police officers, but many of them admit that the police only become brutal in response to brutality or provocation on their part. In other cases, it appears that the young, consciously or not, seek "correction" or brutal treatment on the part of the police.

On the other hand, the kindness shown by certain police officers and the understanding they show in their dealings with young people, but especially the impression they give of wanting to help them, are never forgotten and in most cases give good results during the questioning itself. Of course, police kindness can be construed as two-faced ("the police try to soften you up to make you confess more easily") and it is then refused by the young delinquent who adopts, as a result, an aggressive attitude towards his interrogators.

This research will be published next year.

ANALYSIS OF POLICE INVESTIGATIVE ACTIVITIES
FROM THE VIEWPOINT OF THE LATER CRIMINAL TRIAL

by

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1 - Intentions of the study

This study examines the factors which exert an influence on the control functions of the police with respect to their law enforcement activities in the fields of larceny, fraud and embezzlement, seen as a part of the entire system of penal social control.

On the assumption that "criminality" is the result of a comprehensive selective process in which the penal social control-institutions - i.e. police, public prosecutor and court, and even the public themselves - are decisively involved, as well as the perpetrators and victims of actions defined as legally punishable, and arising from such acts, there are above all two questions of central interest to our research:

- a) which are the criteria leading to the elimination of offences and offenders from the process of prosecution?
- b) who, that is, which of the penal social-control institutions concerned, in fact decides which persons will be selected for accusation and finally convicted, out of the total number of individuals considered as suspects?

The question of the structure of the penal definition and selection processes, the part played by the institutions of penal control with respect to the coming into existence, and not merely the overcoming of criminality, may be answered if we consider it from the standpoint of the efficiency of prosecution: what are the aims to be achieved by means of prosecution, how far are police and legal authorities' operations coordinated, how efficient do police investigations turn out to be when seen from the viewpoint of the subsequent legal proceedings?

2 - Methods of the study

The practical attempt to realize the aims of this study is made by means of three empiric methods which complement and control each other:

- a) analysis of a sample of 4,588 dossiers referring to crimes against property and other assets, carried out in eight Provincial Court jurisdictions of the Federal Republic of Germany. The period of inquiry covers the year 1970; discontinued and charged legal proceedings are included.

Out of these dossiers

3,250 preliminary proceedings refer to larceny,

826 preliminary proceedings refer to fraud, and

512 preliminary proceedings refer to embezzlement.

- b) non-standardized individual interviews with 79 police officers at the places where the Regional Courts in question are located. Investigating officers of the uniformed and plain-clothes police forces who had been handling these cases were contacted. Moreover, this topic was the subject of informative talks with the head of each specific section.
- c) Subsequently, eight group discussions with the interviewees were held. "Theses as to investigational police work and the rate of cases cleared", containing the most essential results of the dossier-analyses, served as a basis for these group discussions.

3 - Results of the study

- a) The structure of penal selection processes: Factors which determine police control functions

While the police (and also the subsequent institutions) are handling a case, features of the offence as such turn out to be decisive for or against further prosecution: each individual offence presents the police authorities with different investigational possibilities and difficulties. In this connection three features of the offence are of particular importance for success in clearing it up:

- the "visibility" of an offence "from outside", i.e., to the victim or to the police, which will have its effect on the victims' decision to report (more than 90% of the offences analyzed here came to the notice of the police through a complaint) and on the information which the victim may furnish to the police when lodging his complaint, including the circumstances of the crime and the possible offender.
- the "probability of solving a case", that is to say, the possibility of tracing a suspect still unknown at the time that the offence is reported to the police. The (statistical) knowledge that police officers have gained through experience in cases with "suspect unknown" has a strongly selective effect on the consideration of the type of offence to be pursued. Inquiries are not pursued into thefts by unknown suspects; complaints of this sort will only be "followed up on paper"; however, this procedure is far less used in cases of fraud and embezzlement offering "no hints whatsoever". The greater the portion of "unknown factors", the lower the probability that investigations will be carried out in a serious attempt to solve the case.
- the varying extent of "evidence problems" in connection with a punishable act, viz., the possibility or impossibility of proving the offence in a legally sufficient way.

These rather "juridical" problems in clearing up a crime occur above all in cases of fraud and embezzlement, and frequently end up with the quashing of the proceedings.

The greatest part of the eliminations of offences from further prosecution is based upon these factors. Thus selectivity is widely dependent on the offence concerned.

Selection determined by certain social features of a suspect, such as his age, sex, social class and so forth, is far rarer:

- young suspects (14-21 years) are more easily convicted of an offence than older ones. The reasons for this are very likely to be found in the higher visibility and consequently in the possibility of verifying their conduct. For young suspects the probability that the processes of prosecution will culminate in a trial is greater than for older suspects.
- women are not treated "in a milder way". Sex does not have a manifest impact on the further course of the prosecution.
- it is of little relevance, to the police investigations or to their results, to which social class the suspect belongs: very seldom can it be proved that police control functions show statistically significant selection with respect to a suspect's way of life and to the detriment or benefit of a specific social rank.
- of greater importance than the suspects' social characteristics are their previous records and their readiness to make a confession and thus render police enquiries successful. Both factors can, as intervening variables, explain the greater part of offender-oriented selection.

Compared with offence-variables, the suspects' social features are of relatively little importance as far as the control functions of the police (and also of the judicial) authorities are concerned. The preponderance of juveniles and adolescents, male adults and persons of lower social ranks among traced suspects must be seen rather as a consequence of penalty norms applying to specific categories of lawbreakers, of the perpetrator's opportunity to commit a particular offence, and the selective reaction of the victim in lodging a complaint, and less as an offender-oriented selection on the part of the police.

b) Preliminary proceedings and the position of police and public prosecution

The relative positions of police and public prosecution have developed in a direction contrary to that intended by the legislators. Not the public prosecutor, but the police, are in fact the master of the preliminary proceedings. They it is who determine which offences qualify for further intensive enquiries: the obligation to prosecute all offences which derives from the "principle of legality" is not realized. The police focus their investigational efforts on particular fields, taking especially into account the harmful effects of an offence on society. Petty misdemeanors falling within the range of offences studied here are now to a considerable extent just "administered"; investigational efforts by the police concentrate on major crimes.

Only in exceptional cases do the public prosecutors' offices intervene in police enquiries which, as a rule, are autonomously conducted

by the police forces themselves. The outcome of their investigations, their success rate (clear-up rate), and also their failures, mistakes and omissions have a very noticeable and decisive influence on their prosecution practices. .

The main burden of the police enquiries lies in the first instance on the solution ("clearing up") of a case and not on the possibility of finding a basis for the prosecutor to decide whether proceedings are to be dropped or an indictment is to be brought in. However, as "cleared up" does not always imply "indictable" or "punishable" - police and prosecutor define the notion of "reasonable suspicion of an offence" to some extent in different ways - misunderstandings and wastage may come about which jeopardize the efficiency of the prosecution.

The question posed in this study as to who and which factors determine the penal selection-process may thus be answered as follows: Whereas the opportunities of committing different offences, the different norms applying to different sections of the population and the reaction of the victim in lodging or not lodging a complaint determine to a great extent what information and which persons come to the notice of the law enforcement organizations, the police, who are in fact "master of the preliminary proceedings", determine which offences and offenders will remain in the prosecution process. Communication and cooperation seldom come about between police and public prosecutor's office, but on the other hand, it is very rare that major frictions and misunderstandings arise between them. Since the control functions of police and

justice depend decisively upon their limited material means and the available personnel, police investigations and legal proceedings dealing with the offences covered in this study, i.e., those representative of "mass criminality", are not characterized by interest in the individual case but represent bureaucratic routine work. All the organizations concerned are in the first instance interested in settling the proceedings as fast and smoothly as possible. In this connection it is not of the same importance whether or not this procedure always corresponds to prescribed norms governing the organizations' activities, nor to the goals of prosecution.

EVALUATIVE RESEARCH AND THE POLICE

by

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PART I: Theoretical and Methodological Framework.

Introduction

Examination of the economic aspects of crime is certainly not new in criminology. Even the pioneers in our science, such as Cesare Beccaria and Jeremy Bentham, questioned the pertinence of punishment in any degree as suitable retribution for a criminal act. Consequently, the benefits of crime should be neutralized or even exceeded by the disadvantages of prospective punishment and thus assure effective prevention.

However, although this was one of the theories of the classical school, its major preoccupation remained at the philosophical level and that is why research was not undertaken at the time on the economic impact of crime or on the elaboration of models and measurement criteria in this area.

The sociological trend that followed shortly after the positivists nevertheless prepared the ground for the emergence of such research, and in 1931, the first serious attempt was made to assess the cost of crime, and the results cast some doubt on the need to sanction certain acts in view of the fact that such intervention was unprofitable. It was the Wickersham Commission in the United States, which undertook this study and in its report pointed out the many difficulties and obstacles standing in the way of this type of research.

It is not our intention here to go into the whole history of the economic approach in criminological research. However, we felt it necessary to place the modern work in its evolutionary context for a clearer understanding of the new approach.

The modern approach, deeply rooted in the history of criminology, nevertheless presents aspects that we would like to consider more closely before presenting a model which we ourselves developed in our recent research and which we would like to submit to the participants for their comments.

A - THEORETICAL FRAMEWORK .

Typology of the work on the economics of crime and the administration of justice

On examination of the works, articles, research studies, reports and other documents which, beginning in the sixties, were written or published on the subject, several typologies are possible.

We have selected that which dichotomizes them into two approaches. One is an overall approach to calculate the costs involved in crime and criminal justice, the other a specific and evaluative approach that is primarily aimed at rationalizing the use of the limited resources of the justice system and evaluating its performance.

The work of the Wickersham Commission, Becker's model and the numerous tests and applications relating to them are all examples of the first approach.

The documents, models, reports and others on systems analysis, planning, programming and budgeting, management by objective and cost/benefit analysis are examples of the second.

I - Overall approach

The Wickersham Commission, for its part, attempted an overall calculation of the cost of the administration of justice for the entire United States and for 300 out of 365 American cities with more than 25,000 inhabitants.

The main ideas they advance are those of "immediate cost" and "ultimate cost"; the first represents the cost of the administration of criminal justice, private expenditures for protection against crime, and losses due to crime and the cost of insurance; the second represents the net loss of national revenue due to crime, assuming that more energy would be devoted to the production of goods if less had to be spent on protection against crime.

This last attempt, however, is based on numerous presumptions which make "economic analysis impossible", as Morris and Hawkins (1970) and earlier Martin and Bradley (1964) strongly maintained.

Furthermore, the very concept "cost of crime" is extremely complex, as evidenced by the diverse definitions given it by Robert and Bombet (1970 and 1973), Kerstin Lindby (1971), Morris and Hawkins (1970), Martin (1965), Edwards and Mann (1969), Szabo and Rico (1969), and others.

As to Becker's model, it proposes a statement of the problem which already veers towards a concretizing of the economic approach in the sense that it more directly places the allocation of resources in the sector of repressive operations. The basic question is to know how many resources and how many penalties should be utilized to see that the various laws are observed.

It shows that the optimal degree of observance depends on the cost to the offender of arrest and conviction, the nature of the penalties and the reaction of potential authors of illegal acts to changes in this field.

Thus Becker maintains that a person commits a criminal act if the expected benefits are greater than those he could hope to obtain by spending his time and resources in other activities.

In this same category of approach, we include the attempts made to calculate the cost of a particular crime. In this regard, we may cite the work of Bombet and Robert (1970) on the cost of alcoholism in France; of Rizkalla and Fasciaux (1971) on the economic implications of drugs; and of Gemme (1971) on the cost of prostitution in Montreal.

It should be noted, then, that the studies on the economic impact of crime, both in their fundamental aspects and in their application, would lead to interesting conclusions with regard to the profitability of penal repression. Their effect on criminal policy is shown in the form of proposals tending toward the decriminalization of certain

acts where repression is not profitable or toward alternatives with regard to certain delinquents.

Furthermore, Becker's model, criminologically comparable to the classical theory of free will, with a tendency to perceive the commission of an act in terms of an evaluation of its benefits made by a "homo economicus", is of undeniable interest regarding the profitability of the system of criminal justice assessed by this same measure.

This approach, which can be described as macro-economic, is the subject of much criticism however, especially regarding the presumptions upon which it must be based. Also, to calculate the cost of crime in a country or the overall cost of a particular crime, although very interesting from the point of view of information and conceptualization, would not have much impact on the reform of criminal policy.

In effect, we may say that it is not valid to base such reform on solely the economic aspects of crime, and the criminologist should examine all facets of the problem before rendering his decision: considerations of public morale (see Tardif, 1974), the deterrent effect of punishment, public reaction to deviance, in a word, the social welfare "lato sensu", could and should be weighed on the decisional scale.

Furthermore, if alternative measures seem desirable in certain cases, perhaps we ought to think of one of the strongest arguments advanced against the positivist school, namely, that the individual, deprived of due process of law, could eventually be exposed to the discretion of the

administrative authorities. Should we not first develop improved diagnostic methods that are more accurate than those we have at present so that there will be a true individualization of the measure, whether judicial or extra-judicial? The absence of an exact diagnosis exposes both the delinquent and society to the risk and danger of recidivism. Finally, will the non-judicial measures be communal or institutional, and what are the actual social problems in applying them?

All these questions show that the true implications of this type of approach where criminal policy is concerned are valid only if they are set in a much broader context than the one in which they are usually placed. Their dependence on criminological, psycho-sociological and medico-psychiatric factors is such that, at least for the present, their impact is considerably reduced.

On the other hand, we believe that there is much to be done shortly in less ambitious undertakings, particularly that of optimizing the contribution and allocation of resources in the field of criminal justice.

II - Specific and evaluative approach

This is the type of research that studies the application of models designed to analyze the criminal justice system, define its objectives, study its costs and contribution, evaluate it, compare the profitability of various organizational and functional alternatives, all in order to assist the administration in making a valid choice that will optimize output while limiting input as much as possible.

Patterning ourselves on the work of Blumstein on systems analysis, his model Jussim, the study made by Hann (1973) on the Canadian courts, that of Patterson (1973) on the cost of criminal justice in California, the studies of the Rand Corporation (1969) and the French Ministry of the Interior (1971) on the use of the Planning, Programming, Budgeting System in the police field, we have tried to develop an evaluation model of police action.

This model which we developed on the basis of a specific crime, auto thefts, and a specific police force, that of the City of Montreal - which has subsequently been integrated in the C.U.M. - is based on two phases and is preparing the way for a third. These are:

1. An analysis of the system
2. A time/cost study and a study of the relevance of operations to the given objectives and, eventually,
3. The translation of input and output into financial terms.

1 . Analysis of the system

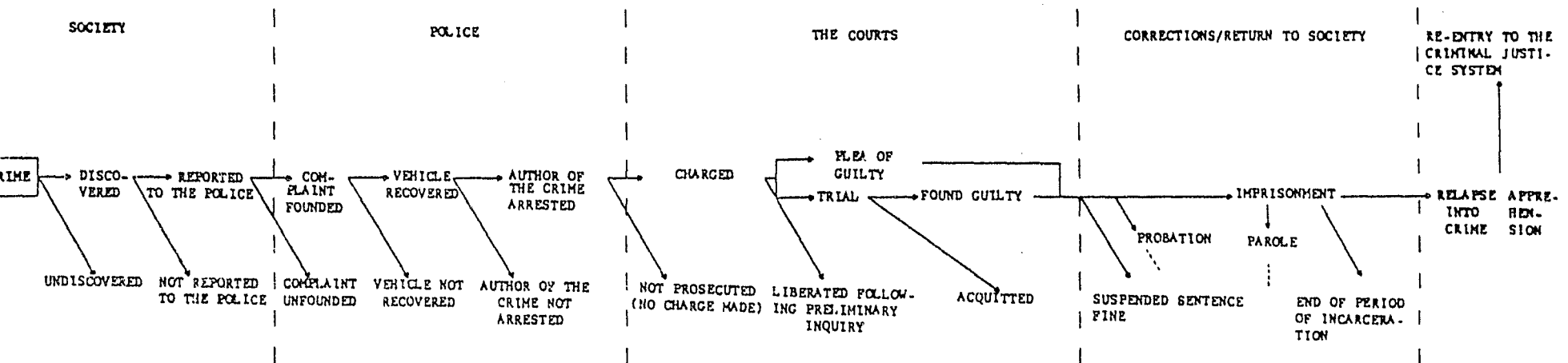
This is done in three stages:

In the first, the police system is placed in its global context, that of the administration of the criminal justice system.

In effect, the organizational chart that appears in figure I summarizes the entire process as it operates in Canada. At each stage, there are two alternatives: one keeps the case within the system, the other directs it away from the system.

FIGURE 1

POSITION OF THE POLICE IN THE JUSTICE SYSTEM



Thus, if a crime is established, it can be introduced into the system by a complaint made to the police. If the victim decides not to lodge a complaint, the case will become one of the black number and will never be known. If the complaint is well founded, it will go through the police system until the stolen vehicle is recovered and its author arrested, at which time, upon the opening of proceedings, he will enter the court system; if the accused pleads guilty or is found guilty after trial, the case will then enter the correctional system where it will remain if the offender is institutionalized or placed on probation until his parole or the end of his sentence. He may then be resocialized and leave the system forever or recidivate and enter it once again.

On the basis of this first global model, we examined the step in the police process that interested us most in our research (see fig. no.2).

The offence can be discovered either by a citizen or directly by the police - we know that in the case of auto thefts, this can happen - and in this case, the police process is set in motion. On the other hand, the citizen who discovers the offence may not inform the police and the case then remains outside the system.

If he decides to the contrary, he can either go to the police station himself, summon a policeman on the street or telephone the police who will send a vehicle to the scene. A first verification may show that there are no grounds for the complaint, that is, that the vehicle had been moved without the knowledge of the owner or that the

FIGURE 2

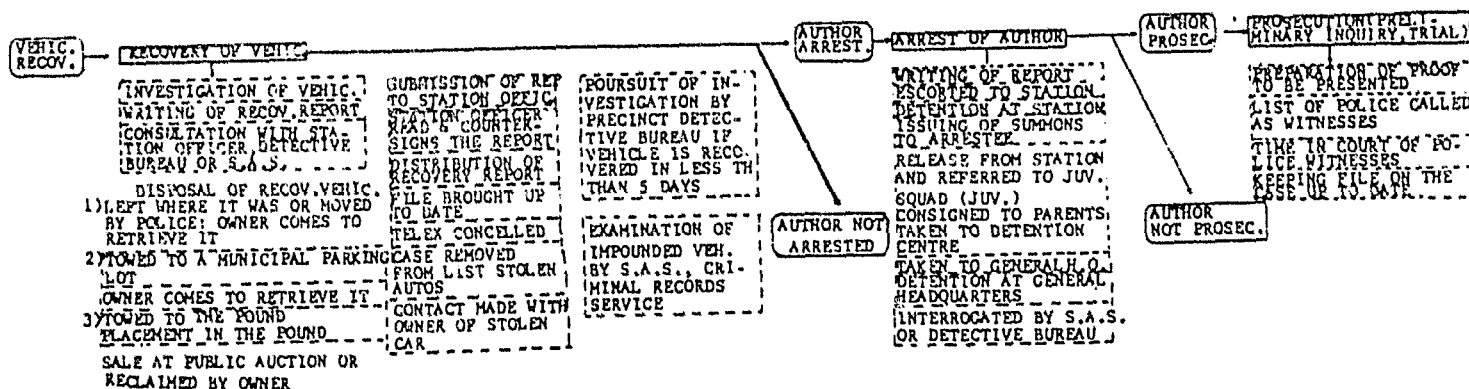
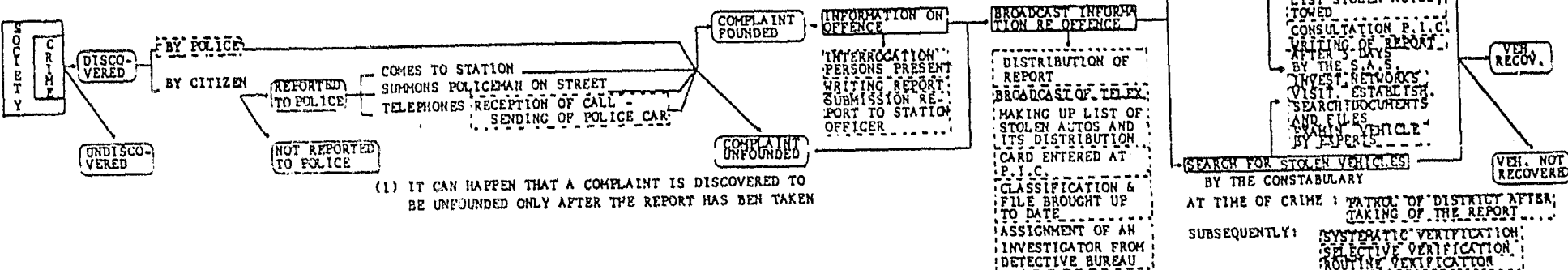
LONGITUDINAL STUDY: SYSTEM ANALYSIS

KEY:

○ : RESULT

□ : PROCEDURE

⋯ : ACTIVITIES CONSTITUTING A PROCEDURE



latter had forgotten where he parked it.

In the case of a legitimate complaint, there are two steps in the police process: on the one hand, the taking of the information concerning the crime and the broadcasting of this information to start the search for the vehicle, by the police during their patrols and through systematic or selective verifications, and on the other, the actual investigation, which for the first five days will remain in the hands of the station detectives, or after such time, will be assigned to the special section for stolen autos, whose work is primarily the breaking up of professional networks of auto thieves, and preventive work that will be explained further on.

Once the vehicle is recovered, several steps are undertaken either to return it to its owner or impound it. At the same time, the investigation goes on to find the author of the theft.

