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THE ROLE OF THE POLICE IN A CHANGING SOCIETY

by

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Readers, listeners and viewers are confronted daily with reports of crime and with what seems like increasing frequency, reports of civil violence. There are two recurrent themes. There is more crime, more crimes of violence, and more criminals in the United States than ever before and our civil order is threatened by mass disobedience. Underlying themes are that Americans are losing their respect for law and order, that they have lost the code of the good Samaritan, and that they do not support their local police.

But as Allan Silver has pointed out recently, acquaintance with city life during the last two centuries tells us the concern with criminality and civil violence that characterizes America today is far from new.¹ People in the 1700's in London, for example, faced a similar situation as he notes. Their indignation was expressed then almost as it is now. In 1736 Daniel Defoe addressed the Lord Mayor of London:

The whole City, My Lord, is alarm'd an uneasy;
Wickedness has got such a Head, and the Robbers
and Insolence of the Night are such, that the
Citizens are no longer secure within their own
Walls, or safe even in passing their Streets,
but are robbed, insulted and abused, even at
their own Doors... The Citizens...are oppressed
by Rapin and Violence; Hell seems to have let
loose Troops of human D----ls upon them; and

¹Allan Silver, "On the Demand for Order in Civil Society: A Review of Some Themes in the History of Urban Crime, Police, and Riot in England", Working Paper #11, Center for Research on Social Organization, The University of Michigan, Ann Arbor, Michigan, October 7, 1965.

such Mischiefs are done within the Bounds of your Government as never were practised here before (at least not to such a degree) and which, if suffered to go on, will call for Armies, not Magistrates, to suppress.²

Defoe goes on in his pamphlet to describe the nature of crime in London and the terror and concern for safety that prevailed among the public:

Violence and Plunder is no longer confin'd to the Highways... The Streets of the City are now the Places of Danger; men are knock'd down and robb'd, nay, sometimes murther'd at their own Doors, and in passing and repassing but from House to House, or from Shop to Shop. Stagecoaches are robb'd in High-Holbourn, White-Chappel, Pall-Mall, Soho and at almost all the Avenues of the City. Hackney-Coaches and Gentlemen's Coaches are stopt in Cheapside, St. Paul's Church-yard, the Strand, and other the most crowded streets, and that even while the People in Throngs are passing and repassing... 'Tis hard that in a well-govern'd City...it should be said that her Inhabitants are not now safe...³

At the turn of the last century, Americans were similarly concerned with what had come to be called the "crime wave".

Individual crimes have increased in number and malignity. In addition to this...a wave of general criminality has spread over the whole nation... The times are far from hard, and prosperity for several years has been widespread in all classes. Large sums are in unaccustomed hands, bar-rooms are swarming,

² Cited in Silver above: An Effectual Scheme for the Immediate Prevention of Street Robberies and Suppressing of all other Disorders of the Night; with a Brief History of the Night-houses and an Appendix Relating to those Sons of Hell call'd Incendiaries, London, 1736.

³ Ibid., pp. 10-11.

pool-rooms, policy shops and gambling houses are full, the races are played, licentiousness increases; the classes who 'roll in wealth' set intoxicating examples of luxury and recklessness, and crime has become rampant.⁴

The concern with civil disorder is similarly a recurrent theme in history. Indeed, it might be said that only with modern policing has the problem been brought under reasonable control.

The nineteenth century in the United States saw mass disorder in most major American cities. There were the draft riots of the 60's, the employment and railroad riots of '77, the "Communism, Socialism, and the Anarchism" movements and disorder of the 80's culminating in the Fourth of May or "Haymarket" riot in Chicago in '86, and the beginning of the Great Strikes of Labor. In these the police increasingly assumed the role with the militia as the source for restoring and maintaining public order. They also bore the brunt of criticism.

Describing the situation that led to the riot of '77 in Chicago a civic historian of the period noted:

"On Sunday morning the people of Chicago were horrified by the news that Pittsburg was in the hands of a mob; that the property of the railroad company was in flames; that blood had been spilled freely on the streets; that a reign of terror prevailed in all the large cities of Pennsylvania, West Virginia and Ohio, and that the spirit of riot, like some spectral

⁴Cited in Silver above: James M. Buckley, "The Present Epidemic of Crime", The Century Magazine, November, 1903, p. 150.

courier of a dreadful epidemic was advancing westwardly, and conquering as it came."⁵

That riot was not quite the same in those days as it is now seems clear. Even allowing for exaggeration in contemporary reporting, this is apparent from an account of the first encounter between the mob and the police in the Chicago riot of '77:

"...in less than ten minutes the square was as quiet as a country graveyard... Three hundred were killed and twice that number wounded! Market street was covered with the dead, the dying and the injured! The police had suffered dreadful losses!"⁶

In the days of rioting that followed the police were at times forced to retreat before "bullets and stones" and:

"The rioters insulted the officers everywhere and heaped outrages upon them. It was perfectly safe to hurl a stone at a passing squad of policemen, for the men were instructed not to fire, and it was out of the question for them to break ranks. The rioters began to perceive that they had the policemen at a disadvantage, and they lost no time in making the best of their opportunity."⁷

The turn of the century while bringing with it some change in mass behavior continued with a succession of public protests that required policing. The Suffrage

⁵ John Joseph Flynn, History of the Chicago Police From the Settlement of the Chicago Community to the Present Time, Chicago: Chicago Police Book Fund and W. B. Conkey, Mfg., 1887, p. 154.

⁶ Ibid., p. 168.

⁷ Ibid., pp. 186-187.

movement brought with it the delicate problem of policing large numbers of massed and marching women, some of whom had to be arrested and jailed. The urban race riots following World War I, though sporadic, added another dimension. Labor strikes continued and most recently in the 30's the police were subject to considerable criticism for their handling of picket lines. The civil rights protests of the 60's are both old and new in the problems they pose for the police and the public.

All of this is to suggest then that the problems of policing the public in mass protest situations, the eruption of the mob in riot, and of the "underdogs" and minorities in rebellion are not new. Nor is it new for the police to be subject to severe criticism under such circumstances both for their method of policing and for their support of an "established order". They have never been popular with those in protest. Indeed it is apparent from Silver's account that the emergence of the modern police in part served to draw the hostility of the protestors from the legitimate targets of the society of that day--the elites--and deflect them on to the police as the objects of hostility. The dilemma and contradictions that this brought to the police of the 1830's are as apparent today.

Though the dilemmas and contradictions of yesterday are apparent today, it is equally obvious that the "waves" of crime and public protest, bringing with them both support

and criticism of the police, have made for substantial changes in police organization, strategy, and tactics.⁸ Changes in police organization and operations have been sporadic, however, tending to follow upon periods of organized public protest and violence, upon scandal, the genesis of a