When this step is successful, the investigation continues in the form of interrogation, detention and the preparation of a file, after which the author will enter the court system where the only role of the policeman will be to act as witness before the court.

The police functions that emerge from this study (see figure no. 2) can thus be placed into five main categories each comprising a certain number of specific tasks to accomplish:

a) The taking and broadcasting of the information concerning the offence, including how it was established, the interrogation of the victim or witnesses and the administrative formalities of communication or transmission of the information thus gathered;

b) The pre-recovery investigation or search for the vehicle, which involves other meetings with the complainant or witnesses, systematic, selective or routine verifications;

c) The recovery of the vehicle, which starts a certain number of operations, including a call to the criminal records office to see if the auto has been used to commit other crimes, and the formalities of its return to the owner;

d) The post-recovery investigation, which may lead to the arrest of a suspect, his appearance and the testimony of the policeman before the Court;

e) Finally, the proactive and reactive action of the Stolen Auto Section, which includes visits to second-hand dealers in autos and the breaking up of organized networks.

Figure 3 shows the details of the functional structure.

In addition, this structure involves the intervention of several organizational sections of the police service, and we felt it would be useful to present a double entry table, showing the evolution of the

FIGURE 3
FUNCTIONAL ANALYSIS OF POLICE ACTION

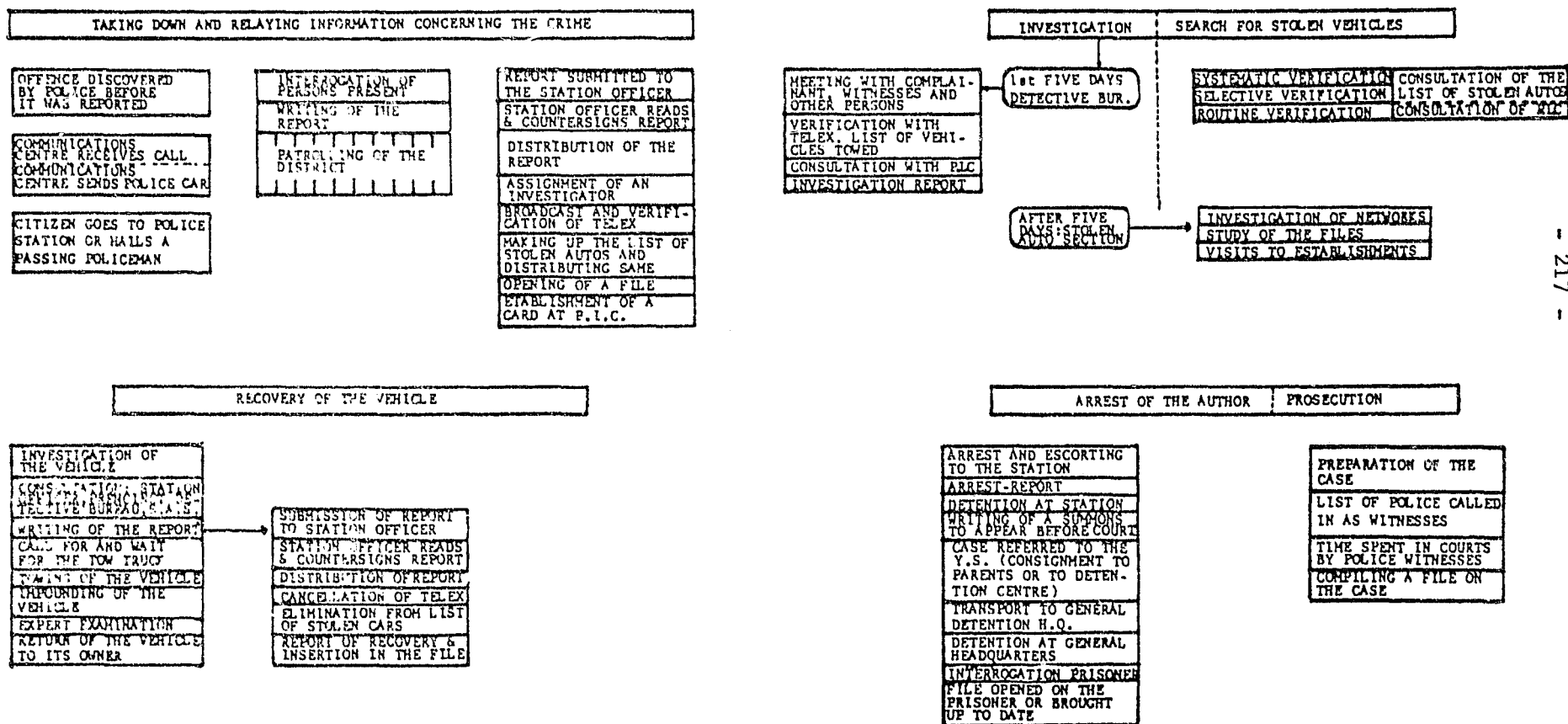


FIGURE 4

ORGANIZATIONAL ANALYSIS OF POLICE ACTION

EVOLUTION OF THE CASE	COMMUNICATIONS	POLICE INFORMATION CENTRE	CONSTABULARY	STATION OFFICER	DETECTIVE BUREAU INVESTIGATOR	TOWING SERVICE	MUNICIPAL POUND	S.A.S.	DETENTION QUARTERS OR YOUTH SQUAD	LIAISON OFFICER
MAKING AND BROADCASTING THE INFORMATION CONCERNING THE CRIME	RECEPTION OF CALL SENDING POLICE CAR RADIO COMMUNICATIONS BROADCAST TELEX LISTING STOLEN CARS	ESTABLISHMENT OF A CARD	POLICE ON THE FIELD INTERROGATION AND WRITING REPORTS PATROL OF DISTRICT SUBMISSION OF REPORT TO STATION OFFICER	RECEPTION OF REPORT SIGN AND DISTRIBUTION VERIFICATION OF TELEX ASSIGNMENT OF INVESTIGATOR				RECEPTION OF A COPY OF THE COMPLAINT RECORDING OF THE FACTS IN MINUTE BOOK		
INVESTIGATION, SEARCH FOR EVIDENCE		RESPONSE TO DEFENDANT REQUESTS FOR INFORMATION	VERIFICATION OF IDENTITY OF THE CARS STUDY OF THE LIST OF STOLEN AUTOS CONSULTATION OF THE P.I.C.		MEETING WITH COMPLAINANT, WITNESSES, OTHERS PERSONS VERIFICATION OF LIST OF VEHICLES TOWED CONSULTATION P.I.C. WRITING OF REPORT			ACTION TO DISMANTLE PROFESSIONAL NETWORKS (PREVENTIVE AND "PROACTIVE" ACTION)		
RECOVERY	COMMUNICATIONS AT RECOVERY (E.G.: CONSTABULARY - STATION OFFICER, TOWING SERVICE) TELEX REMOVAL OF CASE FROM LIST OF STOLEN AUTOS	ESTABLISHMENT OF A CARD	DISCOVERY OF VEHICLE EXAMINATION AND SEARCH CONSULTATION AS TO MEASURES (TO BE TAKEN) REMOVAL OF VEHICLE WAIT FOR TOW TRUCK WRITING OF REPORT AND SUBMISSION TO STATION OFFICER	DECISION AS TO DISPOSAL AND DISTRIBUTION OF REPORT VERIFICATION OF TELEX CONSULTATION WITH INVESTIGATOR OWNER OF VEHICLE ADVISED	DECISION RE DISPOSAL OF THE RECOVERED VEHICLE CONTACT WITH OWNER POST-RECOVERY INVESTIGATION WRITING OF REPORT	TOWING OF RECOVERED VEHICLE TO THE MUNICIPAL POUND KEEPING OF THE RECORDS	LISTING OF COMINGS AND GOINGS OF TOWED VEHICLES DAILY RECORD DURING IMPOUNDING	SEIZURE OF VEHICLES AND PARTS RECOVERED WRITING OF REPORT		
ARREST OF THE AUTHOR OF THE CRIME	RELEVANT COMMUNICATIONS	ESTABLISHMENT OF A CARD	ARREST OF THE AUTHOR CONSULTATION WITH STATION OFFICER, IF NECESSARY REQUEST FOR ASSISTANCE, IF NECESSARY TRANSPORT OF THE PERSON ARRESTED WRITING OF THE REPORT	RECEPTION AND DISTRIBUTION OF REPORT RECEPTION OF THE PERSON ARRESTED DECISION AS TO DISPOSAL OF THE CASE	INTERROGATION OF THE PRISONER WRITING OF REPORT			INTERROGATION OF PRISONERS THOROUGH INVESTIGATION WRITING OF REPORT	COMMITMENT TO PRISON AND GUARDING KEEPING THE MINUTE-BOOKS YOUTH SQUAD INTERVENTION WHEN JUVENILE ARRESTED WRITING REPORT	
PROSECUTION			WITNESSES		WITNESSES			WITNESSES	YOUTH SQUAD WITNESSES	LISTING OF POLICE PERSONNEL PRESENT IN COURT KEEPING FILE OF CASE UP TO DATE

case vertically and the organizational sections involved in each type of action horizontally. (See figure 4).

Adaptability of the model

A careful examination of this procedure shows that it is a representation easily applicable to all sorts of crimes, with the exception of a few items specifically concerning vehicle thefts, such as the steps for recovery.

In effect, whether it is a matter of the entire process, (fig.no.1) a detailed analysis of the police system (fig.no.2), the classification of the functions and organizational sections involved (figs.no.3 and 4) or an evaluative approach in terms of correspondence with objectives, the model is adaptable to a fairly accurate degree.

1. With regard to the entire process (see fig.no.1), the verification of the complaint, the various steps of the police system, the intervention of the courts, the correctional system and finally, the dichotomy of rehabilitation vs recidivism, in a word, all the alternatives proposed in this table can be verified just as well in the case of crimes against property, crimes against the person or even victimless crimes;

2. The detailed analysis of the police system (fig.no.2) offers the same advantage of adaptability with very little variation: the methods of discovering the crime or reporting the complaint, the taking of the information and its communication, the principle and methods

of investigation, the arrest, detention and witnessing in court remain valid for all types of crime.

Certain operations, like the "man-hunt", are more specific to crimes such as armed robbery or auto thefts. The verification of the list of stolen cars, the formalities of the return to the owner or the impounding of the vehicle, and the stolen auto section are strictly connected with the crime we are concerned with, and should therefore be removed from the model and replaced by other items when other crimes are analyzed;

3. The classification of functions (fig.no.3) as well as the evaluative approach in terms of correspondence with objectives remain valid, in our opinion, not only for other crimes, but also for other police corps.

2 - The phases of the evaluation

If the detailed study of the organizational and functional elements which we just presented is closely related to the systems analysis of the agencies of criminal justice, the evaluative step will aid the planning, programming and budgeting model, management by objective and cost/benefit analyses.

Also, the idea selected must be defined and established in a first section, and in a second, the phases must be specified.

The basic idea

The evaluative approach has often been described in terms of: cost/benefit, cost/advantage, cost/effectiveness, cost/utility, cost/efficiency or cost/productivity. Although they are synonymous, these concepts have subtle differences in meaning which we would like to clarify here. In general, it is a matter of comparing the input and output of a system in order to determine whether there is a profit or loss.

On the input side, it is the word cost that is the constant or the common denominator, whereas there is a diversity of terms to describe output. In both cases, however, different meanings underly the terms.

a) - Cost or input

The idea of cost is highly complex, and it will be sufficient here to recall the various meanings of the term briefly cited at the beginning of this text. With regard to methods for calculating costs, several approaches are possible however:

1. An approach by quota, along the lines used by Bombet and Robert (1970), which consists in the use of total budgets, accurately established and already itemized specifically (p.3) so that the parts chargeable to the sector studied can be extracted;

2. An approach through the analysis of basic tasks and flow charts, examples of which may be found in the studies of the Rand Corporation (Tenzer et Al. 1969) for the New York Police, of the

French Ministry of the Interior (1971) for the Police Station at Strasbourg, and of Pigeon (1973) on the cost of juvenile justice at Bordeaux.

For our part, we propose a distinction that is somewhere between time costs and financial costs. The complementarity of these two is notably borne out by the studies at Strasbourg (Ministry of the Interior, 1971) and of Fasciaux (1971) who used the time/budget technique as a first step towards translation into financial terms. These studies, however, were limited to the estimation of costs, and whereas at Strasbourg definitions of effectiveness and productivity were given, neither of these works use the evaluative approach.

If, as we have already stated, evaluation is a sort of balance between input and output; if, furthermore, some of the output in the administration of justice is difficult to translate in financial terms, one might ask if it would not be possible to proceed with a first type of evaluation based only on the time/cost calculation and on the relevance of the operations to the desired objectives.

The calculation of the financial costs could then be dealt with in a subsequent and complementary step by using the time/cost results thus established as a base.

This would permit a more rational budgeting that would take the following elements into account:

- The time/cost invested in the operations;
- The financial costs including indirect and maintenance expenditures which could be calculated as part of the costs of operations;
- The benefits or tangible and quantifiable output;
- The benefits or intangible output.

It is the first type of evaluation defined above that we used in our work.

b)- The produce of the system and input/output relationship

It would be interesting here to come back to and complete the definition of the various terms used for output.

1. Cost/benefit analysis: according to Leretaille (1972), it consists in balancing the gains and losses foreseeable throughout the life of the equipment involved. This definition is obviously conceived in terms of business enterprises, more particularly those of the industrial type which use and depreciate equipment and whose output can be evaluated in terms of "benefit". It seems to us as well that in the final analysis, this word is hardly appropriate for the sector we are interested in.

2. Cost/advantage: here, according to the same author, one tries to take into account - and as much as possible - external and scale effects, direct and indirect effects and primary and secondary effects concerning all the agents affected by the public expense under consideration. The terminology here seems much closer to the needs of

the researcher in the matter of the evaluation of the system of justice administration. It is possible, in this case, to take into account certain intangible elements not measurable in terms of benefits.

3. The idea of cost/utility seems much broader than the preceding idea for it is easy to understand that all "advantageous" results are "useful" to begin with; on the other hand, it cannot be said that what is "useful" is necessarily "advantageous". The aforementioned author states, however, that this term can be used when the calculation incorporates non-quantifiable elements, (in addition to cost/benefit is understood), if it is not in terms of the degree of satisfaction.

4. Efficiency: in English, the meaning of the word "efficiency" is much closer to the French "efficacité", or effectiveness, which we will discuss later, whereas "l'efficience" or efficiency according to the dictionary represents the capacity for production.

In his report to the Council of Europe, however, Alpsten (1973) uses the word as a synonym for effectiveness.

5. Productivity refers to production, that is, the relation between cost and the number of units produced, as was pointed out by Ivarsson (1970), Alpsten (1973) and the study at Strasbourg (Ministry of the Interior, 1971).

6. Cost/effectiveness: effectiveness is defined as being the capacity to produce the maximum results with the minimum effort, the minimum expense (dictionary Robert) or the capacity to produce the expected result (Larousse). Ivarsson (1970), Alpsten (1973) and the study of the French Ministry of the Interior (1971) define it as being the relation between the result and the cost, the result being interpreted by Alpsten (1973) as the degree to which the objectives have been achieved.

This idea, in our opinion, seems one of the most interesting and one of the most precise of all those we have presented. It refers to a verifiable reality - the results, and defines these in terms of their pertinence to the objectives.

Two disadvantages, however, stand in the way of our use of the expression cost/effectiveness for our own model:

- a) Cost, in this expression, refers to financial costs;
- b) Effectiveness refers to the relation between these same costs and the results, a relation that should seemingly be quantifiable, but is not always so in reality.

In effect, the results of police action conceived in terms of a reduction in the rate of crime are not reliable since, as Robert (1974) points out, the criminal statistic is already a partial product, that of the first sub-system of the criminal justice system. It is therefore necessary to develop evaluation criteria that are more immediate and more reliable.

7. Cost/time - pertinence: The word "pertinence" or relevance is defined by the dictionary Robert as being the quality of that which suits the object it concerns. Furthermore, for the adjective "pertinent", one definition is: that which is capable of describing the structure of an element or of the whole including this element according to its function.

We were also in favour of the term "cost/time - pertinence" to represent our approach, as it defines precisely the exact limits of the elements placed on both sides of our evaluative scale: on the one hand, the time invested in police activity, estimated by the time/budget technique and which thus represents the "input"; and on the other, the pertinence of the results of the operation to the objectives initially sought, taking into account the time invested.

First of all, the action is considered "pertinent" if the desired objective is achieved; it is considered "non-pertinent" if the opposite is true.

However, the mere fact of attaining the objective through a given strategy does not necessarily mean that it is pertinent if there are other alternatives which can lead to a better input/output relationship by taking into account the fact that the latter may or may not be tangible and quantifiable.

All this, however, is not regarded from a purely economic angle, but from the point of view of a criminologist who is trying to optimize the effectiveness of the criminal justice system.

Thus established and defined, our basic idea can now be expressed in the logical step of evaluation, namely;

To define the general objectives of the police operations;

To set the intermediary, or rather immediate, goals for each phase of these operations along the lines specified. In this case, it is our point of departure, even if we must first refer to the general objectives, from among which the more immediate goals will be selected by means of the organizational analysis previously described;

There are means to achieve these objectives, and they must be carefully examined;

Time/budget analyses will then determine the input, making it possible for us to specify, for each operation, the amount of work time, man/hours and equipment/hours necessary for the police;

The results will be studied for each function in order to determine their pertinence with regard to the intended goals, given the time that had been invested. This is exactly what our balance between input and output will show, in other words, this is our evaluative approach.

Conclusion

This analytical approach was used to investigate auto thefts. It was chosen for a number of reasons, both methodological and practical.

Nevertheless, designed in this way, the model is easily adaptable to other crimes and police corps other than that of the city of Montreal, which very kindly gave us their cooperation during the work.

Its principal advantage is that it allows an in-depth technical analysis and can be an autonomous evaluative step, independent of financial calculations, even though these can add an interesting element for the administrator.

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B - METHODOLOGY

The concept of "consumption of resources" has two distinct, but complementary operational elements, namely the "work time" invested in the accomplishment of various activities, and the "financial cost" which it involves.

"Work time" easily lends itself to quantitative measurement. One has only to calculate the number of man-hours devoted to the carrying out of diverse tasks, that is, the "time/budget" of police action with regard to auto thefts.

"Financial cost" is the conversion of "work time" into dollars and cents. This calculation of the "cost of production" of police activities takes into account not only the direct expenditures for salaries and equipment underlying the concept of "work time", but also the indirect salary and equipment expenditures (general expenses) which, if not as obvious as the first, are nonetheless real and quite considerable.

Over and above their complementarity in describing "consumption of resources", these two concepts also complement themselves as a parameter, which makes it possible to evaluate police strategy, that is, the use made of available personnel and material.

METHOD SELECTED

The instruments used in our research are varied and at the same time, complementary. They are intended to describe the configuration of the offence and of the police action taken to deal with it, as well as to ascertain the results of the action, especially in terms of its relevance vis-à-vis the objectives they were meant to achieve.

1 - The Questionnaire or Information Pattern

To proceed with a statistical analysis of the data contained in the police files, we set up a system of information cards that made it possible to pick out the pertinent data, put them in order and codify them so that they could be transferred to computer cards.

The main variables that turned up concerned the object of the offence, the place it occurred, the time it was committed, the modus operandi, the motive for the theft and information, if there was any, about the author and his accomplices.

Information on the police action was also entered, especially the number of persons questioned, who they were (victim, witness), the facts obtained (direction taken by the author of the crime driving the stolen car, description of a suspect), by whom the vehicle was recovered, and if it was, under what circumstances, and finally whether or not an arrest was made.

To do all this, we used 10% of the complaint files registered in 1971 picked at random - nearly 530 cases.

2 - Time / Budget Cards

To obtain an exact calculation of the time/cost invested in each operation undertaken by the police, we designed a card with multiple choice questions, providing squares to mark the time consumed. These cards were filled out for four consecutive weeks by all policemen of the Montreal Police, at all levels, who had anything to do with the particular offence under study.

Here are the essential points covered on the cards:

- Organizational section involved in the action
- Number of policemen involved
- Nature of the action taken
- Working time in regular hours and overtime
- Use of a police vehicle or not
- Distance covered
- Time/ espace coordination of the action
- Measures taken and results of the intervention.

Furthermore, for each organizational section accomplishing a specific task, we drew up a special questionnaire in order to have as many multiple choice question as possible, thus assuring uniformity in the data obtained to facilitate the computer analysis.

3 - Informed Witnesses

This method of interviewing was above all used in the preparation of the questionnaires and in the analysis and interpretation of the data.

We must state here that one of the principal elements in the success of a work of this kind is close collaboration with the service concerned by the evaluative study. We made every effort to show the Montreal Police Authorities the theoretical and practical value of our research. We took part in many meetings arranged by the commanding officers in the 16 districts of the City of Montreal, during which we addressed the captains and sergeants responsible for the operations to explain the approach and the utility of our work.

Data analysis

This is included in five chapters, each dealing with one functional aspect of police action:

- a - Taking down the report
- b - Search for the vehicle and pre-recovery investigation
- c - Recovery of the vehicle and post-recovery investigation
- d - Arrest, detention, appearance before the Court
- e - Prevention and destroying the car theft networks.

PART II - Summary of the findings

A - TAKING THE REPORT

The questions discussed in this chapter are based on a four point approach.

I - In the first, we have tried to determine the objectives of the police, which consist in answering the call of the complainant and taking a report of the case. We found that there were three objectives:

- a) To open a file of the complaint and to start police proceedings;
- b) To respond to the expectations of the victimized citizen;
- c) To gather and broadcast the optimum amount of significant and pertinent information in order to facilitate the recovery of the vehicle; the arrest of the author of the crime and his committal for trial.

II - The second point was a descriptive analysis and critique of the police action taken. This was done in terms of the objectives mentioned above, following an overall description of the situation as to:

- the nature of the event, which proved to be an auto theft in 67.5% of the cases;
- the type of report taken, which is a report of complaint in 83.7% of the cases;

- the distribution of the offence by precinct where it took place and that which took the report. We found that, in the great majority of cases, the precinct under whose jurisdiction the event took place and the one that took the report are one and the same. We also compared our present data with the study done on the data of 1971, and found that the areas in which the offence is concentrated are practically the same;

- the distribution of the crime over the days of the week, but we found that there was no structure stable enough to permit any systematic design;

- the distribution of the crime over the three shifts; the first, extending from midnight to 8 A.M., receiving the fewest complaints.

The analysis enabled us to describe and analyze each phase of police action as compared with the objectives.

a) The starting point of the procedure is marked by the beginning of police activity, which proves to be a telephone call from the citizen in 81% of cases. This led us to focus close attention on the "time taken to respond to the call".

The circumstances of the "taking of the report", examined next, made it possible to ascertain that patrol cars intervened in 82.7% of the cases, that their intervention was mainly concentrated on thefts or attempted thefts of cars, whereas station houses were directly notified mainly of events concerning licence plates. Finally, in 87.9% of cases, the report was taken by two policemen. This then allowed us to go more

deeply into the data on time differential depending on the method by which the citizen contacted the police or the nature of the latter's intervention.

Nevertheless, whatever its nature, this intervention effectively signifies the starting point of the police process.

b) The response to the expectations of the citizen is an objective of police action as well, but it is difficult to measure. However, in a cost/benefit approach, it adds a considerable element in the evaluation of the relevance of certain actions taken by the police which would otherwise seem superfluous, as they do not contribute concretely to the effectiveness of police intervention, i.e., the recovery of the vehicle or the arrest of the thief.

c) The gathering of information. It was found that in 84.5% of cases only one person was questioned, in 93.4% cases there was no witness, in 97% no description of the suspect was obtained, and finally, that no special patrol was undertaken in 71.4% of the cases, this last measure being mainly used when there was a witness or a description of the suspect. These elements actually being the most important for recovery or arrest, we may well ask the justification for sending out two policemen in a patrol car to take the report.

The only possible answer is to satisfy an expectation of the citizen, thus the need to limit the investment of police time to the strict minimum necessary to fulfill this expectation. But to

consider changing this procedure is to risk coming up against the terms of the collective convention of the police, which requires that there be two men per auto patrol.

This brings us to the third step of our approach.

III - At this third step, we tried to do a more thorough time/study analysis. This included:

- the "time of response" to the call;
- The time required to communicate the information to telex and have the latter broadcast it;
- the duration of the intervention;
- the duration of special police action (ex., district patrol) once this has been undertaken.

In this phase, however, the analysis was done using different variables to measure average time differentials.

a) The "time of response"

We feel that this is only important in terms of the results it can achieve. If the call was made beyond a certain lapse of time after the offence was committed, which we call the "critical time", the speed of the response will have no effect on the recovery or the arrest. Only the objective of satisfying the public remains valid. Therefore, the response to a citizen who lodges a complaint that his automobile has been stolen should or should not be granted priority, depending on

the importance accorded this objective in comparison with that of efficiency.

In any case, the "time of response" is on an average 3.1 minutes, and varies according to: the origin of the police intervention, being obviously longer when the call is made by telephone than when the citizen comes to the station; the nature of the complaint, since it is shorter in cases of auto theft or attempted auto theft than in cases of theft or loss of licence where the citizen did not come to the station, respectively 3.8, 3.6 and 4.2 minutes; and finally, the shift, as response time is shorter for the first shift because there is less traffic on the roads and fewer calls during this period,

b) Broadcasting of the information

The object of this is to extend the area of search for the vehicle, and the speed with which this operation is accomplished greatly affects the results of the police action.

However, we have seen that the average delay between the citizen's call and communication of the information to the telex is 42.7 minutes and it is relayed, on the average, about 15 minutes later. It goes without saying that this delay reduces the chances of immediate recovery, for the "critical time", that is, the time which would make an interception of the stolen vehicle possible, would be much shorter; a few minutes is enough for the offender and vehicle to get away. The fact remains that transmitting the information, whether by telex or

publication of the list of stolen autos, is on the average, still important for the search of the vehicle. We shall come back to this at the end of the next chapter.

c) Duration of the intervention

This study of the average duration of police intervention enabled us to test a number of theories concerning the "taking of the report".

1) We noted that a longer time was taken when the police were informed of the event by telephone and a patrol car or other police unit had to go to the scene of the crime. While it took an average of 20.6 minutes when the citizen came to the police station, it took 39.2 minutes when a call was made.

2) It is therefore obvious, under these conditions, that the time varies from 15.7 minutes for the officer who takes the report at the station as against 37.8 minutes for a patrol car and 53.8 minutes for an ambulance.

3) We also know that the citizen more often comes to the station to lodge a complaint when it is a matter of stolen licence plates. It was also found that intervention for these types of cases was on an average of 26 minutes as against 39.4 for theft and 36.5 for attempted theft. This phenomenon might eventually be explained by the degree

of importance attached to each case according to its gravity, even if this cannot be proven decisively.

4) The study showed too that the duration of the intervention is considerably lengthened by the questioning of several persons: 35 minutes when only one person is questioned and 50 minutes when there are two. The same is true when there are witnesses: 52.5 as against 35.3 minutes, or when a description of the suspect is obtained: 67.9 minutes as against 35.4.

This additional investment of time in such activity seems superfluous, however, for previous research has shown that activity of this kind in no way furthers the objectives of recovery and arrest. Furthermore, it does not contribute very much to the satisfaction of the victimized citizen.

5) Finally, the specific steps themselves, which consist almost exclusively of patrolling the area, last an average of 12.6 minutes, which are added to the length of time of the intervention. The fact that there were witnesses or other persons questioned does not increase the time very much. On the other hand, special patrol, generally with two policeman to a car, varies according to the day of the week and the shift. In effect, there is an inverse relationship between the frequency of the number of complaints lodged in a day and the duration of the special steps taken. For instance, the latter is of longer duration during the first shift which is known to have fewer calls than the other two. Thus the action time would be related to organizational

and circumstantial data rather than to the content or source of the information gathered by the police.

IV - The fourth point of our approach consisted in a time analysis.

Thus we saw that, for the Communications Centre, the operators spent 58% of their time taking calls concerning the theft or recovery of vehicles, the dispatchers 1.1% of their time, the telex 3.69% and the P.I.C. 2.47%.

In addition, work time, totalling 321 hours and 48 minutes, is divided into 316 hours and 3 minutes in regular time and 5 hours, 45 minutes in overtime. Thus we were able to omit the latter in our further calculations. The actual hours, or man-hours, consumed by the constabulary in taking the report of an event are increased to 628 hours and 30 minutes when taking into account that one hour of work for two policemen who take the report makes two hours of actual time.

The latter was calculated in terms of the origin of the police action, which led us to question the relevance of mobilizing two men to respond to a citizen, particularly if the latter came to the police station.

The time study on the police section involved also enabled us to establish the time police vehicles are in use, which reads as follows:

Radio car	273 hrs. 02 min.
Ambulance	24 hrs. 08 min.
Preventive patrol	2 hrs. 50 min.
Mobile units	2 hrs. 24 min.
Motorcycles	1 hr. 02 min.

Depending on the nature of the event, accounting for the actual hours allowed us to change the average duration of police intervention, bringing it in the case of auto thefts from 39.40 to 78.3 minutes; in cases of attempts from 36.49 to 68 min. and in the case of thefts or loss of licence plates from 26.44 to 48.5 min., thus accentuating the gap between the cases of theft or loss of plates and the more serious cases involving the vehicle itself.

The same type of time study was done according to the origin of the police action as well as the section concerned.

Regarding the number of persons questioned, witnesses, or obtaining the description of a suspect, we question the value of investing a substantial number of man-hours in such activities.

Finally, we saw that these special patrols cost the police some 46 hours of actual time, whereas there is always some doubt as to the results of this action.

This ends this chapter on a note which leads us to the study of the search for the vehicle and its recovery, which will be the

subject of the next two chapters.

B - SEARCH FOR THE VEHICLE AND
PRE-RECOVERY INVESTIGATION

This chapter enabled us to examine the steps taken to find the stolen vehicle.

Two methods are used:

1) The member of the patrol who questions the witnesses takes special measures, such as patrolling the sector or making certain verifications;

During the period studied, we saw in the previous chapter that P.I.C. was consulted 1,712 times for verifications regarding stolen or recovered vehicles.

But there are two different kinds of verification: systematic verification and selective verification. Despite the fact that a study of these would be interesting, we came to the conclusion that, for theoretical, methodological and practical reasons, it would be impossible, at least for the entire city of Montreal, to do it on the same level as the rest of the study.

2) With regard to the Precinct Detective Bureau, we began to notice some ambiguity in the presentation of the questionnaire, which

led to some of the data being imprecise. Although the sample was made up of a population of 252 cases, we nevertheless analyzed four aspects of the work:

a) The outcome of the complaint

We showed that 67.5% of complaints resulted in recovery, and 4.4% in arrest.

b) Study of the average duration of police action

This was nearly one hour for a pre-recovery investigation, but increased to more than an hour and a half when a police car was used. Finally, we saw that the longer recovery was delayed following the complaint, the more time was invested by the detective.

c) Time analysis

The time spent was 13,128 minutes in regular hours and 45 in overtime. The use of vehicles was 7,238 minutes.

d) Relevance of the pre-recovery investigation

We have explained our theory concerning the irrelevance of the pre-recovery investigation, and emphasized the need to develop criteria for the exercise of some discretion by the detective in deciding whether or not to open such an investigation.

C - RECOVERY OF THE VEHICLE AND
POST-RECOVERY INVESTIGATION

The chapter concerning the recovery of the stolen vehicle, like the preceding ones, enabled us to first determine the objectives of the police action taken in such cases in order to see to what extent this action is relevant and leads to the results anticipated. The question of relevance can only be considered in terms of the time invested in accordance with diverse variables and different alternatives, which permits a choice of the most effective steps as far as the time consumed and the objectives are concerned.

I - The circumstances of recovery

To do this work, we first analyzed the circumstances of recovery from the point of view of both time and space.

We saw that whereas auto thefts were more concentrated spatially, the recovery itself tended to be more decentralized.

The time/space study was then done in terms of three hypotheses:

1 - The more often the vehicle is found within a limited area and within a short space of time, the less the police have to make a "specific search". There is one exception, however, and that is when specific steps are taken immediately after the "taking of the report".

If this hypothesis were confirmed, it would denote a marked tendency towards theft for joy-riding rather than professional theft.

2 - Most recoveries being made through fortuitous circumstances, their frequency should vary with the number of thefts.

3 - In the opposite case, the recoveries would vary in accordance with the availability of policemen for specific search duty.

With reference to these hypotheses, we made a point of making a distinction between "specific search" for the vehicle and "incidental search", the latter occurring as the result of a verification whose original objective was not the recovery of a stolen vehicle.

The study of the data practically confirmed all our hypotheses:

- the vehicle is found in 71.2% of cases within the territory of the police precinct where it was stolen, and in 80.8% within the territory of the same police division (a division including several precincts);
- 60% of vehicles are found the same day or the day after the theft;
- With regard to the days of the week, the rates of recovery are related to the rates of complaints, but here the hypothesis is not entirely confirmed;
- Concerning the shifts, the second coincides entirely with our hypothesis, whereas for the other two, the third hypothesis that recovery

varies in accordance with the availability of the police seems to be more correct.

Recovery by chance rather than as a result of a search for the vehicle is also confirmed by the fact that only in 2.1% of the cases is it certain that the auto was found following a "specific search"; on the contrary, in 32.8% of cases it is certain that the opposite is true, and 65.2% are ambivalent.

These figures were obtained bearing in mind the type of police unit that effected the recovery. By looking at the stimulus that led to this recovery, however, we find that in 35.3% of cases, the police made no specific search, the other 64.7% being ambivalent.

This can lead to serious doubt as to the pertinence of police action with the object of recovering a vehicle. This, however, does not apply to post-recovery police action, at least as a complete operation.

II - Action taken after recovery

We have seen that once the vehicle was discovered, two policemen were no longer superfluous, as the steps to be taken could include:

- Establishment of the recovery;
- The writing of the recovery report;
- Communication of this information to the police authorities concerned;
- Eventual supervision of the vehicle while awaiting its final disposal.

- Arrest of a suspect;
- His being conducted to a detention cell;
- The writing of the report of arrest or police report;
- Contacting specialized sections for identification or other information.

Some of these activities also include sub-items that were previously mentioned.

1 - Number of policemen

Thus we note that in spite of the presence of two policemen, in almost 12.5% of cases, they called upon the assistance of another policeman. This assistance was asked for in 25% of the cases when the recovery was made by a single policeman, and when there were prisoners, help was requested in 31.2% of the cases. Finally, when there was one policeman, the time of recovery was longer than an hour in 40.7% of cases, whereas such was the case in only 26.2% when there were two policemen.

2 - Disposal of the vehicle

Concerning the disposal of the vehicle, towing it to the municipal pound or handing it over directly to the owner is almost evenly divided between the sample, with respectively 49.8% and 40.4%.

A recent police directive recommends that tow trucks should be used as little as possible and that the policeman either deliver the car to the owner or take it to the depot himself.

With regard to time consumption, this last approach does not seem profitable, since in nearly 27% of cases where the vehicle is handed over directly to the owner, the police consume less than 30 minutes, which is acceptable; the same is true in 13.6% of recoveries where the car is not removed and in 20% of those where a tow truck is used. However, when the policeman moves the car himself, the action takes more than an hour 50 times out of a hundred, which is considerable.

Thus the solution of the policeman removing the vehicle seems to consume the most time, and if this cannot be eliminated, a possible alternative would be to improve the methods.

On the other hand, returning the car to its owner seems the least expensive method and should be adopted.

To leave the vehicle where it is, which should be the least costly method from the point of view of time, does not seem to be so according to our data.

Finally, towing can only be considered in a comprehensive way, including the cost of the policeman's time, that of the tow truck, the storage and the time taken by the owner to reclaim his vehicle. On the other side of the balance, the police time that could be saved by a measure of this kind should be taken into account. These considerations are not within the framework of the present part of the research, but enter fully into our plan should we have the chance to continue next year.

Nevertheless, our final suggestion would be the establishment of precise criteria, which could be included in a new police directive, to guide the police officer in making a decision as to whether to call upon the services of a tow truck or not; we are speaking of the accessibility of the owner, the state of the vehicle and the requirements of the inquiry.

The fact remains that the police - motorcycle squads, preventive patrols and traffic section - do not consider it their province to dispose of a vehicle other than to have it towed, and they do so in almost 90%, 85% and 100% of the cases as against 54% for the patrol. This leads us to suggest the above mentioned directive state that it applies to all police who effect a recovery, no matter what their function or their specific jurisdiction.

3 - Intervention of the Precinct Detective Bureau

In the preceding chapter, we questioned the pertinence of the action taken by the Precinct Detective Bureau in the matter of the pre-recovery.

There can be no doubt, however, of the pertinence of its action subsequent to recovery, particularly if there is an arrest, detention and appearance before the court.

This section, in collaboration with the service for the identification of prisoners, can then submit the case for expertise or other action following the arrest. We do not believe, however, that the intervention of precinct detectives is necessary in delivering the vehicle to its owner, in pursuing the investigation if the arrest was not made at the time of recovery, or if there are no valid indications that could lead to an arrest.

We are also of the opinion that, considering the low rate of post-recovery investigations, these sections are fully aware of this, and behave accordingly.

III - Computation of time spent on the case

Concerning the average duration of time and frequency, the conclusions to be drawn from the data have already been given in the previous chapter.

As far as the time analysis is concerned, it was briefly presented in part IV of this chapter and we see no need to go into it further here.

We have now to consider arrests, detentions and appearances before the court. These will be dealt with in the next chapter before concluding with a study of the Stolen Car Section.

D - ARREST, DETENTION, APPEARANCE

BEFORE THE COURT

In this chapter, we have analyzed the results of the measures involved in arrest and their outcome. We have observed certain facts, such as:

Arrests of the authors of stolen vehicles are rare. It was found that 8.1% of the offences result in one or several arrests. Of 399 cases, the station officer reported 20 operations, with 41 individuals imprisoned. The Department, itself, made 15 arrests for a total of 29 suspects.

In addition, the arrests proved to be concomitant with recovery of the vehicle. This is made particularly evident in terms of the following hypothesis, which was partially verified: the shorter the theft-recovery time, the better were the chances of making an arrest. The only exception is in the case of recovery delays of six days or more, which is explained by the fact that, in these cases, the theft is the work of a professional rather than of an amateur who simply wants to take a joy-ride, and that as a result, police action is more vigorous and has a better chance of success.

Furthermore, the percentage of arrests in relation to the circumstances of recovery are very significant for our hypothesis, since

from 0% when the vehicle is found after a call from the citizen, it goes to 100% in cases of pursuit, 50% in accidents and hit and run offences, and 33.3% where the police find the vehicle even before receiving the citizen's complaint.

We might add that the policeman who recovers the auto has a much greater tendency to ask for assistance when he makes an arrest (34.4%) than when he does not (9.6%).

As to the time invested in the transport of the prisoner and the writing of the police report involved, it averages 71 minutes for a total of 78 hours 55 minutes in man-hours.

The data with regard to 37 prisoners shows that in 16.3% of cases, they will be liberated unconditionally, and can thus leave the system altogether. The remaining 83.7% will either be summoned before the courts (18.3%), thus entering into a further phase of the system, conducted to general headquarters, or referred to the Youth Squad or to the detective bureau (57.2%), thus remaining at the police level while awaiting further steps.

With regard to the crimes warranting detention, we find that these are the most serious indictable offences, such as theft or theft and receiving of stolen goods.

The investigation made after the arrest, in the six cases where it took place, took 2 hours, 52 minutes of police time, for a total

of 17 hours, 15 minutes. It seems to vary significantly depending on the number of prisoners per case, for it took more than 1 hour, 2 minutes when two persons were arrested and 6 hours, 40 minutes when there were six.

Finally, an appearance before the courts is rare, and for the police to be called as witnesses in connection with a case even more so.

With respect to costs, however, this type of intervention warrants consideration since, very often, the activities accomplished are paid at overtime rates.

E - PREVENTION AND THE BREAKING
UP OF CAR-THEFT NETWORKS

After having defined each action undertaken by the Stolen Automobile Section, this chapter made it possible for us to do a detailed analysis of the percentages of regular time and overtime devoted to each task. The following table gives an interesting survey of these.

TABLE I

Time invested in the activities of the Stolen Car Section.
consolidated table

Activities	Regular time		Overtime		Total	
	Hours	%	Hours	%	Hours	%
Investigation	1647.25'	63.77	322.40'	74.61	1980.05'	69.18
Related work	564.25'	21.85	73.05'	16.39	637.30'	17.38
Clerical	352.35'	13.65	40.05'	8.99	392.40'	12.96
Awaiting patrol car	18.50'	0.73	-	-	18.50'	0.62
Total	2583.15'	100.00	445.50'	99.99	3029.05'	99.99

In conclusion, the question of pertinence is certainly answered in the affirmative as far as the action of the S.C.S. as a whole is concerned.

In the matter of prevention and the breaking up of networks, there is no denying that the S.C.S. accomplishes a task that is essential.

It is only the assignment of men that can be questioned. It seems to us that the high percentage of overtime deserves comment. It could be due to:

- either an organization and planning of the work which should be revised;

- a lack of personnel;
- or the nature of the work itself, which requires that an investigation started during regular time - or any other activity related to it - must necessarily be concluded, no matter what the hour.

If the hypothesis that there is a lack of personnel is correct, the percentage of overtime would stretch almost uniformly over all the activities, which does not seem to be the case. On the contrary, there is a concentration of overtime during the investigation and the activities related to it, which clearly points in the direction of the last hypothesis.

The fact remains, nonetheless, that overtime for the clerical work could be due to a lack of planning, and therefore, we feel authorized to make a recommendation in this connection.

PART III - Summary and General Conclusions

A - THE MODEL

Starting from the concern of researchers, decision-makers and those involved in the criminal justice system, in the financial impact of crime and the increasing cost of the law enforcement agencies, we have presented two types of research: one which attempts to determine the economic impact of crime through the designing of models or practical

application, and one which would optimize the output of the justice administration.

For this particular work, we adopted the second approach because we felt it could lead more quickly to reforms in the policies of the various agencies of justice, such as the police.

Built around automobile thefts, the evaluation model we developed is in two stages: the first, an analysis of the system, made it possible to determine the various steps required in a case, the functions and tasks the police must undertake in connection with it and the organizational sections involved. The second consisted of a five-step evaluation: 1) definition of the overall objectives, 2) determination of the immediate objectives, 3) study of how they can be attained, 4) study of the time invested in the accomplishment of the tasks involved, 5) finally, an analysis of the results. This enabled us to conclude whether or not the police action was pertinent to the desired objectives considering the time/budget and the results.

B - ITS APPLICATION

We then described the method by which the data was collected so that the model could be applied. Two instruments were used: the police files, from which the information was noted on a questionnaire duly prepared and codified; and time/budget cards, containing multiple choice questions for the most part, to allow for greater precision.

The sample represented 10% of the files in the first case, and the period from the 3rd to the 31st of March, 1974, for the collection of the time/budget cards, which were filled in at the time the activity under study was accomplished. Conclusions as to the pertinence of the police action followed in five consecutive chapters.

The taking and transmission of the information

The taking and transmission of information seemed to be a prerequisite in setting the police process in motion. We have some criticism to make, however, of the methods used, which can be summed up in the answer to these two questions:

1 - Must a report of the complaint be made?

The answer was yes, because the report, besides answering the expectations of the citizens, makes it possible to obtain information on the object of the offence and the circumstances surrounding it - information that is essential to eventual recovery of the vehicle. Certain additional information, when it was possible to acquire it, was also shown to be pertinent to the desired objectives, such as the description of a suspect and the direction taken by the vehicle.

It seems, however, that the interrogation of persons other than the victim is a waste of time because of the slight contribution it can make to the recovery and arrest sought by the police action.

2 - How should the report be taken?

We found first of all that the investment of time made by sending two policemen to the scene of the offence added nothing to the amount of information gathered, and therefore to the results, while it doubled the time of intervention.

Furthermore, although it may be considered superfluous to send a police unit to the scene in the majority of cases, this is not true for those where the "time lapse is critical" following the commission of the offence, that is to say, complaint is made at a time when interception of the stolen vehicle can still be attempted.

Finally, our criticism, while perfectly valid on the whole, is applicable to the taking of the report without sending policemen, but not to reduction of the number of policemen in the police car since the latter alternative is contrary to the terms of the collective convention which requires that there be two men.

Investigation and search for the vehicle

After demonstrating the theoretical and practical impossibility of examining the methods of search for the vehicle by "systematic" and "selective" verifications, we showed that most stolen cars are found by chance and not as a result of specific action taken towards this end. Thus the irrelevance of the investigation made by the detective

bureau during the five days following the complaint, though the police have shown they are somewhat aware of the uselessness of this action.

Activities connected with recovery

The activity of returning the recovered vehicle to its owner as soon as possible appeared to be pertinent to its objective. We noted, however, that among the possible ways of disposing of the vehicle, one was to have it towed to the pound, which not only occasions a loss of time, but also costs money. This could not be calculated with the model used, but we had, nonetheless, sufficient arguments on which to base a recommendation for the reform of the directives given the police concerning disposal of the vehicle.

The involvement of two or even several policemen in this activity is less to be criticized than in the taking of the report, for we showed that there were a number of tasks to accomplish, such as surveillance of the vehicle and the transportation of the prisoner when an arrest is made at the time of the recovery.

Post-recovery investigation

The data showed that post-recovery investigations almost never led to an arrest if the latter was not concomitant with the recovery. Thus we may conclude that the action of the police subsequent to recovery is not pertinent.

Prevention and the breaking up of networks

These two activities of the Stolen Car Section are on the whole pertinent to the objectives sought. However, two criticisms are apropos: the first concerns the high rate of overtime, and the second, the clerical work involved. Attention should be drawn as well to the availability of vehicles for the detectives of this section, since a large percentage of their tasks should be accomplished on the road.

FINAL CONCLUSION

It is easy to see, on going over the conclusions arrived at through our work, that the application of the evaluative model we proposed makes it possible to examine with a great deal of precision the action taken by the police in a given sector, and to point up its strong points and its weak points. It also presents alternative strategies or solutions which might be less costly, yet have equivalent results. Furthermore, both the model for evaluative procedure and the analysis of the system can easily be extrapolated to other offences.

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RECONSIDERING THE POLICE ROLE:
A CHALLENGE TO A CHALLENGE OF
A POPULAR CONCEPTION

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INTRODUCTION

For some time now a debate has been taking place both within academic and police circles with respect to the role of the police. This debate has taken the form of a challenge to the popular conception of the police officer's role as principally a crime-fighter and law-enforcer. Social scientists and police administrators have argued that in fact policemen, at least at the patrol level, spend relatively little of their time fighting crime or enforcing the law; rather, they spend the vast majority of their time doing social service type work.

One of the earliest studies to consider how policemen in fact spend their time was reported in a paper by Cumming et al. (1964). These authors suggested that the roles of social agencies could be viewed as involving two components: a controlling element and a supporting element. They argued further that it was probably impossible for a role to accord equal emphasis to each of these two components. However, it was equally unlikely that a role could emphasize one of these components to the exclusion of the other. Accordingly, within any particular role one was likely to find that one component was overt while the other was latent. In applying this general conceptual framework to the police,

the authors write:

"The policeman's role in an integrative system is, by definition and by law, explicitly concerned with control - keeping the law from being broken and apprehending those who break it - and only latently with support... besides latent support, the policeman often gives direct help to people in certain kinds of trouble. When he does this, the balance between support and control has shifted, and he is acting overtly as a supportive agent and only latently in his controlling role. He has, at the same time, changed from a professional to an amateur". (1964: 277).

This statement clearly gives predominance to the control function in the police role and draws attention to an aspect of the police role that, because of its latent character, had previously tended to be ignored. In their essay, the authors proceed, via consideration of citizen requests for help, to examine this latent aspect of the police role. Following an analysis of the nature of the calls for service and the police response to them, the authors summarize and reflect on their findings:

"More than one-half of the calls coming routinely to the police complaint desk, and perhaps to detectives, appear to involve calls for help and some form of support for personal or interpersonal problems. To about three-quarters of these appeals, a car is sent. When the policeman reaches the scene, the data suggest that he either guides the complainant to someone who can solve his problem or tries to solve it himself. To do this, he must often provide support, either by friendly sympathy, by feeding authoritative information into the troubled situation, or by helping consensual resolution to take place. We started with the assumption that these activities belonged to the latent aspect of his role, and he is certainly an amateur - these policemen have no training for this kind of service (1964: 285-6)".

Further, after discussing a number of reasons why the police are called upon so frequently to exercise their amateur talents, the authors conclude that:

Some modern advocates of "professionalization" of police work recognize that the policeman on the beat spends about half his time as an amateur social worker and they hope, instead of improving the referral process, to equip him with the skills of a professional. The policeman will then have a role containing both overtly supportive and overtly controlling elements. If our assumption that these are incompatible activities is correct, this development would lead to a division of labor within police work that would tend once more to segregate these elements. This, in turn, would result in a basic shift in the relationship of the police to the rest of the integrative system (1964: 286)

Michael BANTON (1963), in a book published at about the same time as the paper by Cumming et al. develops this distinction between types of policemen based on the nature of the activities in which they engage. BANTON writes:

Some years ago the Home Secretary observed: "The British policeman is a civilian discharging civilian duties and merely put into uniform so that those who need his help know exactly where to look for assistance". Today, especially in connection with the traffic laws, this description is not accurate: the policeman is increasingly seen as an official exercising authority and power over citizens. A division is becoming apparent between specialist departments within police forces (detectives traffic officers, vice and fraud squads, etc.) and the ordinary patrolman. The former are "law officers" whose contacts with the public tend to be of a punitive or inquisitory character, whereas the patrolmen... are principally "peace officers" operating within the moral consensus of the community.

Whereas the former have occasion to speak chiefly to offenders or to persons who can supply information about an offence, the patrolmen interact with all sorts of people and more of these contacts centre upon assisting citizens than upon offences (1963: 6-7).

In a subsequent chapter BANTON expands this statement as follows:

... the policeman on patrol is primarily a "peace officer" rather than a "law officer". relatively little of his time is spent enforcing the law in the sense of arresting offenders; far more is spent "keeping the peace" by supervising the beat and responding to requests for assistance ...

My argument that the patrolman is primarily a peace officer is, however, based less upon any calculation of how he spends his time than upon a consideration of how he responds when he has to deal with offences. In my experience, the most striking thing about patrol work is the high proportion of the cases in which policemen do not enforce the law. (1964: 127).

As a result of these and similar writings, the notion that policemen on patrol spend the majority of their time (both in terms of the type of incidents responded to and the nature of their response) as "amateur social workers" rather than as "law officers" has become increasingly wide spread among academics, police administrators and policy makers, and has formed the focal point for an on-going debate over what the police should be doing. The debate has crystallized essentially around two polar positions along the lines predicted by Cumming et al. On the one hand, there are those who argue that the time police spend as amateur social workers detracts from what should be their primary function, namely, crime-fighting and law enforcement.

On the other hand, there are those who argue that this emphasis on the "control" function is misplaced: that is, the police should be responsive to the nature of the demands made on them by the public and accordingly should define their role so that the "supportive" functions are recognized as equally legitimate and essential parts of the police role as the "control" functions. This latter position has come to be regarded as the "progressive" position and is a position that tends to be endorsed in "progressive" policy statements about the future role of the police.

For example, in 1967, the President's Commission on Law Enforcement and the Administration of Justice wrote:

While each person has a somewhat different impression of the nature of the police function, based primarily upon his personal experiences and contacts with police officers, there is a widespread popular conception of the police, supported by the news and entertainment media. Through these, the police have come to be viewed as a body of men continually engaged in the exciting, dangerous, and competitive enterprise of apprehending and prosecuting criminals. Emphasis upon this one aspect of police functioning has led to a tendency on the part of both the public and the police to underestimate the range and complexity of the total police task.

A police officer assigned to patrol duties in a large city is typically confronted with at most a few serious crimes in the course of a single tour of duty. He tends to view such involvement, particularly if there is some degree of danger, as constituting real police work. but it is apparent that he spends considerably more time keeping order, settling disputes, finding missing children, and helping drunks than he does in responding to criminal conduct which is serious enough to call for arrest, prosecution, and conviction. This does not mean that serious

crime is unimportant to the policeman. Quite the contrary is true. But it does mean that he performs a wide range of other functions which are of a highly complex nature and which often involve difficult social, behavioral and political problems (1967: 13).

This view was recently echoed in Canada by the Task Force on Policing in Ontario:

Within the context of the overall objectives (namely, crime control, protection of life and property, and the maintenance of peace and order), police have six principal functions: response, referral, prevention, public education, crime solving, and law enforcement. Popularly, the latter two have been seen to be the main components of the police role. To a large degree, this perspective is shared by the police tradition, and the other functions are seen to be largely peripheral to "real police work". We are of the view, however, that a far better balance among the six functions must be sought if the province's needs for crime control, protection of life and property, and peace and security are to be met (1974: 17).

This debate, in our view, is based on a partial and therefore inadequate conception of the police role. When a more adequate conception of the police role is adopted, the research finding that police spend relatively little time actually enforcing the law may be viewed in an entirely different light and need not give rise to a controversy which distinguishes and then contrasts the "control" and "support" functions of the police. Our purpose in this paper is first to reveal the inadequacy of the present conception of the police role by showing that it is based on inadequate theoretical framework, and then to present a more accurate conception of this role.

The Premises of the Debate

The misconceptions implicit in the debate we have just summarized can be explicated by considering the theoretical framework underlying this debate. The debate over the police role considers police activity within a theoretical framework comprised of two major elements, expectations concerning what policemen should do and a description of what police actually do.

The debate over the police role takes as its point of departure three claims which are not at issue in the debate. The first is that the police in western societies have traditionally been expected to fight crime and enforce the law. Second, empirical research shows that in fact policemen, especially patrolmen, spend only a relatively small proportion of their time (the estimates vary between 50% and 20%) fighting crime and enforcing the law and that the rest of their time is spent in a more general social service function. Finally, it is argued that the activities performed by the police should be consistent with the expectations about what police should do. The controversy arises over a difference of opinion as to how the consistency between expectations and concern for objectives and activities is to be achieved.

The difficulty with this debate is that the two elements of objectives and activities do not constitute an adequate theoretical foundation for an analysis of roles, whether the police role or any other role. The concept of role (based on the twin elements of objectives and activities) that underlies the debate on the police role

does not meet the generally accepted minimum requirements of a theoretical framework for the analysis of social action.

Talcott Parsons (1968) has argued, in our view convincingly, that the most fundamental framework for the analysis of social action is what he has termed the "action frame of reference"¹. The action frame of reference developed by Parsons is based on the means/end schema as a theoretical framework for the analysis of human action. Within the means/end schema, human beings are viewed as being oriented towards the achievement of ends and to selecting from among the available means in order to achieve these ends. The availability of means is a function of the circumstances or conditions outside the control of the actor, within which action takes place. Parsons has further suggested that the three elements of means, ends and conditions are not sufficient for an understanding of human action. In order to provide a schema that is adequate as a fundamental framework for an understanding of human action, a normative element, concerned with the choice of means, must be included within the means/end schema. Parsons discusses this idea of a minimally acceptable theoretical framework for action as follows:

It takes a certain number of ... concrete elements to make up a complete unit act, a concrete end, concrete conditions, concrete means, and one or more norms governing the choice of means to the end...

It is essential to distinguish from the concrete use of the theory of action, in this sense, the analytical. An end, in the latter sense, is not the concrete

anticipated future state of affairs but only the difference from what it would be, if the actor should refrain from acting. The ultimate conditions are not all those concrete features of the situation of a given concrete actor which are outside his control but are those abstracted elements of the situation which cannot be imputed to action in general. Means are not concrete tools or instruments but the aspects or properties of things which actors by virtue of their knowledge of them and their control are able to alter as desired.

... This frame of reference (namely, the action frame of reference) consists essentially in the irreducible framework of relations between these elements and is implied in the conception of them, which is common to both levels, and without which talk about action fails to make sense. It is well to outline what the main features of this frame of reference are.

First, there is the minimum differentiation of structural elements, end, means, conditions and norms. It is impossible to have a meaningful description of an act without specifying all four, just as there are certain minimum properties of a particle, omission of any one of which leaves the description indeterminate. Second, there is implied in the relations of these elements a normative orientation of action, a teleological character. Action must always be thought of as involving a state of tension between two different orders of elements, the normative and the conditional. As process, action is, in fact, the process of alteration of the conditional elements in the direction of conformity with norms. Elimination of the normative aspect altogether eliminates the concept of action itself and leads to the radical positivistic position. Elimination of conditions, of the tension from that side, equally eliminates action and results in idealistic emanationism. Thus conditions may be conceived at one pole, ends and normative rules at the other, means and effort as the connecting links between them. (1968: 731-2, our emphasis).²

Hence, the debate on the role of the police summarized above is inadequate and misleading precisely because it does not encompass

the four elements central to a consideration of human action. Consequently, it "fails to make sense" of police action. The two elements ignored in the debate on the police role are the elements of means, and norms relating to the use of these means in attaining ends.³

The debate has been based exclusively upon an analysis of what police should do and what they actually do, and has overlooked what the police can do and have the authority to do. The means available constitute a horizon of possibilities that must be considered if the significance of any particular police activity is to be appreciated. A particular police activity can only be properly understood if it is viewed from within the context of possible action, (that is, possible actions the policeman has both a right to take and is capable of taking) from which the action in question is selected. Failure to take this horizon of possibilities into account leads to the crude empiricism⁴ that underlies this debate.

Rediscovering the Police Role

In the remainder of the paper we will present a conception of the police role that meets the minimum requirements of theoretical adequacy as outlined by Parsons. However, as our task is to consider the police role, our strategy will be to explicate those elements of this role that differentiate the police from other occupational roles and from citizens in general. That is, our focus will be on identifying those aspects of the police role that set the police apart from others. We will argue that while all four elements identified by

Parsons in his action frame of reference must be taken into consideration in providing an adequate account of the police role, it is the elements of means, and the norms relating thereto, that define the essential and unique character of the police role and set it apart from other roles.

Let us begin by considering the objective of the police. There is little argument within the literature that the function of the police in western societies is the maintenance of order. Hobbes (1968) has provided for western society the theoretical framework and the political justification for social control as a responsibility of the State. The police are the agents employed by the State to fulfil, at least in part, this social control function.⁵ This concept of the police as being responsible for the maintenance of order is as old as the police themselves. It appears in Peel's principles published in 1829 (Critchley, 1967: 52-3) and is to be found embodied in most documents setting out the duties of police today. For example, in Canada, the RCMP Act⁶ clearly indicates that it is the duty of members of the police force to preserve the peace. However, while this may be the principle objective of the police, it cannot be used to differentiate the police from others. For every citizen may be viewed as being charged with the responsibility to maintain order.⁷

If the objective of the police does not provide a basis for differentiating the police role from that of others, neither do the conditions of action. The conditions which limit the police in striving

to preserve order are essentially the same as those that any other citizen faces in seeking to achieve this end.

However, as we turn to the elements of the means available to the police, and the norms concerning them, we find an important distinction between the police and others, and consequently, the nub of the police role - that which sets the police apart from others. While the policeman shares with other citizens a wide range of skills and resources that can be used in responding, and in maintaining order, he also has access to resources which are unique to him and differentiate him sharply from others. Our task, therefore, in considering what is essential about the police role, is to articulate these differences.

In specifying what it is that differentiates the police from others, it has often been suggested that the central difference is simply that the police are accessible to the public as an emergency service, 24 hours a day (c.f. The President's Commission on Law Enforcement and Administration of Justice, 1967: 14). We will argue that this is in fact a consequence of a more fundamental difference between the policeman and other citizens, and is not itself the basis for this difference.

In order to isolate those elements of means and norms that are definitive of the police role it is essential to distinguish between what it is that police can do that others cannot (that is, what they are able to do because of the unique resources available to them),

and what they as policeman, in contradistinction to others, have the authority or right to do. This distinction will assist us in identifying what it is that sets the police apart from others at both a de facto and a de jure level. What is unique about the police at a de jure level, we will, following Hughes' general usage of the term licence (1958), call the police licence, and what is unique to them at a de facto level we will call the police capability. The police licence and capability refer to the normative and factual elements of the means that are unique to the police.

The means that are uniquely available to the police, and that therefore provide for the substantive content of the police licence and the police capability, are: (a) unique access to the law as a means to be used in maintaining order; and (b) unique access to legitimized physical force as a means of maintaining order.

The Law as a Means of Maintaining Order

The law is both a body of statements (primarily rules) that defines what is to be considered a breach of the peace, and a body of statements (once again primarily rules) providing authorization for and instructions about how such breaches of the peace might be dealt with. The process of dealing with problems under the authority and direction of the law is what is referred to as law enforcement. From the police point of view, law enforcement involves essentially two possible actions,

arrest and charge/summons.⁸

Furthermore, from the police point of view, the law is in most cases much more relevant as a means for dealing with problems than as a means of defining problems. Policemen for the most part face situations, which have been pre-defined as problems by one or more citizens (cf. Black, 1968; Reiss, 1971; Shearing, 1974), in which they are asked to do something. Policemen faced with such situations review the resources available to them (both those resources that are specific to their office and those that are more general in nature) as means which might be used to deal with the problem. This problem-solving orientation, and the notion that policemen review a wide variety of resources in considering how to respond to problems, has been discussed by Wilson as follows:

To the patrolman, the law is one resource among many that he may use to deal with disorder, but it is not the only one or even the most important; beyond that, the law is a constraint that tells him what he must not do but that is peculiarly unhelpful in telling him what he should do. Thus, he approaches incidents that threaten order not in terms of enforcing the law but in terms of "handling the situation". The officer is expected, by colleagues as well as superiors, to "handle his beat". This means keeping things under control so that there are no complaints that he is doing nothing or that he is doing too much. To handle his beat, the law provides one resource, the possibility of arrest, and a set of constraints, but it does not supply to the patrolman a set of legal rules to be applied (1968: 31).

Wilson, in this passage, is correct in arguing that:

(a) the policeman's task is one of order maintenance rather than of law enforcement; (b) law enforcement provides only one means among others available to policemen in maintaining order; (c) the law limits the policeman's choice of the means he can legally use in responding to a problem; and (d) the law, while providing the limits of what a policeman can do, does not provide positive instruction as to what he should do in any particular situation.

There are, however, difficulties with Wilson's argument, given his position that the law enforcement resource the policeman has at his disposal in responding to problems is not important. If by this Wilson simply means that policemen in fact do not often arrest and charge people in the course of maintaining order, then we have no quarrel with him. If, however, he intends that, as compared to other means at the policeman's disposal, law enforcement does not have a very special status, or that the possibility that the policeman may choose to use law enforcement as a means for dealing with the problem is not one of the things that all parties to the situation are alive to, then Wilson is quite simply wrong, and his stress on order maintenance as opposed to law enforcement as the principle responsibility of policemen is very misleading.

The policeman shares with others a wide variety of resources that can be used in dealing with a problem. However, these

resources exist within the context of those resources (law enforcement and force) which he does not share with others and that are, in effect, unique characteristics of his role. This context completely permeates, and thereby changes the meaning and significance of all the other resources at his disposal.

This general point can be illustrated with reference to the specific resource of law enforcement. The law provides the police with greater powers of law enforcement, particularly with respect to arrest, than the average citizen. Furthermore, the organization of the police, and more generally the criminal justice process, provides the police with greater practical access to law enforcement as a means of handling breaches of order, both in terms of what they can actually "get away with" (as opposed to their legal powers), and in terms of their organizational access to knowledge of their powers, justices of the peace, prosecutors, jails, etc.

As a result of this special access to law enforcement, law enforcement becomes more than simply one resource among others which the policeman has at his disposal. It is a resource which is, in reality, unique to the police. This special status has two consequences: (a) it becomes definitive of the police role (that is, the police are not simply seen as problem solvers, but as problem-solvers-who-have-a-special-access-to-law enforcement as a means of dealing with problems); and (b) the special status of law enforcement means that it provides a

context in which other problem-solving resources are perceived. For example, given the special significance of law enforcement as a means for dealing with problems, a policeman's decision to use some other means of dealing with a problem is seen not merely as a decision to do such-and-such but as a decision not to enforce the law. Thus, for instance, a motorist who is stopped for speeding and told to drive more carefully regards himself as fortunate because he received a warning rather than the ticket that the policeman was able and entitled to give him. More generally, citizens regard the police as persons whose status as policemen is intrinsically bound up with their special access to law enforcement as a means for maintaining order.

This character of the police access to law enforcement, while particularly clear in relation to traffic problems, applies equally to other problems. It is difficult to conceive of a problem situation where the policeman could not, if he chose, argue that some law had been breached and, therefore, could not, if he chose, enforce the law. This is something that both the police and the public are continually aware of and take into account in dealing with each other.⁹

Physical Force as a Means of Maintaining Order

There is, in addition to law enforcement, a second resource to which the police have special access that is definitive of the police role, namely, physical force. As in the case of law enforcement, the

police are differentiated from others both in terms of their right and ability to use force as a means of dealing with problems.¹⁰ This special status of force with respect to the police role has been recognized by Bittner. He writes that:

... police intervention means above all making use of the capacity and authority to overpower resistance to an attempted solution in the native habitat of the problem. There can be no doubt that this feature of police work is uppermost in the minds of people who solicit police aid or direct the attention of the police to problems, that persons against whom the police proceed have this feature in mind and conduct themselves accordingly, and that every conceivable police interaction projects the message that force may be, and may have to be, used to achieve a desired objective. It does not matter whether the person who seeks police help is a private citizen or other government official, nor does it matter whether the problem at hand involves some aspect of law enforcement or is totally unconnected with it ... What matters is that police procedure is defined by the feature that it may not be opposed in its course, and that force can be used if it is opposed. This is what the existence of the police makes available to society. Accordingly, the question, "What are policemen supposed to do?" is almost completely identical with the question, "What kinds of situations require remedies that are non-negotiably coercible?" (1970: 40-41).

Bittner summarizes his argument as follows:

In sum, the role of the police is to address all sorts of human problems when and insofar as their solutions do or may possibly require the use of force at the point of their occurrence. This lends homogeneity to such diverse procedures as catching a criminal, driving the mayor to the airport, evicting a drunken person from a bar, directing traffic, crowd control, taking care of lost children, administering medical first aid, and separating fighting relatives.

There is no exaggeration in saying that there is topical unity in this very incomplete list of lines of police work. Perhaps it is true that the common practice of assigning policemen to chauffeur mayors is based on the desire to give the appearance of thrift in the urban fisc. But note, if one wanted to make as far as possible certain that nothing would ever impede His Honor's freedom of movement, he would certainly put someone into the driver's seat of the auto who has the authority and the capacity to overcome all unforeseeable human obstacles. Similarly, it is perhaps not too farfetched to assume that desk sergeants feed ice cream to lost children because they like children. But if the treat does not achieve the purpose of keeping the youngster in the station house until his parents arrive to redeem him, the sergeant would have to resort to other means of keeping him there (1970: 44)

Bittner makes clear that he does not intend to imply that policemen spend all or even much of their time using physical force but simply that this possibility is central to the police role:

It must be emphasized...that the conception of the centrality of the capacity to use force in the police role does not entail the conclusion that the ordinary occupational routines consist of the actual exercise of this capacity. It is very likely, though we lack information on this point, that the actual use of physical coercion and restraint is rare for all policemen and that many policemen are virtually never in the position of having to resort to it (Bittner, 1970: 41).

We agree in the main with Bittner's arguments as to the centrality of the police authority and capacity to use physical force for the police role, but we dispute his claim that this is the only factor that needs to be considered in specifying what is unique about the police role.

In our view, both law enforcement and physical force are essential features of the police licence and capability, and therefore of the police role. While these two factors are clearly related to one another, to attempt to reduce one to the other (for example, by arguing that law enforcement is ultimately a matter of coercion or that the police authority to use physical force is ultimately founded in law) tends to muddy rather than clarify one's understanding of the police role.

Summary and Conclusions

In sum, we view the police licence and capability as being definitive of the police role in the sense that they refer to those elements in the police role that differentiate the police from others. The police capability is defined by their special access to physical force and law enforcement as resources in dealing with the problems that confront them. The police licence is their authority to use these two resources.

Everything a policeman does takes place within the context of the police licence and capability. This context, while not an objective feature of the situation in which the policeman is acting, is an ever-present symbolic backdrop to all his activities that is recognized and taken into account by the participants involved in the situation with the policeman. This symbolic backdrop is of critical importance in understanding the policeman's role and the interactions he is involved in, and has an enormous influence on the character of the interaction that

takes place between the police and the public.¹¹ For instance, when a policeman is called in to deal with a domestic dispute, his access to law enforcement and physical force as a possible means of dealing with the problem plays a very important part in his responses, and the responses of the other participants involved, even in those situations where neither of these two means is used and where no overt reference is made by the police or the public to either. For example, if a policeman in dealing with a domestic dispute politely asks one of the parties to the dispute to leave or to put down the weapon he is holding, there is no doubt in anyone's mind that if the policeman's request is not acceded to, the policeman may choose to resort to either law enforcement or physical force to insure that his request is met.

In terms of this analysis of the police role, any suggestion, on the basis of the fact that policemen seldom actually enforce the law or use physical force, that the police in reality serve a "social service" rather than a "law enforcement" function is clearly unfounded. Equally unfounded is any attempt to classify police activity into two classes, "social service" or "law enforcement". To suggest that a policeman is a "law-officer" only when he is actually enforcing the law is as misleading as to suggest that a surgeon is only a surgeon when he is actually performing surgery.

Within the conception of the police role we have developed, the empirical finding that the police spend at least 50% of their time

maintaining order without enforcing the law does not suggest that the police are "amateur social workers" or "peace officers" rather than "law officers", but that the symbolic presence of the police licence and capability has in most cases enabled the police to deal with the problems facing them without having to resort to law enforcement as a concrete course of action. As the symbolic backdrop of the police licence and capability is always present whenever a policeman responds to a problem, he is always responding as a policeman and not as a social worker, whether amateur or professional. Indeed the continual presence of the police licence and capability mitigates against him ever being able to play the role of a social worker, as everyone (including the policeman) will know that ultimately he has access to the means uniquely accessible to policeman.

Following Bittner, we regard the police licence and capability as providing a "topical unity" to all the policeman's actions. Further, this unity does not occur regardless of the fact that the police are reactively organized (Black, 1968) and therefore do not control the problems that come to their attention, but to a considerable degree because of it. The public do not call the police, as those who emphasize the 24-hour availability of the police would argue, simply because they have no one else to turn to. In the vast majority of cases to which the police respond, it is clear that the police are not the only people who could have been called upon for help, but rather that they are, as Bittner has argued, viewed by those asking for assistance as the most appropriate

people to call in terms of the resources available to them. For example, if one is involved in a quarrel with a relative and fears that serious personal injury is imminent, one does not want the services of a social worker and would not call for the assistance of a social worker even if one could be found instantly and would respond immediately. One wants a policeman, namely someone with the authority and ability to restore order as quickly as possible. The social worker may be much better equipped to isolate the cause of the problem and work towards a long term solution, but he is not likely to be as effective as the policeman in resolving the present crisis of the moment. The 24-hour availability of the police, far from being the source of the distinctive character of the police role, is, it seems, a consequence of it. It is because the police licence and capability place the police in a unique position to handle a wide variety of crisis situations (cf. Bittner, 1967) that the police have evolved into a 24-hour emergency trouble-shooting service.

The common sense view of the police as law enforcers and crime fighters contains an important element of truth that has recently been obscured as a result of the interpretations that have been made of the findings of studies analyzing police activity. Our concern in this paper has been an attempt to rediscover it.

FOOTNOTES

- 1 - While Parsons' theoretical developments have been subjected to considerable and very telling criticism, the elements of the action frame of reference itself have generally been accepted without modification by most critics, with the exception of those who advocate a strictly behaviourist approach to human action.
- 2 - For purposes of this paper, it is not necessary to consider the other two features of an action frame of reference considered by Parsons.
- 3 - While the element of conditions is not specifically mentioned in the debate, it is clearly implied.
- 4 - What Parsons in the passage cited above refers to as the "radical positivistic position".
- 5 - The notion of State agents is used here in the sense in which Weber uses the concept "administrative staff" (1964: 324-5).
- 6 - The Royal Canadian Mounted Police Act, Revised Statutes of Canada, 1970 Chapter R-9, Section 18.
- 7 - A legal responsibility or duty to take positive action has generally not been imposed via the criminal law power. In Canada, for example, the Criminal Code (Revised Statutes of Canada, 1970, chapter C-34) does not deal with the duty of the police officer to maintain order; rather, this duty is imposed, as noted above, by the various police acts. (The Code generally refers to the powers of peace officers, which includes certain officials other than police officers. For present purposes, however, the term police officer will be used). As regards non-police officers, the Code does specify a positive obligation to assist a police officer in the execution of his duty when one is called upon to do so (section 118, para. (b)), as well as a duty to prevent the commission of treason (subsection 50 (1), para.(b)), but there is no general legal duty imposed with regard to the maintenance of order. It is significant to note however, that at common law, misprison of felony (an omission to report a felony to the police) was a misdemeanor. This offence was abolished in England by the Criminal Law Act 1967 (Smith and Hogan, 1973: 597).
- 8 - In Canada, for example, under the Criminal Code, a police officer may issue an appearance notice (section 451), or may, along with any person, lay an information before a justice of the peace (section 455) who may in turn issue a summons (section 455.3). The procedure for the issuance of a warrant for the arrest of an accused is set out in section 455.3, with the warrant to be exercised by the police

officer to whom it is directed (subsection 456.3 (2)). The legal powers of a police officer to arrest without a warrant (section 450) are much broader than those of persons who are not police officers (section 449).

- 9 - This orientation and ability to find a law that has been breached is particularly evident in detective work.
- 10 - In Canada, for example, the Criminal Code provides for the justifiable use of force by persons acting under legal authority, including (but not exclusively) police officers (section 25). Other provisions in the Code deal with the limited rights of all persons to use force in order to prevent the commission of certain offences (section 27) and to prevent a breach of the peace (section 30).
- 11 - One of the more visible aspects of this symbolic backdrop is the police uniform (cf. Bickman, 1974; Toch, 1965).

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POLICE AND OTHER AGENCIES INSIDE AND OUTSIDE
THE C.J.S. IN POLAND

by

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I - General remarks

The presentation of the working principles of the police against the background of the structure and work of the agencies directly or indirectly connected with the criminal justice system /C.J.S./ has to be preceded by some remarks of a general nature. The concept of the criminal justice system itself in Poland differs from this notion as understood in other countries. The system in Poland comprises - besides courts, public prosecution and police which traditionally belong to it - commissions for examining petty offences which may impose penalties of deprivation of liberty up to three months, penalties of limitation of liberty or fines. The system also includes some local administrative organs - considering their responsibilities with respect to preventing and fighting criminality.

Owing to the vast responsibilities of these agencies, we are confronted with manifold problems belonging to such fields of social life as protection of public order and safety, work of law enforcement agencies and justice and pre- and postdelictual prophylaxis in a very broad sense. Thus it seems advisable to concentrate chiefly on the role played in the criminal justice system by the Civic Militia, on the relationship of its organs to other organs of this system, on the general principles of cooperation of the police with agencies inside and outside the administration

of justice. It is equally worth noting that the work of the police in Poland is based on rather precise legal provisions. They define the procedure and the scope of the Civic Militia's work, the range of its authority towards citizens. An analysis of these provisions may prove very helpful to show the Civic Militia's role and position in the criminal justice system.

The police (Militia) in Poland are a homogeneous, centralised armed force subordinate to the government, destined to fight and counter-act common criminality. The position of the Civic Militia thus defined means that it is organisationally independent from local administrative organs.

A particular characteristic of agencies of a police type in a socialist state - thus in Poland - is a consequence of the specific legal and political structure of the state. One of its manifestations is the name. After five years of the Nazi occupation, after regaining independence, the name "police", accepted elsewhere for agencies for public safety and order, had been rejected. The motivation was to be found in the traditions of the Polish police before the Second World War and in the period of the Nazi occupation during which the Nazis succeeded in having the Polish Police collaborate with them. Today the service, being an equivalent - as far as the range and way of functioning is concerned - of a police force, bears the name of the Civic Militia.

It also seems necessary to define the characteristic and principal tasks of the Civic Militia - otherwise the analysis of the Civic Militia's relationship to the agencies of criminal prosecution, justice and state administration would not be complete and clear.

According to the decree of December 21, 1955, on the structure and responsibilities of the Civic Militia, which constitutes legal grounds for the Militia's activities - "the Civic Militia is an armed force responsible for maintaining public order and safety". The Civic Militia is an independent unit within the Ministry of the Interior. The independence manifests itself in the separation of its agencies from other agencies of the Ministry of the Interior and in the assignment of a separate organizational status within the framework of the Ministry. The Civic Militia is composed of its Headquarters in Warsaw and territorial units reflecting the administrative division of the country.

The Civic Militia's responsibilities may be divided into two groups - the first concerning the work of the agencies of criminal prosecution and justice, the second belonging to the sphere of state administration.

Resulting from these functions, the following tasks of the Civic Militia are primarily:

- a) tasks connected with safeguarding public order and safety,
- b) tasks connected with criminal prosecution,
- c) tasks connected with safeguarding the correct progress of the administration of justice,

- d) tasks connected with the execution of penal measures,
- e) tasks connected with organizing and carrying out pre- and post-delictual prophylaxis.

In all these fields of the Civic Militia's work, without exception, other agencies are involved as well. It is the task of this report to define the functional and legal relationship between the Civic Militia and these agencies. Two groups of responsibilities connected with the Civic Militia's legal status and its position within the system of state organs, on the one hand, and its role within the system of organs destined to protect order and security of the state on the other hand, may be discerned. To the first group belong the powers based on specific legal provisions assigning the Civic Militia a certain amount of independent power. The second group includes the activities which may be defined as auxiliary to the powers and duties of other organs.

The relatively most independent section of the Civic Militia's work within the first group of tasks are activities destined to safeguard public order and safety. An example of a typically auxiliary task of the Civic Militia may be the participation of its officers in criminal proceedings, especially at their judicial and executive stage.

II - The organs of the Civic Militia in the protection of public safety and order

The tasks of the Civic Militia in the field of protection

of public safety and order have been defined in the decree of December 21, 1955, quoted earlier. The Civic Militia's responsibility in this field is to counteract all occurrences endangering public safety and order. The Militia's action in this field may take the form of administrative decisions of a general, and more often, individual character. The decisions may be made under the authority of a specific law and within its limits only.

A most specific example of the Civic Militia's work in this field is the administrative supervision of the observance of Law. The provision of article 6 of the decree quoted states that it is the Civic Militia's duty "to supervise within the limits set by law the observance of legal provisions in the field of trade, fire-control, sanitation and health services in open places, public order in railways, public baths and on beaches and other public places ..., to supervise the observance of traffic rules". The same group includes the Civic Militia's powers in the enforcement of the provisions on registration, weapon licences, etc.

The independence of the Civic Militia in this field manifests itself also in powers to make individual administrative decisions such as weapons licences for individuals, issuing passports, permission to pass borders within the so-called "small tourist" traffic.

To be able to accomplish these tasks, the Civic Militia has been equipped with some important powers beginning with the right to

check citizens' identity, questioning them in connection with an offence up to the right to detain them for 48 hours under Civic Militia arrest. The Civic Militia is also empowered to impose fines as administrative penalties, it may also submit a case of a petty offence to be examined by the commission on petty offences acting in units of local administration.

As far as the maintaining of public order and safety is concerned, the connection of the Civic Militia's responsibilities with those of local administrative agencies, the people's councils, should be pointed out.

The Constitution of the Polish People's Republic has charged the people's council with caring for maintaining public order and cooperating in consolidating the state's defense system and security (Art. 39). Thus the state defense and security have been included, by legal ruling of the highest order in the responsibilities of the administrative agencies, i.e., the people's councils. The cooperation of the Civic Militia, which has to be considered a specialized organ for maintaining public order and safety, with respective units of the people's councils is a consequence of the general structural principles of the socialist state as well as of legal provisions in force - particularly of the law on the people's councils. Most important in this respect are the guidelines of central political and administrative organs which constitute an auxiliary link in coordinating the work of the Civic Militia and that of the people's councils.

Organizationally, the cooperation of the Civic Militia with the people's councils is facilitated by:

a) participation of the Civic Militia's officers in the work of the people's councils. It is one of the ways in which the people's council is informed about the state of public order and safety in its territory. It is by these means that the Civic Militia uses the people's councils to mobilize other organs and social organizations for cooperation in protecting public order and safety.

b) submission to the council's sessions of reports on the state of public order and safety in a given territory by the Civic Militia's organs.

For examining the problems of public order and safety, the councils appoint commissions or working groups "on public order and safety". The commissions and working groups are vested with the power to control and supervise the work of the Civic Militia - they control the execution of the councils' resolutions by the Civic Militia's organs, they examine the reports of the heads of the Civic Militia's territorial units and give their opinions on them, etc. The appointed representatives of the council have a right to exercise social control in the Civic Militia's units, to check the state of the Civic Militia's premises and arrests, etc. Then the suggestions made by the Commission are the basis for

passing adequate instructions aiming at the elimination of the shortcomings and imperfections which have been noticed.

The observations and remarks on the work of the Civic Militia in this field are directed by the commission to the appropriate authority and administrative organs of a respective level.⁽¹⁾

It should be added that the principle of the Civic Militia's activities is full cooperation with the society in fulfilling its tasks. However it is not a one-sided action or an action entirely subordinate to the Civic Militia. The society and its organizations have control and supervisory powers guaranteed by law. Forms of this control are varied and they are implemented within the people's councils and their commissions' activities. The inspection of the forms and methods of the Civic Militia's work and a social evaluation of their effectiveness by the representatives of the community is always a principle concerning the work of the Civic Militia within the criminal justice system. The observation of this principle is a guarantee of the Civic Militia completing its tasks in the field of safeguarding public order and safety and, at the same time, of the citizens' rights.

(1) Especially compare art.55 of the law on the people's councils and paragraph 3 subpar. 1 of the law of the Council of Ministers of February 17, 1955 - Polish Monitor no 19, item 181 .

Summing up, it should be noted that the relation between the people's councils and the Civic Militia in the field of safeguarding order and safety has a twofold character. Firstly, it consists in control and supervisory powers of the council over the Civic Militia (because the council is in charge of a given territory). Secondly, it consists in close cooperation within a particular sphere.

III - The tasks of the Civic Militia in connection with criminal prosecution

In the field of the prosecution of offences, the role of the Civic Militia has a twofold character. Firstly, the Civic Militia has independent powers, provided for by the regulations, (especially by the code of penal procedure) in connection with detecting offences and safeguarding the course of the proceedings (e.g., safeguarding the evidence of the offence). Secondly, the Civic Militia is an auxiliary organ of the public prosecutor's office during the course of preparatory proceedings.

In accordance with the law (art. 265 par.1 of the code of penal procedure) the Civic Militia is authorised to conduct an inquiry, on its own initiative, "in cases where carrying out an investigation is not obligatory"¹).

(1) Carrying out an investigation is obligatory in cases of crime (i.e., acts for which the penalty is not less than 3 years) and in cases of some misdemeanours e.g., against the principal political and economic interests of the state and some offences against health.

In this case the Civic Militia agencies, having learnt about an offence, may institute an investigation, notifying the public prosecutor about it without delay. (art. 257 par.2 of the code of penal procedure). Here the law stresses the superior and leading role of the public prosecutor over that of the Civic Militia agency.

However, in every case, before instituting an investigation "within the limits necessary for safeguarding the traces and evidence of the offence committed before they may get lost or distorted" the Civic Militia may inspect, in case of need, in the presence of experts, search ... and undertake other actions of great urgency, not excluding blood and discharge tests. (art. 267 of the code of penal procedure). If the actions have been undertaken in a case in which carrying out an investigation is obligatory, the Civic Militia is under obligation to transmit the case without delay to the public prosecutor.

Also in the proceedings on juvenile cases the juvenile court may entrust the Civic Militia organ with carrying out an investigation. All actions in this respect are carried out under the supervision of the juvenile court.¹⁾

In other cases the public prosecutor may entrust the Civic Militia with carrying out the whole investigation or one within certain limits

(1) A feature of the Polish proceedings in juvenile cases is a concentration of the court's participation in all the steps of criminal proceedings.

(art. 264 par.2 of the code of penal procedure) and also with carrying out specific activities in the course of the investigation. This does not include presenting the suspect with the charges against him or complementing the decision on presenting the charges (art. 264 par.3 of the code of penal procedure).

The public prosecutor who has charged the Civic Militia with carrying out certain functions, supervises their implementation, and within this scope, he is authorized to give orders and instructions which may refer e.g., to the manner, time and place of carrying out certain activities. Consequently, the public prosecutor may be present during the carrying out of these activities by the Civic Militia officers (e.g., during questioning of a suspect or a witness, searching premises or inspection). A superior and supervisory role of the public prosecutor in relation to the activities of the Civic Militia, undertaken in the course of preparatory proceedings, is a characteristic feature of the Polish system of prosecuting and detecting offences.

IV - The powers of the Civic Militia in the course of judicial and executory proceedings

As far as judicial and executory proceedings are concerned, the activities of the Civic Militia consist solely in carrying out the orders of the court and other agencies (e.g., the public prosecutor or executive bodies). Legal grounds for giving orders to the Civic Militia

organs in this area are provided by the provisions of the code of penal procedure and the penal executive code, as well as art.6 par.6 and 7 of the decree of December 21, 1955, according to which the Civic Militia organs are under an obligation to carry out the orders of the court and the public prosecutor in cases connected with criminal proceedings. The obligation formulated in the decree on the structure and responsibilities of the Civic Militia to carry out the orders of the court and the public prosecutor in court and executory proceedings has been specified in the provisions of the code of penal procedure and the penal executive code. We shall quote here the most essential provisions.

The Civic Militia is under an obligation to:

- a) deliver, by order of the court, summonses, notifications and other documents to the parties to the proceedings and to other persons (art. 116 par.2 of the code of penal procedure).
- b) carry out the orders of the court and instructions of the public prosecutor connected with escorting to the court or another place the accused and other persons (e.g., a witness).
- c) be present in the court room if the accused is under arrest and if its presence, according to the court's opinion, is necessary from the point of view of the security and order of the court session.
- d) perform activities indicated by the court, aiming at maintaining peace and order in the rooms of the court building.

If the court or public prosecutor have indicated to the Civic Militia the manner and means of carrying out a given action, such an instruction is binding for the Civic Militia organ. In other cases the Civic Militia organ applies the methods and means provided for in the binding or customarily accepted regulations in a given situation.

The penal executive code (in art. 11 par.1) states that "the Civic Militia within executory proceedings carries out the orders of the court and public prosecutor". All state and social institutions are under an obligation, within their scope of activities, to render assistance to the Civic militia organs which implement the court's orders within the executory proceedings. The courts and public prosecutor's offices use the assistance of the Civic Militia officers on a large scale, above all, to convoy sentenced persons to penal institutions, pre-trial detention houses or social readaptation centres. The orders in this respect are directed by the court or public prosecutor's office through the appropriate Civic Militia headquarters.

In cases when the accused (sentenced person) stays in hiding or has disappeared, the Civic Militia organs are under obligation, on their own initiative, to establish his whereabouts, to arrest him and bring him to the penal institution.

The questions connected with carrying out the court's orders are regulated in detail by "the Rules of convoying service" (Order of

the Headquarters of December 30, 1969, no.12/59).

Moreover, the Civic Militia organs are under obligation to notify the court without delay about all obstacles and difficulties connected with putting the sentenced person in a penal institution.

V - The tasks of the Civic Militia in the field of prophylaxis and cooperation with other organs and organisations outside the Criminal Justice System

The tasks before the Civic Militia in the field of preventing criminality and eliminating the reasons for particular types of offences constitute, at the present stage, an essential part of the Civic Militia's activities in Poland. The activities, consisting in preventing negative phenomena in social life, are concerned with many areas and therefore various preventive methods and measures should be applied. This sphere of activity requires close cooperation with state and social institutions at various levels.

The Civic Militia activities in this field consist in an educational and explanatory role with a view to exercising an influence on the society. This concerns all the activities undertaken by the Civic Militia and especially acts of an individual nature.

The Civic Militia's process of punishing by means of fines should be combined, in a given situation, with adequate explanatory, and

especially preventive actions. Proper information about the content of the binding regulations is of paramount importance. Cooperation of the Civic Militia with social and youth organisations, with schools and kindergartens is worth mentioning here. Meetings with the representatives of individual social groups are very important for forming the legal conscience and culture of young people, individual professional groups, etc.

The scope of the cooperation of the Civic Militia with other organs and organisations outside the criminal justice system results from a great number of tasks of the Civic Militia in the above mentioned fields, especially in the field of safeguarding public order and safety and pre- and post-delictual prophylaxis. This cooperation of the Civic Militia with social organs and institutions is far less formalized and assumes various forms, depending on the sphere of the Civic Militia's activities.

First of all, those organisations cooperating with the Civic Militia and to which some of the tasks of safeguarding public order and safety have been transferred, should be mentioned, namely the Voluntary Fire Brigades. Within their competence, the members of the Voluntary Reserve of the Civic Militia have such tasks as: to patrol public places, to watch over the safety on public roads, waters and railways, keep order during various meetings and ceremonies. Attention is being paid to the activities of specialized units of the Voluntary Reserve of

the Civic Militia dealing with road traffic, order and safety of railways, waters and territories near waters. Moreover, the members of the Voluntary Reserve exercise voluntary guardianship over children and young people whom they provide with assistance and care by means of organizing educational, entertainment and recreational activities, summer play centres and camps. They cooperate in this field not only with the Civic Militia but also with the people's councils and schools.

Members of the Voluntary Reserve of the Civic Militia may appear as public prosecutors at trials before commissions on petty offences, and they enjoy the rights of a party (lodging appeals, etc.).

The cooperation of the Voluntary Reserve of the Civic Militia with the Civic Militia consists in assisting the Civic Militia organs in fulfilling their tasks in the field of safeguarding public order and safety. It is worth noting that in the course of fulfilling their duties, the members of the Voluntary Reserve of the Civic Militia enjoy the same legal protection as the Civic Militia officers do.

The second organ closely cooperating and complementing the activities of the Civic Militia are the Voluntary Fire Brigades. They exercise fire-control in villages and various institutions, help in rescue operations and conduct preventive activities in this important sphere of life. Members of Voluntary Fire Brigades, together with the Civic Militia officers, exercise fire-controls in institutions, offices and on farms. They supervise the observation of regulations in this field.

The cooperation of the Civic Militia with such organisations as the National Defense League or the Polish Red Cross is of a similar nature.

The cooperation of the Civic Militia with educational authorities and schools takes place on a different plane. It assumes various forms, and it mainly consists in cooperating with schools in the field of preventing the social maladjustment and criminality of juveniles - thus it has a preventive character. In this field, the Civic Militia organs cooperate with youth organisations in the schools (Polish Scouts' Association and Socialist Association of Polish Youth). The Civic Militia runs Foyers for Juveniles where, under the supervision of educators, children who need immediate educational intervention are kept. As far as this kind of activity is concerned, the Civic Militia is subordinate to the juvenile court. The Civic Militia also cooperates with the guardianship court and signals the necessity to institute court proceedings in cases where parental authority is not being exercised, is being abused or parents are not properly discharging their duties.

In this field, the broad range of activities undertaken by the Civic Militia organs is worth stressing, as well as its close cooperation with various organs inside and outside the criminal justice system. This shows the important role of the Civic Militia in Poland.

In the paper the following works have been referred to:

- 1 - Dr. E. Ura, The Civic Militia in the Polish People's Republic, Legal position and scope of activities, Warsaw 1975.
- 2 - Dr. E. Ura, Cooperation of the Civic Militia with the People's Councils, Warsaw, 1973.
- 3 - Dr. E. Ura, Legal Forms of the Civic Militia Activities, Warsaw, 1974.
- 4 - Doc. Dr. M. Lipka, Juvenile Delinquency in Poland, Warsaw, 1971.
- 5 - M. Grzegorzczuk, Structure and Responsibilities of the Voluntary Reserve of the Civic Militia, Warsaw, 1969.
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PARTICIPANT OBSERVATION AND THE POLICE IN
THE INNER CITY OF AMSTERDAM

by

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Participant Observation and the Police in the Inner City of Amsterdam

My first murder - this is not, I hasten to add, a confession - was that of a young woman whose suspected infidelity had caused her husband to stab her to death. That evening I had arrived at Police Headquarters in Amsterdam for a night duty with a young inspector who was responsible for supervising major incidents in the town. Almost immediately we were called to a suspected murder which involved a long interrogation of an English suspect (which I helped to translate) and the dragging and searching of a canal by divers for the body. It was a bitterly cold night and the eye-witness' account of the alleged murder became increasingly discredited as old bicycles, but no body, were brought to the surface. After several hours of interrogations and several hours of standing by the canal, the suspect was sent home and we sat down for a welcome cup of coffee at about four o'clock. Immediately the telephone rang and the inspector said "it looks like a murder in Amsterdam-South".

We drove through the slumbering city to a quiet and respectable street where the only indicator of trouble was the patrolcar parked outside a neat row of low-rise flats. We climbed the stairs, met the two policeman who had been first on the scene, and entered a small flat, conspicuously clean like most Dutch homes. The gas-fire was still burning,

a woman's clothes were tidily folded over the back of the chair, there were mementoes from Sicily on the shelves, and there were family photos on the walls. The bedroom was slightly ajar and a foot was visible on top of the bed. The inspector entered the room and returned to talk in a hushed voice to the policemen. Steeling myself against an innate fear of death I entered the bedroom. A young, attractive woman lay on her back on top of the bed with her legs slightly drawn up and her arms wide. Her open eyes stared glassily like those of a stuffed animal. There were stab wounds in her stomach, neck, and face and the sheets and walls were spattered with blood. The holes in her neck were a brown-purple colour with surprisingly little blood around them while a slit on her upper lip made it appear that she was grinning. With only the hiss of the gas-fire breaking the silence we waited for the other services to arrive. The uniformed men sat quietly in futile recognition that their role was over. The husband had discovered some evidence of his wife's unfaithfulness and had stabbed her about thirty times with a stiletto. He then phoned the police and brought his two children downstairs to the neighbour and began walking to the station but was intercepted by a patrol-car on his way. Below there was an attractive little girl of three and a boy of about nine. The little girl cried when she saw the uniforms and the inspector went down on his haunches and started talking kindly to her. "Mummy is dead" she said. Upstairs, the reverential silence in the flat was soon broken. A procession of people arrived - two detectives, two ambulancemen, a doctor, a photographer, and an officer

from the detective branch - and joined the four people already there (the two patrolmen, the inspector, and myself). Each new arrival introduced himself and shook hands and the conversation became less stilted and more jovial as old acquaintances met and began to chat amicably. Each new-comer went to inspect the body and then the routine surrounding a murder - the removal of the body to the morgue for an autopsy and the bringing of the children to relatives - took over from the particular circumstances of the case. We went to the station and opened the spy-hole in the cell-door; the husband raised a weary head from beneath the blankets. He looked quite ordinary. I went home and slept until mid-afternoon. When I woke up I felt ill and went to the toilet where I was sick.

This incident was part of a field-study carried out over six months with the Amsterdam Police in 1974 and 1975. The original purpose of the research was to apply the methods of Reiss, in his observational study of police-citizen contacts in three high crime-rate areas of American cities, to the city-centre of Amsterdam.¹⁾ But, in a sense, that was merely a peg on which to hang a diffuse, long-standing interest of mine in the police. This interest had been stimulated by contact with policemen who came to study at my university in England; increasingly, I found more affinity with them than with some of my academic colleagues. They appeared practical, realistic, humorous, and industrious as opposed to the somewhat anti-academic, inarticulate students of a radical sociology department and the careerist pretensions of its staff. In addition,

their stories of police work and life interested me at a number of levels, e.g., the problem of dealing with violence, the difficulties associated with human suffering, the informal norms for regulating their work environment, and so on. Increasingly I was allowed glimpses of the submerged reality behind the stereotype. Twice I attempted to carry out projects with the local police, but on both occasions, despite approval from the local police chief, I encountered obstacles from the academic watchdogs of the central ministry who veto all research proposals on the police. Having invested considerable time and effort in these two attempts to gain access to the British police, I was disappointed by the lack of response and decided that the Netherlands might prove a more suitable climate for such research. In 1973 I had spent a half year in the Netherlands and had begun to learn Dutch (assisted by my wife who is Dutch). Through informal contacts, namely mutual acquaintances in an international police association for social and recreational exchange, I was able to spend a couple of weeks with two experienced beat officers who operated in the, for the Netherlands, experimental role of community-relations officers in a working-class area of Rotterdam. Because my interest focussed on the "social" role of the police, as opposed to the more publicized law-enforcement component, I posed little threat to the police organization. If my findings were favourable then the police could claim credit for this unrecognized aspect of their work while, if my findings were critical, they could say that social work was not really a task for them anyway. In any event, I received a warm welcome from

the two policemen concerned - who were delighted with the opportunity to bolster their marginal role by having the legitimation of a researcher and who went to great lengths to provide me with material - and, at last, had got the ball rolling. Because once you have been "screened" by one police force then contacts within the system follow like a chain-reaction and it becomes less necessary to present your credentials to other forces or other institutions, such as training academies or legal adjuncts to the police. Furthermore, a number of publications based on my Rotterdam experience appeared in Dutch journals signalling my academic interest in the police, while at the same time displaying a far from hostile perspective on police work.

One influential contact which was made in this period was with the psychologist, Dr Tom Fris, who worked for the Amsterdam Police. The acceptance of social scientists within the police system was exceptional in the Netherlands and Fris enjoyed the acceptance and respect of a force which felt obliged to heed him largely because no one understood him (also the caste-like aura of academic qualifications in Dutch society rendered policemen of all ranks mute and deferential in his company). I planned to return to the Netherlands in the Summer of 1974 and asked if Fris could arrange for me to spend one month on patrol with the uniformed branch in the city-centre. I emphasized the city-centre because of its busyness as I had little inclination to spend my time in a sleepy suburb with traffic accidents and violations as the major diversions. Clearly, the influential middle-man role of a social scientist within the police

apparatus greatly facilitated access.

The fact that I was a foreigner was also doubtless an advantage. I was a visiting academic, a bird of passage, whose intention was to publish in English. Most Dutch sociologists, for example, are associated with hostility to the police and are easily "placed" by the police according to their reputation, their appearance, their publications, and their sponsoring institution. Generally, Dutch social scientists epitomize counter-cultural styles of dress and behaviour and many institutes have experienced sit-ins and student demonstrations. The Sociology Institute of Amsterdam University, for instance, has a "red" reputation and would be immediately suspect to Amsterdam policemen, some of whom may have been involved in confronting demonstrations there. As an organization, the police are almost paranoid in their suspicious of outsiders whom they cannot control - as opposed to crime reporters, who play by the rules of privileged leaks in turn for their selective silence,⁽²⁾ and academics employed by the police who can be sanctioned for indiscretions - and whose access is severely limited. In a sense, the problem rather solves itself because Dutch sociologists and criminologists tend to work in a neo-positivist tradition and appear to have an antipathy to field-work. Relatively prolonged participant observation on the Dutch police is thus practically unknown. The researcher is perceived as a fleeting visitor who arrives with a bundle of questionnaires under his arm and who disappears as quickly as possible muttering about computer print-outs and the necessity of writing a report (which normally never arrives or, if it does, is considered to be of no practical value to the police). In any

event, it was not necessary to establish my "bona fides" and my request was handled through the police hierarchy by Fris. When I arrived in the Netherlands he had arranged a station, a shift, and a "mentor" for me.

The station selected was Bureau Warmoesstraat, in the heart of the red-light district, which had been receiving adverse publicity about alleged mistreatment of black Surinamers from the former Dutch colony in the West-Indies. Fris had chosen a shift (of about fifteen men) who were not too "fanatical" or idle, thus he hoped middle-of-the-roads in terms of their attitudes to police work, and a young, self-confident policeman to take me under his wing. I had asked to be assigned to one shift in order to avoid meeting a large number of people on different shifts with whom it would be difficult to build up a relationship. Earlier, in discussing the choice of a station, Fris had mentioned that Warmoesstraat was in the process of being rebuilt and that a newly built station on the outskirts might be more suitable. I was relieved therefore, that the rebuilding was not used as an excuse to shunt me off to a decorous, but dull, siding and that the busy and notorious Warmoesstraat was to be my area. There was a brief meeting with the station-chief, where acquaintance was made with key personnel, and I was ready to begin my research. I entered the Warmoesstraat as a foreigner, knowing little of its history or the reality of the city-centre which I had always seen, through the eyes of a tourist, as a quaint, cosy collection of doll-like

houses, canals with hump-back-bridges, and risqué females disporting themselves behind red-lighted windows. My frame of mind was a certain disenchantment with academic life, and uncertainties about my position in it, and an expectation that patrol-work would provide me with an active involvement in society. I knew that I wanted to study the police but emotionally I reacted against intellectually clarifying precisely what interested me. I just wanted to get out there and soak it all up. The academic side of it could sort itself out if I survived to tell the tale! This was doubtless accentuated by the short-term, tentative nature of the project. In fact I had received a scholarship to study Dutch progressive education (an earlier interest of mine which I had suggested to the sponsoring body because I had written a good deal on the subject and at the time but little on the police, and at the time of application, had no certainty about gaining access to the Amsterdam Police), and intended to do some work in that area also in order to justify my grant. When it became certain that I could return to the Warmoesstraat in early 1975, I presented my sponsors with a "fait accompli" on my change of topic and rode out the stormy response. But on entering the Wermoesstraat initially, I was doing so as an individual, with no institutional backing, no research plan, practically no finances, no assistants, and with no guarantee that the month on patrol would lead to further research opportunities. There were, however, a number of things in my favour. Firstly, the local autonomy enjoyed by Dutch police forces - there are more than 120 separate autonomous towns of more than 25,000 inhabitants and a state police for smaller

towns and country areas - means that a police chief can give permission for research without reference to any central body. It also implies that failure to gain access to one force need not inhibit one from applying to another force, and thus the chance of acceptance somewhere else is fairly high. Secondly, Dutch institutions in general do not exhibit the exclusiveness of their English counterparts and there is an ideology that portals should not be closed to research without good reason.

And, thirdly, I could speak and understand Dutch. My command of the language was fairly elementary but I could pick up the meaning of most conversations (incidentally the immersion in field-work dramatically improved my Dutch). This proved vital on a number of levels. Communication with the policemen was much easier than if they had been forced to speak in English. It also avoided the cumbersome process that one American researcher has to undergo of interviewing Amsterdam policemen via an interpreter. More vitally, interaction with the public was comprehensible and, while it was often necessary to clarify situations afterwards, I could follow radio messages, conversations between policemen, and verbal exchanges during incidents. Additionally I could read the extensive documentary material in the station - telegrams, the station diary, reports, charge sheets, complaints, "wanted" notices, telex messages, etc.

The fact that I had a Dutch wife, Dutch relations, took part in certain Dutch rituals, and followed Dutch sport made social interaction with the policemen easier than if I had been a cultural stranger. Eventually I was invited to weddings, parties, and meals with policemen from

my group, and when I had to move house, six of them came and did most of the work as well as providing a van free of charge (from a contact in the red-light district who used it for delivering one-arm bandits). To a certain extent I believe that acceptance was easier in a Dutch context than it might have been in an English or American police force. The qualifications and training of Dutch policemen compare favourably with other countries and I rarely encountered that blind reactionary ignorance, coupled with a contempt for academics, that was apparent among some British policemen with their relatively low standards of entry. At the same time the concept of officialdom tends to be more inflated in Continental Countries so that the image of the policeman exudes authority and demands respect and obedience. The Dutch policeman generally has a serious conception of his role and his informal behaviour is fairly restrained. A police station is a society of young men and fooling around and crude language are engrained in the culture. That was certainly present in the Warmoesstraat but among English policemen there is a pronounced and pervasive style that is vulgar, bawdy, anarchic and almost pathologically blasphemous. Universal "piss-taking" and tom-foolery are frequently raised, if not to a way of life, then at least to an art form. I suspect that the researcher would be the target of deflating humour that could subtly undermine his role and seduce him into the corrosive and inescapable underculture.

I come from a working-class background and am "bilingual" in the sense that I can easily revert to Cockney slang (which does, however, limit acceptance to South-East England) and, given my desire to be accepted

I would probably have become gruffer and cruder during a period with English policemen.

Dutch obscenities and slang are a good deal less colourful and universal than is the case in certain Anglo-American subcultures and many Dutch policemen (perhaps as a consequence of differential recruitment from Protestant backgrounds) are well-spoken with regard to clarity, grammar, and choice of words. Of course there was frequent swearing but without the pathological repetitiveness of Anglo-American male societies. My own lack of knowledge of Dutch crudities (now rectified) and my limited knowledge of the language meant that most conversations were reasonably polite in form and content and nobody ever tried to embarrass me or score off me linguistically. Additionally, policemen in Holland have a number of specific police terms but not the extensive occupational argot encountered elsewhere.³⁾ Finally, as mentioned above, there is considerable deference accorded to academics in Dutch society and the combination of looking reasonably young and yet having an academic title (academics in Holland are somewhat leisurely about doctorates and often obtain them in early middle-age, if at all) resulted in the assumption that I was super-bright. The early formality, it was later explained, came largely from the fact that I was a man of learning from a university and therefore polite forms of address were called for. The advantage was that the role of researcher was considered a legitimate one and the research was taken seriously. My acceptance, then, was relatively easy and I was accorded honorary status in the group, taking part in group rituals (such as

sharing cream cake on a member's birthday or a drink-up on a member's departure) and informal activities. But work relationships in the Netherlands tend to be confined to the workplace and extensive off-duty contacts, in specifically police social and recreational clubs, are largely unknown. This meant that acceptance of me was warm but not unrestrained. In a sense, that made the research role comfortable without being either over-demanding or susceptible to covert manipulation.

The day that the research commenced I met Fris in Headquarters and we drove in a chauffeur-driven car to the station (the last time, happily, that I received V.I.P. Treatment). We entered the canteen where the shift were deeply involved in a card game. With obvious reluctance they turned their attention to me and, with one or two cracks at Fris' expense, listened respectfully to our introductory remarks about the purpose of the research. Then Fris left me to it. The atmosphere was formal and polite and most people returned to the card game. One or two policemen asked me questions about the English police, and if I was writing a thesis. It always seemed to cause confusion when I replied to the latter in the negative as if it was difficult to grasp the concept of research which was not aimed at a qualification and which was simply the personal and individual project of the researcher. Occasionally the conversation gave someone the opportunity to make anti-liberal jokes such as "we don't have any prisons here in Holland, just play-grounds". My mentor, Willem, showed me around the station and introduced me to people and then we went out on foot-patrol. This was mid-summer and I was casually dressed with

an open-necked shirt and jacket. Feeling extremely self-conscious, I stepped out on to the streets for the first time flanked by two uniformed policemen. The Amsterdam police almost invariably patrol in pairs. This makes the observer feel rather conspicuous because he either walks in the middle, which is difficult on the narrow pavements and which makes him look as if he has been arrested, or he lags behind, or talks to one of the men which means breaking up the couple, forcing the other man to walk behind or ahead. Initially, however, Willem spend a good deal of time explaining the criminal ecology of the city-centre to me and I tended to stick by him.

The first few patrols took place in day-time and much of the activity was routine - stopping and checking the papers of cars, dealing with harmless drunks, and giving information to the public. In the day-time it was pleasant to stroll - although adjusting to the patrolman's measured tread took some time - around Amsterdam in the sun shine, although I still felt strange on the streets. Policemen always attract interest and I began to feel that everyone was looking at me too. Gradually, instead of avoiding eye-contact, I began to return stares forcing people to look away. It was noticeable that, when the policemen interacted with the public, the people concerned seemed naturally to accept my presence as if assuming that I was a policeman in plain clothes. In fact my presence with the police scarcely ever raised comment in six months of field work.

It is not the intention here to describe what took place during the research period except insofar as it relates to analyzing the observer's relationship to the police. Briefly, however, I should mention that

Amsterdam has belatedly begun to attract criminality all too familiar in American city-centres, namely pick-pocketing, robbery on the street, shop-lifting, and drug-trafficking. The scale of offences is low compared to many American situations and yet the escalation in number of offences has changed the cosy image of Amsterdam. The men of the Warmoesstraat respond to citizen calls for help on an infinite variety of "social" problems yet much of their law-enforcement activity is focussed on criminality associated with drugs, weapons, tourists (usually as victims), prostitutes (largely disputes over payment and/or performance together with assaults on prostitutes or their clients), muggings, theft from and of cars, drunkenness, brawls, and the occasional shooting. A conspicuous role is played in this criminality by foreigners, coloured (mostly from the former Dutch West-Indies), and Chinese. Violence against police officers, however, is rare. Just before I arrived a young policeman had been shot dead and his colleague had been seriously wounded in attempting to arrest two armed foreigners; but the previous fatality of this sort in Amsterdam had occurred some twenty-five years ago. Nevertheless, increasing criminality, coupled with progressive penal policies (the latter advocated strongly by left-wing pressure groups centred in the law and criminology faculties of Dutch universities), had helped to accentuate a "front-line" mentality among the policemen in the Warmoesstraat which coincidentally assisted my research.

The front-line mentality savours of the infantry's ideology in wartime, that they are the indispensable but neglected foot-slogging heroes

who clear up the mess left by other services while never getting the credit. In a liberal democracy such as Holland the policeman feels unsupported by influential groups in society, feels attacked both by left and right wing forces, and considers himself to be part of a thin blue line which stands between order and anarchy. An outsider who comes to observe the police is considered either a "snooper", someone who intends to unmask defects and propose alternatives that are impracticable, or a "sensation-seeker" (like the occasional journalist who is allowed to spend a few evenings riding in the patrolcars). I differed in two ways from these negative stereotypes. Firstly, I was prepared to spend a considerable amount of time with the policemen, and, secondly, I learned to remove myself, with disparaging remarks, from the bohemian, anti-authoritarian image of radical intellectuals. The former tactic was deliberate, whereas the latter genuinely expressed my feelings. Or, to be more accurate, it was not difficult to give vent to my love-hate relationship with academia but, perceiving the warm response of policemen to a tirade about the idle, shiftless, ideologically blinkered, sexually promiscuous world of sociologists, I began to use this litany to puncture the initial defences of new acquaintances within the police.

In deciding to work with one group, I also decided to assume exactly the same duties as they did. There are shifts, such as the late evening shift at week-ends, where action is practically guaranteed, and it would have been easy to select attractive shifts and avoid dreary shifts (like 7 a.m. until 3 p.m. on Sundays). But my introductory yarn was that I wanted to observe general police work, without the frills and

without selection or particular problems of offences. To share their experience, I went on night duty, weekend duty, day duty, and so on. I went on foot-patrol, in weather from drenching rain to humid heat, and in cars. During my second period of research, January to March 1975, there were some bitterly cold nights and I went out on patrol wearing two pairs of socks, wool pyjamas inside my trousers, two pullovers, scarf, gloves, and a woolen cap pulled over my ears. I prayed that we would not have to rescue someone from a canal! When the chance arose I showed willingness to help. Sometimes this meant clearing up in the canteen, making coffee, helping with English-speaking suspects or "customers" asking about something at the counter, giving a hand to load a stolen motorbike into a van, sweeping glass off the road after an accident, searching a house, helping to lift a drunk off the street and fetching take-away meals. I began with the notion that my role should be passive, but, for a number of reasons, this became more and more difficult. However, my willingness to adopt precisely the same work hours as the policemen paid dividends in terms of acceptance. In the first place, almost all officers and specialized police services work office hours and the patrolmen are left to themselves in the evenings and at night. This accentuates their idea that they bear the brunt of the work, on a twenty-four hour basis, while the bosses are at home watching television or sleeping with their wives. In the second place, the social scientists who work within the police organization have adopted an office-bound, bureaucratic conception of their role which ties them to a desk in headquarters. They had virtually never

been to the station nor had they been out on patrol. The appearance of someone who was prepared to share their life of constantly changing shifts, which causes a number of domestic problems, and of sometimes dreary routine, in all sorts of weather, elicited a positive response. I was seen as willing to experience police life "where it's at", on the streets, at times when the patrolman was abandoned by his own superiors. After my initial month I returned to England, wrote a report analyzing the contacts which I had observed on the street between the police and the public (and sent copies to strategically placed people within the Amsterdam Police) and requested a further three months in the following year which was promptly granted.

During that month I was always accompanied by Willem. Willem was twenty-six, had been a sailor, was unmarried, and was active in sports - namely parachute-jumping, boxing, judo, and karate (in which he was an instructor, having received advanced training in Japan). The son of a policeman, he was a "hardliner" interested in catching criminals and disparaging about traffic duties, the truncheon (a short, flexible piece of rubber which he described contemptuously as a "liquoricestick" and which he had replaced with a harder, longer, and illegal model) and the pistol (a F.N. 22 automatic designed in the twenties). He believed in tough enforcement and hard work. The appearance of a large American-style car in the red-light district would invariably arouse his attention and he would step in its path, hold up an authoritative hand, and politely but

firmly ask for the car's papers. His major interests were finding weapons or drugs. He was always considerate towards me but somewhat distant, always using the police form of address (this distinction does not exist in English) and calling me "Mr. Punch" although I always called him "Willem".

When I returned in January 1975, Willem had left for detective training. I was paired with a grumpy patrolman who wanted to get away from Amsterdam and who saw me as the last of innumerable unasked for burdens. The fact that I was prepared to return to the same group for a further three months greatly accelerated my general acceptance. Recognizing that my new mentor was hardly enamoured of me, I began to circulate with other members of the group.

Fixed pairs are not used in the Warmoesstraat (I suspect as a form of control over pairs getting too involved in the entrails of the underworld) and so I had patrolled with most of the group the previous year when they had partnered Willem. Most soon began to use my Christian name. Also they began to tell me that Willem was a "fanatic", that he went out of his way to look for work, and that most of them were more easy-going. For example, on a wind-swept dreary night, two patrolmen asked me if I wanted a coffee. We then entered the tiny cubicle of the projectionist (who also acted as ticket seller) in a pornographic cinema and gratefully drank scalding coffee while a man on a crowded bus, speeding down a German motorway, ejaculated over his girl-friends' face

Willem would never have wasted time drinking coffee. Indeed I became worried about the low number of police-public contacts which I was recording until I realized that those of the previous period had been inflated by Willem's "control everything" philosophy. My analysis of these contacts was really an analysis of the work of a rate-buster rather than an indicator of a general picture of police-public relations. It is also fair to add, however, that police work in Amsterdam has a seasonal element responding to the ebb and flow of tourism, and the winter months are the off-season whereas in the full season the days are long and the streets crowded.

However, my acceptance seemed to be complete when Jan ostentatiously lifted his buttocks from the seat of the patrol-car and broke wind with aplomb. It was the turning-point of the research and I felt like Mayo and his colleagues stumbling on the informal system in the Hawthorne studies. But familiarity can seduce the unwary observer and, in retrospect, my original intentions can be seen going astray. For example, some policemen were more sympathetic to me than others, some were fun to be with, and some always seemed to be getting interesting cases. Having more or less shaken off my mentor, who left for another force at the end of the first month, I had a floating role where I could more or less choose with whom I patrolled. I could go to the roster and select a car or a foot patrol and ask the sergeant if it was alright. More and more I went out in cars, not simply because I was lazy or to

get out of the cold, but because they were linked by radio with headquarters and tended to get the most interesting calls. The foot patrols were in radio contact with the station but were limited by their beat and their mobility. More and more I went out with a select half of the group and tried to avoid the dull or uncommunicative other half.

The constant shift-work put a number of strains on my domestic life. I had an English salary plus a fellowship which, when converted into guilders, was just sufficient to hire a couple of rooms. Compared to our house in England this was real deprivation because there was no central heating, no bathroom, no phone, no fridge, no garden, and so on. Like most furnished rooms it was decorated in appalling taste and had odd pieces of crockery and cutlery (some with the names of hotels on them). My wife was far from enthusiastic about the accommodation and had to bear the brunt of looking after the children. My son went to school but returned for lunch. My daughter was too small to be left alone, so everyday they made the journey to the school and back twice with both children on a bicycle. Also living on the third floor meant dragging children and shopping up several flights of stairs. This is doubtless normal for most Amsterdam housewives but my wife felt keenly the absence of our house and settled routine in England. Now she had to share the tribulations and anxieties of a "policeman's" wife. Some women sleep easily in their husband's absence and are unconcerned with an hour's lateness. Not my wife. She cannot sleep properly unless

I am at home (or so she claims) and frets if I am overdue. Sometimes I was unavoidably delayed and she was convinced that I had met an untimely end (and presumably already envisaged obituaries in the academic journals!) Night duty was particularly irritating for her. I left the house when she was going to bed and got back just as she was getting up. Then I slept in the day-time while she tried to keep the children quiet. When I woke up I had to write up my field-notes and often I sat around listlessly or dozed on the couch waiting to go out again. Finding it difficult to sleep, my wife became tired and irritable. Also she had to go into hospital for an operation and the children were farmed out to relatives. It was really a grey period for her. The Amsterdam police work seven different shifts and so the shifts are constantly changing; for example, three night, two day, and one morning shift or one late evening, three early evening, and one day shift. It made routine difficult to establish and proved tiring, as you never really got used to night duty, for instance. In addition, I went on a number of extra duties when something special was happening and had field material to write up between shifts.

None of this dampened my enthusiasm for the research. Rushing around in a police car in the middle of the night with flashing lights and wailing siren seemed to be the ultimate reality. Indeed, I had reached the stage of almost total identification with the patrolmen in the group. By now we had shared many incidents together and my regular appearance had led to me being as familiar as a piece of

furniture. Piet, for example, would come and get me if something interesting was happening, such as plain-clothes duties. Working on tips or with a specific goal, these occasions usually produced results and were much sought after by the men who welcomed the break from uniform and the chance to do some "real" policework. Once Piet rushed into the canteen and beckoned to me. Three men in plainclothes were to move in on a suspected drugs deal in a hotel. On arrival at the hotel the suspects had already left for the train to Switzerland. We arrived at the station with minutes to spare and held up the train. I noticed a young man and woman in a compartment but Tom said we were looking for three people not two. I insisted on asking for their passports because I felt intuitively that they might be the suspects. They were, and, handcuffed, they were hauled off to the station. The thrill of being right was an indicator that by now I had a strong identification with the work of the patrolmen. I considered them my colleagues, felt a unity with the group, and was prepared to defend them in case of physical (or intellectual) attack. On the way to the station in the tram I would look out for pick-pockets, would run my eye along rows of parked cars for shady figures with jimmies, and would write down the registration numbers of "suspicious" cars heading for the town centre. At the same time some of the men began to treat me almost as a colleague (I say "almost" because collegiality is highly priced among policeman), and would give me the portable radio to hold or ask me to hold a suspect's arm. Once I was handcuffed to a suspect to prevent him running away and on another occasion a policeman asked me to hold his pistol while he handcuffed a suspect. I felt somewhat foolish as I stood

gingerly holding a pistol in the middle of the street while onlookers stared dumbly at the arrest. But more and more I became involved in a participant role. I chased people, searched people, searched cars, searched houses, held people and even shouted at people who abused my "colleagues". Fortunately, I was never placed in a situation where I had to decide whether or not to fight on behalf of the policemen. On the few violent occasions that occurred, I found that my reactions were so slow and my inability to decide what to do so chronic that the incident was over before I could weigh in. As if I believed in the cool voice of academic reason, I used to rush around the combatants futilely imploring them to calm down.

Fortunately, nobody aimed a fist or a gun at me. Sometimes I would stand between two squabbling drunks to show the patrolman that I was not frightened. But, in fact, I always felt fortified by the presence of two policemen (normally I am a physical and moral coward). There was frequently an element of danger and yet it never seemed very real. On numerous occasions we went into buildings with drawn pistols or arrested people who were armed. But I never had to lead the charge and could simply stay to one side or stand behind a pillar. Probably there was more danger in a high-speed chase through the narrow, cobbled streets. But some element of danger attends all observation with the police. There were frequent raids, for example, on clubs frequented by Surinamers, and their hostility to the police, based on claims of racial prejudice and mistreatment, made these always potentially explosive. Normally, raids would consist of at least six or eight men and yet if a real fight had developed then we would have been in trouble. Normally I stayed by the door because

to walk unarmed in plain-clothes through a densely crowded club is asking for a knife in your back. Such situations were probably the most stressful that I encountered - as opposed to confronting victims of assaults or accidents - because of the intense hostility directed at me on the assumption that I was a policeman.

Generally, I was much 'softer' in my attitudes than the police. At times, I noticed that victims were treated almost as abruptly as suspects. A young woman, for example, who had been assaulted and threatened with a gas-pistol by her ex-boyfriend, was treated as if she was a collaborator in the incident despite the fact that she was practically hysterical. When I got into the back of the police car and put my arm around her it caused great amusement among the patrolmen. On another occasion, a suspect, falsely accused of murder, began to cry, and, having no handkerchief, started to wipe tears and snot with the back of his hand. The detectives were disgusted with this abject display whereas I found myself patting the man on his back and reassuring him. But, in a way, I could afford to be solicitous because I did not have to protect my role in the affair. Normally, however, my interaction with suspects, victims, and public was perfunctory. I let the policemen do the talking because they had to handle the case and because I was reluctant to betray my foreign accent. Also many contacts were of short duration and the chance to talk to the people involved was often limited. However, in retrospect, I believe that I could have spent much more time talking to suspects about

their side of their situation. To a certain extent patrolwork is concerned with locking someone up, whereupon detectives take over the case, and a patrol would bring a suspect in and then return to duty. I would accompany them and thus lose contact with the suspect. It would have been possible though, to interview suspects in between patrols and now I regret not having done that.

As with observation on some deviant and criminal groups, there arose the ethical question as to the observer's reaction to witnessing misbehaviour on the part of the policemen. The literature on the police alerts one to widespread and deeply ingrained malpractices such as corruption, mistreatment of suspects, racial prejudice, and denial of legal rights to suspects.⁴⁾ It can be that I have been totally misled on these issues, but I came to the conclusion that these abuses, amply documented in English and American material, were largely absent in Amsterdam policing. Possibly, there exists a subterreanean police world which escaped me, but I doubt it. In six months, graft and corruption were scarcely mentioned, not even jokingly or on informal occasions off duty, and revelations of such practices in the papers are almost nonexistent. Certainly, the men received marginally cheaper food from nearby restaurants and some of them knew where to drink without having to pay. But widespread use of their police identity to obtain financial favours did not seem common. In effect, I never heard of policemen taking money to overlook offences, or of pay-offs in protection rackets, or of

intimate contacts with underworld figures where favours were mutually rewarded. There are many opportunities for policemen to use their position to advantage - arriving at a break-in where goods can easily 'disappear' and be recorded as stolen, being given lost wallets containing money, and handling the money of suspects (I remember seeing one suspect with over 50,000 dollars on him) - but the Dutch policeman appears to be scrupulously correct on such occasions, I am speaking here of the uniformed branch and not of the detectives, who clearly have much more opportunity for bending rules and accepting favours. However, organized criminality with the power and resources to infiltrate police departments and subvert officers scarcely exists in the Netherlands to my knowledge. The Warmoesstraat has on occasion attracted accusations of brutality and racial prejudice. I had read about numerous complaints of mishandling made by surinamers against patrolmen in the station and was on the lookout for such incidents. Without doubt, a sizeable minority of suspects comprised blacks, but I did not find that they were treated any worse, or any better, than other suspects. Indeed, throughout my research period I witnessed remarkably little violence (though frequently the consequences of violence). In six months there were precisely three occasions where unnecessary force was used by patrolmen and on only two occasions where policemen were assaulted. It should be added that there were countless encounters replete with the threat of violence, but normally the policemen were able to control these situations. One evening, for example, Piet was nervous and wound-up

having just returned to duty after a long illness. I was patrolling with him in plain-clothes when about twenty-five yards from the station a black asked me if I wanted to buy hash. Piet handled him brusquely, pushing him up against a wall, and searching him at pistol-point. When the black protested, he received a smack across the face with the hand holding the pistol, although I could not see if the pistol had been used to strike the man or just the hand. The suspect was taken to the bureau but did not have enough hash - it was in any case false - to justify detention and was released. Inside the station the suspect was handled routinely.

On returning outside, there was another black standing on the same corner, where the first suspect had been detained, and he was talking to a white man who rapidly walked away when we approached. Brusquely the black was pushed into the doorway and searched. He protested and demanded that the policeman identify themselves. Piet pressed the barrel of his pistol against the man's temple and said 'is this enough identification?' Inside the station Piet was continually aggressive and threatening to the suspect who lost his temper. Piet threatened to take him downstairs to the cellar so that they could fight it out but the sergeant, who was watching, told him to take it easy. The suspect was shaken up and had blood on his lip but had not really received any hard blows; it was an unedifying scene of pushing and squabbling. Again there was not sufficient evidence to hold the man and he was released. Frightened that he might complain about Piet's

behaviour, I chatted with the suspect before he left the bureau in an apologetic manner. I had not interfered with the situation when it occurred, although I felt that it was getting out of hand, because I was unsure what to do or say and waited for someone else to make a move. Afterwards there was mild disapproval about Piet's behaviour, though evidently a reluctance to interfere while the incident was in progress as it was witnessed by three or four other policemen, and he later asked me my opinion. I explained that he seemed worked up and that the aggression in the two incidents had been, in my opinion, unnecessary. He agreed with me, reported sick, and was put on light duties.

On no occasion did I witness collective violence against a suspect in the station. Even the above incidents were relatively mild compared to notorious cases in Britain and America. The accusations against the Warmoesstraat were either greatly exaggerated or else mistreatment of prisoners had been virtually eliminated since the wave of complaints a couple of years ago.⁵⁾ In that sense, a serious ethical dilemma did not present itself as cases of gross transgressions on the part of policemen did not arise. On one occasion I witnessed an assault on a young policeman. A tip had come in that a man had been seen in a flat with a sten-gun. Four patrolmen entered the building but the suspect had flown. The access door to the flat, however, also served a number of flats on the floor and from one of these a black woman emerged and began to give information about the suspect. Her husband became

enraged with this and started fighting with her. A policeman tried to separate them and received a punch in the mouth from the man. My first reaction was one of anger and I made for the man but in the narrow passage it was difficult to get past his more than ample wife. The policemen grabbed him by the hair and hit and kicked him. I found myself trying to calm the policemen and also, when the husband refused to cooperate, trying to get the suspect to cool down (the voice of pure academic reason had but little affect, I should add). The man was arrested but once he had cooled down in the station he was allowed to go home. That was the only time that I attempted to strike a suspect. However, I was certainly prepared to do so if the situation demanded it and by that I meant if the patrolmen were in difficulties or if I had to defend myself. Fortunately, I never had to make such a decision. When the research period was completed - there followed two more months in July and August 1975 when I carried out a number of interviews - I returned to the university (in the meantime I had taken up a teaching appointment in the Netherlands). Initially I suffered withdrawal symptoms and hankered after the atmosphere of the station and the friends I had made among the policemen. As Polsky says, field work is fun.⁵⁾ To a certain extent it is a holiday from academic rituals and it provides an opportunity to get away from books, papers, essays, seminars, and sedentary pontificating on the ills of the world. Working with the police takes you out of the university and into the entrails of society where you witness incidents from sudden birth to sudden death. And basically all you have to do is watch and listen.

The patrolmen, for instance, cannot escape the paper work surrounding modern policing but all such onerous tasks I could avoid. I could enter extreme situations yet without being responsible for settling them. In the car, I could lean back and watch pretty girls on the streets while the men kept their eyes open for incidents (as well as the girls). Amsterdam is a beautiful city, marred in day-time by teeming streets, clogged with traffic. We could drive through empty streets at night and cruise effortlessly alongside the canals watching the first rays of sunrise break over the artistic gables of the housetops. In effect we saw Amsterdam at its best - and also at its worst. Furthermore, a Dutch university is a dry, bureaucratic, impersonal establishment compared to most Anglo-American academic communities. The policemen had come to represent my most satisfying social contacts in Holland because my colleagues made no attempt to have a social relationship with me (and precious little of an academic relationship). The university seemed a pedantic and unreal world and I had considerable difficulty in readjusting. Fortunately, I more or less had "carte blanche" to return to the station. This proved less and less satisfying. In the first place my wife's tolerance with my absences diminished rapidly when she herself took up studying and demanded that I play a larger role in the domestic scene. Once the research had formally ended she accorded little legitimation to my attempts to remain in contact with the station. In the second place, the group gradually split up as people applied to other towns or were selected for the detectives. My face became less familiar and new sergeants regarded

me suspiciously and asked me where I was going when I walked towards the patrolmen's quarters. It was impossible to build up a relationship with the new recruits on such an erratic acquaintance. For seemingly the millionth time I had to explain the purpose of the research and divulge a potted biography. But the good old days had gone.

This feeling was accentuated when I decided to publish a selection of the interviews in Dutch. These had not been made with publication in mind, but the response had been so open-hearted that I believed they were worth publishing. I also saw this as an opportunity to produce something which the subjects of the research could easily read and appreciate. The patrolmen thought it was a great idea to be part of a book and were uniformly enthusiastic about the venture. Not so those policemen with a position in the hierarchy. When presented with transcripts of their interviews, they began to make substantial changes in the content of the interview. This had to be permitted because the interviews had been given on the understanding that they would not be published. Several officers preferred not to take part in the book, several made revisions, and the Chief Constable was far from enthusiastic about the prospect of publication and described it as "hanging our dirty washing out in public". Nevertheless, the book was completed. Generally my conclusions were favourable to the Amsterdam Police, who have received much public criticism over the last few years, and this probably saved the book. But it was interesting that once I turned to evaluation and once I began to publish in Dutch then my relationship with senior officers definitely cooled.

In general, however, my relationships with the Police hierarchy were excellent and with the uniformed personnel they were warm and personal. I had the impression that, while policemen are suspicious of outsiders (an outsider is generally seen as a control figure who is only concerned with negative aspects of conduct and, therefore, can never be of value to a policeman) -, once accepted, the reception is warm. Hence numerous small services were arranged for me, e.g., I was provided with a police bicycle because I had no way of getting home once the public transport stopped, I did not have to queue for a stamp in my passport at the Aliens Office because the sergeant knew a friend there, I received lifts home and help with domestic odd jobs, and I could use the sports facilities in headquarters. The widespread use of negative stereotypes about policemen in the wider society, and especially in social science faculties, inhibits insight into these human and cooperative features of the police culture, and colleagues tended to be amazed at the ease with which my field work was conducted.

There is a degree of mutual antipathy between the police and academia. The defensiveness of the police organization on the one hand is matched by the distaste of certain academics for "authoritarian" and "repressive" institutions on the other hand. This tends to sponsor an image of the police as difficult to research. I do not see why this need be so and certainly the problems encountered in fieldwork with the police are little different from the familiar dilemmas of participant observation studies more generally.⁶⁾ Here I will try to generalize about

my research experiences with the Amsterdam Police.

1. Access

In approaching the Amsterdam Police I had the advantage of previous contacts with, and publications on, the police. Someone contemplating research on the police presumably has existing relationships with policemen and it is worth exploiting these to the full by informal visits to stations, headquarters, training establishments, and conferences. The police receive many visits at this level - from magistrates, lawyers, press men, civil servants, and academics - and the visitor is often formally entertained. The old-boy network is an influential regulator of covert agreements in the police organization and a conversation at dinner with the head of a training school - who has usually had a highly placed rank in a force hierarchy - can lubricate access in contrast to a bald request for research facilities from an unknown. Furthermore, the more information one can glean on police practice, the better - not to mention names one can drop - as it reduces one's palpable ignorance on entry.

The aspirant researcher must have a plausible research goal. My aim was to study "police-public" relations which was sufficiently global to allow unrestricted access to the uniformed branch without being particularly threatening. The police are concerned with their relations with the public and even an unfavourable report, while being unpalatable, can be seen as useful. Abstruse, theoretical proposals mean little to policemen - "role congruency" or "informal occupational ideologies"

will throw most of them - and will not generate much enthusiasm. More sensitive areas - such as racial prejudice and the use of violence - are likely to produce defensive obstacles. A Dutch anthropologist, for example, wanted to study policemen's prejudices towards Surinamers. She was not allowed in the Warmoesstraat (which has been the centre of complaints by Surinamers), was not allowed on patrol, was not allowed to read the station diary, and discovered that her subjects for interview were being selected and rehearsed by a senior officer. In fact, she was a student doing the equivalent of a master's thesis and thus had little rank to pull. To a certain extent, then, the higher up the academic status ladder the better (although this may be reversed after entry).

Incidentally, I see no reason why women should not go out on patrol. In Amsterdam, for example, women patrol on equal terms with men. The Warmoesstraat, however, is an exclusively male institution and potential violence plays an important role in its pattern of work. It is understandable not to place a woman there, but elsewhere in the city a woman walking with a patrol would probably not excite much comment.

II. Initial entry

As mentioned earlier, my presence with uniformed patrols rarely aroused interest on the part of the public. Only in one or two formal institutions - such as a bank or a business firm - did someone comment on my identity and they were perfectly satisfied with

the explanation that I was involved in research. Sometimes the patrolmen just said "he is with us" and later for a joke they would tell people I was a trainee detective. I am supposed to look young for my age, which is 34, and thus I fitted in physically with the age range of the policemen who were normally in their twenties. The days when policemen were huge strapping fellows is over, and the lowering of height restrictions and the acceptance of spectacles means that a wider range of physical types is accepted than previously. In Amsterdam, furthermore, beards, moustaches, and long hair are almost "de rigueur" among policemen and their off-duty clothes are casual. A policeman in plain-clothes is indistinguishable from the mass of young men in Amsterdam. This means that a casually dressed young man with longish hair attracts no attention when on patrol with policemen. Nevertheless, I made a habit, from the outset, of always having short hair and neat clothes in order to impress senior officers and to avoid the stereotype of a bohemian intellectual. I was always polite to officers and sergeants, employing the polite form of address and introducing myself with a handshake where I was unknown (introducing oneself formally in Holland is essential in inserting oneself into a social situation). Initially, I followed Polsky's advice of keeping your mouth shut and your eyes and ears open.⁶⁾ Some policemen, for example, prefer not to talk when on patrol - in order to concentrate on radio messages, on what is going on around them, or on preserving a reserved image - while others would talk shop. Especially in the patrol car, it was easy to sit in the back seat and listen and observe. Whenever possible

I was helpful but, in particular, I tried to interfere as little as possible, especially in the beginning. The patrolmen were handling the situation and I kept in the background.

A favourable aspect of working with the police is that it is a routinized, bureaucratic organization. With exceptions, you know when a shift begins and ends. And if you want to interview constable Van de Linden for two hours beginning at six o'clock then the sergeant arranges for him to be free. The bureaucracy will work for you and organize things for you and that can greatly facilitate fieldwork. It avoids some of the aimless, diffuse aspects of fieldwork with deviant groups where the researcher is dependent on the mood and behaviour of the group, and where prior planning of research activities proves almost impossible. In a formal organization there is often at your disposal a room for interviewing, a photo-copying machine for documentary material, a telephone for making appointments, and transport to bring you to incidents or to bring you home (once I was brought home in a patrol car when I was ill and once to collect a cheque book in order to get some money out of the bank). For much of the research I had no effective institutional base in the Netherlands so that these facilities greatly assisted the research.

III. The research role

Otherwise, the dilemmas of participant observation with the police are little different from those of studying other groups.⁷⁾

There is an element of danger but that is also true of certain deviant groups - Yablonsky was threatened during his communes research and Hunter Thompson was beaten up by Hells Angels⁸⁾ - and of high risk occupations (firemen, deep-sea fishermen, stuntmen, coal miners, etc.). It may be necessary to absolve the police from responsibility in case of accident and sign a document stating that the researcher patrols at his own risk. This was not necessary in my case but I did take out special insurance coverage. I know of at least two cases where researchers have patrolled in uniform - one in America and one in Holland⁹⁾ - and this does seem to have considerable advantages in sharing the policeman's predicament as a walking symbol of law and authority. A crucial factor in such a case would be the ordinary policeman's attitude to such a gambit; would he regard it as an honest attempt to simulate his work experience or would he view it with a mixture of suspicion, contempt, and derision?

There is always, too, the questionmark surrounding the extent to which individuals modify their behaviour in the presence of the observer. My feeling echoes that of Becker in believing that people do not keep up such an act for long and that what they are engaged in is more important to them than the fact that an outsider is present.¹⁰⁾ A policeman may speak more politely to a citizen because a researcher is at his elbow but in many situations he does not have time to think but must react instantly. In any event, my appearances were so commonplace that after a while I do not believe people noticed me. However, the more I was accepted the more they expected me to act as a colleague

and might ask me to carry the radio, because I had a large inside pocket in my jacket, or expect me to chase after suspects. In my willingness to be accepted by the policemen, I over-identified perhaps too readily and this doubtless endangered my research role. However, outside of their presence I could appreciate the futility of a thirty-four year old British academic identifying with a twenty year old Dutch policeman. But the shift is a cohesive social group and the policeman's world is full of seductive interest so that it is all too easy to go "native".

There also exists a potential dilemma of witnessing crimes either on the part of suspects, or, indeed, on the part of the policemen. Would it infringe the research role to appear as a witness against a suspect? Would one feel obliged to testify against a policeman who had been observed in violation of the law?

The sociologist has no right to privileged information and may have to be prepared to suffer for protecting his respondents. Fortunately, this problem did not arise in my study. There is, however, a more general ethical issue as raised by Becker's query, "whose side are we on?".¹¹⁾ Frequently, research studies have emphasized the exposure of pernicious practices within control institutions and have tended to identify with those groups who suffer from such practices. In researching the police I was conscious that many academic colleagues have a critical, if not hostile, perspective on the police and this made me somewhat defensive about my research. Some radical criminologists, for example, had advised me to infiltrate the police organization

(they emphasized the advantage I enjoyed in being trusted by the police), to collect damaging material and to photocopy documents, and then to expose the police in the most embarrassing light possible. I rejected this espionage model of research, but there remained one's personal feelings about people who come into contact with the police. During my study, I have often shared the back seat of the patrol-car with a handcuffed suspect who had just been deprived of his freedom. Every suspect has to strip naked in the station and hand over all his or her personal belongings - rings, earrings, necklaces, money, socks, laces, belt, etc. - in a sort of mini-debasement ceremony. Naturally this first-hand observation of suspects raises a number of moral questions about the nature and effects of law and crime and about the law-enforcement process. My own feelings were to have little sympathy for individuals concerned in crimes of violence and in dealing in hard-drugs. As a non-drinker, I had a special dislike for drunken drivers, whom I considered deadly dangerous, and I was also less than sympathetic to drivers who had failed to stop after injuring someone. It was difficult to get worked up about many of the minor offences, such as shop-lifting, and the suspects were often either stupid, in drawing attention to themselves, or else just unlucky at being caught. But to a large extent I accepted police work as an enterprise and "morally" approved of most of its activities. This feeling was accentuated by two factors. In the first place, the policeman frequently sees the victim as well as the suspect. In cold print, crimes of property do not have the emotional impact of other types of criminality,

such as violence, fraud, and drugs. But, while it is true that carelessness often contributes to crime, we witnessed many victims of "property" crime or "petty" crime who were extremely upset by their losses. For example, I remember an elderly American lady who was most distressed because she had "lost" on the tram a handbag containing money, a passport and her return ticket. Someone for whom his car is an important possession does not take kindly to having a side window broken and his stereo cassette recorder torn out. These people were affected by their losses and besieged the station demanding action. In brief, the policeman daily encounters the victims of all sorts of crime, the victims demand priority for their case, however hopeless and insignificant, detection and recovery of stolen properties, and the victims are seen as client pressure.

In the second place, the underworld holds little romantic appeal for me. Quite frankly, the procession of pick-pockets, ponces, prostitutes, dealers, muggers, car thieves, drunken drivers, burglars, bouncers, army deserters, shoplifters, delinquents, and suspects accused of violence with knife or gun, were simply not the sort of people that, face-to-face, have a Damon Runyan appeal. They were often ugly, uncouth, inconsiderate, loud-mouthed, smelly, unhealthy looking people whom would one not dream of taking home to meet mother. And if the eye and ear are important for collecting data then why not the nose? Some of these people literally stink. Perhaps that tells the reader more about me than about criminals, but I have seen, and smelt, enough suspects to raise severe doubts as to my ability to identify with them.

The role of drugs in criminality in Amsterdam can mean that suspects are in a very poor physical and hygienic state, while the city-centre world of bars and vice attracts a species of over-weight, over-dressed, loud-mouthed cafédwellers who seem willing to beat someone up at the slightest excuse. For a number of reasons, then, reservedly I accepted the side I was on.

IV. Departure

There is often no definite end point to a field-study. I was restricted by teaching obligations and half of the research was carried out in time that was technically vacation. My six months compares unfavourably with Whyte's prolonged immersion in the field¹²⁾. Leaving was painful. The university seemed deadly dull after the police, and academics appeared to be small-minded, anally retentive ritualists compared to the open-hearted culture of policemen. I did remain in informal contact, however, and was careful to keep people within the organization informed of forthcoming publications. For important pieces, I distributed the manuscript to key figures in the hierarchy with a request for comments, and I sent complimentary copies when anything was published. This I felt was a sort of repayment for the excellent cooperation I had received and also an attempt to preserve the good name of research on behalf of future academics. Someone who disappears and either produces nothing or fails to inform his respondents of publications appears to have merely

exploited the organizations for his own end and is not a good advertisement for research. Finally, I would like to re-endorse Polsky's premise that field-work is well worth attempting even on groups deemed "unresearchable" ¹³⁾. Personally, I felt that I came alive as a sociologist when I began researching the police. The police are an institution concerned minutely with regulating everyday behaviour and with applying societal norms. Their work is intrinsically interesting on a human level and their performance socially important in terms of providing data about a largely closed social world; but in essence, the appeal of field-work is that it is concerned with real people and that confrontation with people, in all their baffling complexity, is a fruitful antidote to the often fraudulent preoccupations of academics and the theoretical pretensions of sociology. And the ultimate consolation, when you have to balance time-consuming fieldwork with family and academic commitments, and when you begin to have doubts about the purpose, the progress, and the validity of your study, is contained in the penetrating remark of a criminal to Polsky:

"You mean they pay you to run with guys like me? That's a pretty good racket". ¹⁴⁾

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12. W.F. WHYTE, "Street Corner Society", Chicago, University of Chicago Press, 1955, Methodological Appendix.
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APPENDIX I

PROGRAMME OF THE SEMINAR

INTERNATIONAL CENTRE FOR COMPARATIVE CRIMINOLOGY
Université de Montréal

International Seminar on Police Research
May 31st, 1st & 2nd of June 1976
LEUVEN (Belgium)

This conference is made possible by support from the Canadian and Belgian Governments and a grant from the Law Enforcement Assistance Administration of the U.S. Department of Justice to the Institute of Criminal Justice and Criminology of the University of Maryland in cooperation with the International Centre for Comparative Criminology of the University of Montreal.

Montreal, January, 1976

The International Centre for Comparative Criminology - Université de
Montréal - MONTREAL - Canada.

The Centre for Interdisciplinary Studies of the Administration of Criminal
Justice - Faculty of Law - University of Leuven - Belgium.

The Faculty of Law - Erasmus Universiteit - ROTTERDAM - The Netherlands

International Seminar on Police Research

On the 31st of May, 1st and 2nd of June, 1976, in Leuven (Groot Begijnhof -
Grand Beguinage), Belgium.

Organization:

The Centre for Interdisciplinary Studies of the Administration of Criminal
Justice - Centrum voor een Interdisciplinaire Studie van de Strafrechtsbedeling.

Prof. Dr. L. Van Outrive

Address: C.I.S.S.

School voor Criminologie

Geldenaakse vest 8

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English will be the working language of the seminar.

I - AIMS OF THE SEMINAR

In recent years there has been an increasing interest in police research: in various Western countries many researchers have become interested in the police as an object of study and the authorities and police departments have in many cases recognized the benefits that might derive from rigorous study of their organizations and operations.

Among studies that have been conducted to date, it is possible to distinguish between "research on the police" which is primarily academically oriented and "research for the police", which is primarily oriented toward policy and operational issues.

There have been numerous works on police organization, functions, public attitudes, and relations with the rest of the criminal justice system, factors of motivation and satisfaction of the police, and controls placed over the police and their action.

This seminar, which will bring together researchers, police, and administrators from a variety of western countries, will, through examination and comparison of their respective experiences:

- Delineate the problems of research peculiar to the police environment.
- Identify ways in which these problems can be overcome, and

- Identify priorities and directions for research in the area of law enforcement.

II - MAIN ISSUES

Among the issues which are to be discussed by the participants are the following:

a) Restrictions and difficulties

Much research gives proof of certain restrictions. It would be interesting to know whether they are: inherent in every research project, imposed by the funding institutions, imposed by the police or directly due to the low observability or accessibility of the research object and data.

Other questions will be discussed, such as how one selects a research project;

How does one choose a research team; are there research techniques which are preferable and why; how does one cope with changes in methodology which might be necessary in the course of the investigation; and most important of all, what hindrances were faced in the often delicate and difficult investigations, by interference on the part of the public and that of the police and other authorities; finally how and why do researchers become involved in law enforcement research, and at a certain moment leave this field.

CONTINUED

4 OF 5

b) Impact of research.

What impact the research had or expects to have on police policy and operation and in advancing knowledge and understanding of the police.

c) Theory and methodology

In addition to exchanging information about methodology, data collected and conclusions, the participants will be invited to discuss the particular problems faced in reconciling the research and the external constraints, particularly those which may have influenced their choice of subject and methodology.

These are matters which are not always stated in the publication of research results. The aim is to evaluate the research results and at the same time establish guidelines for future research.

III - WORKING METHOD.

Participants will be placed in four relatively small working groups depending upon the research subjects with which they are familiar.

These work groups will address the following broad topics.

- 1 - Police action and the public
- 2 - Different kinds of control over the police
- 3 - Police and other agencies inside or outside the criminal justice system.
- 4 - Police organization, planning and evaluation.

From their experience with their recently concluded and/or current projects, they will discuss;

- 1 - Their most significant findings
- 2 - Their source of funds and constraints imposed or experienced.
- 3 - Their reasons for delimiting, if so done, a certain line of inquiry.
- 4 - Problems faced by the researcher in dealing with the police as an object of study.
- 5 - Accepted, rejected, useful or impracticable research techniques.
- 6 - Difficulties encountered during the investigation, and their sources.
- 7 - Reactions experienced and/or expected from the authorities and police concerning research results, usefulness of the project, prospects for further research, etc.

- 8 - The extent to which the police themselves think of conducting further research on their organization, and the conditions under which the research must be carried out.
- 9 - The extent to which the police were involved in the selection of the problem involved during the course of the research, and attached priority to the results of the investigation.

IV - WORK GROUPS AND COORDINATORS

The following work groups are foreseen:

1 - Police action and the public

This field covers the following research topics:

- Role of the police in modern society.
- Attitude and response of police to traditional crimes; new forms of criminality (e.g. white collar, economic, environmental, etc) and victimless crimes.
- Attitudes and response of police toward specific groups and the general public (e.g. Discretion and diversion).
- Police activities in respect to crime prevention, deterrence and enforcement.
- Image of the police and reaction of the public to police action (including complaints against the police).

- Public, private and contract policing

Coordinator: Albert REISS Jr.

Department of Sociology
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2 - Different kinds of control over the police

This field covers the following research topics:

- Legislative control: specification of, and limitations to, police power.
- Interaction between police and political authorities (political influences over the police and the police as a pressure group.)
- Nature and functions of governmental, civilian and other control boards and committees.
- Differences in police accountability in centralized vs decentralized systems.
- Political attitudes and awareness among policemen
- Police unions: control over membership and constraints on management.
- Community influences and demands.

Coordinator - Michael BANTON

Department of Sociology
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12, Woodland Road
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3 - Police and other agencies inside or outside the C.J.S.

This field covers the following research topics:

- Interaction with judicial authorities, judges, general prosecutors (including plea bargaining).
- Specific judicial tasks of the police (serving warrants, summonses, gathering evidence, etc.)
- Interrelations with extra-judicial bodies including correctional services, community groups, the military, educational services, etc.

Coordinator - Gunther KAISER

Criminological Department
Max-Planck-Institut für Ausländisches
und Internationales Strafrecht
D-78 Freiburg i.Br.
GUNTERSTALSTRAKE 72 (Federal Republic of Germany)

V - PROGRAMME

SUNDAY

30th May 1976

From 7.00 p.m.: Arrival and welcoming of participants
Cocktail in hotel Binnenhof, Maria-Theresiastraat,
Leuven (near the station).
(Participants arriving at the Brussels airport,
Zaventem, can be picked up).

9.00 p.m.: Dinner.

MONDAY

31st May 1976 - Grand Beguinage - Faculty Club

9.00 a.m.: Opening session
Round table discussion on "Police in modern
society: Centralization or Decentralization".
(Chairman and participants still to be invited)
General discussion.
(Some Belgian authorities will be invited to
this opening session).

1.00 p.m.: Lunch in Faculty Club.

2.30 p.m. - 6.00 p.m.: Work group sessions
(Coffee at 4.00 p.m.).

6.30 p.m.: Reception offered by the Rector of the
University of Louvain in the University Hall.

Evening free.
(Possibility of visiting Brussels.)

TUESDAY

1st June - Grand Beguinage - Faculty Club

9.30 a.m. - 12.30 p.m.: Work group sessions
(Coffee at 11.00 a.m.)

12.30 p.m.: Dinner in the Faculty Club

2.00 p.m. - 6.00 p.m.: Work group sessions .
(Coffee at 4.00 p.m.)

6.15 p.m.: Reception given by the Mayor of Leuven
in the Town Hall.
Visit of Town Hall and historical monuments
of the city.

Evening free.

WEDNESDAY

2nd June, 1976 - Grand Beguinage - Faculty Club

9.30 a.m. - 12.30 p.m.: Last work group session
(coffee at 11.00 a.m.).

12.30 p.m.: Dinner in Faculty Club

2.30 p.m.: Plenary closing session
Round table discussion on "Police research
and police policy on the basis of results
of discussions in the work groups".
(Participants and chairman still to be
invited from among the participants in the
seminar).

At night: Visit to Bruges, illuminated at night.

Visitors who wish to stay in Bruges in order to visit the town the next
day, may notify the proper persons.

VI - PRACTICAL ARRANGEMENTS

1. Participants are invited through the attached form, which they are asked to fill ou before the 15th of February, 1976.
2. Participants can make reservations at the Hotel Binnenhof in Leuven. The seminar is to take place in the Grand Beguinage, Faculty Club of the University of Leuven.

VII - FINAL PRODUCT

A final report including the conference proceedings and particularly important papers will be prepared by the three centres responsible for the seminar.

APPENDIX II

LIST OF PARTICIPANTS

INTERNATIONAL SEMINAR ON POLICE RESEARCH

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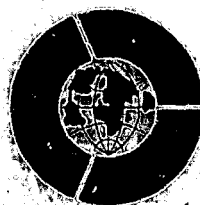
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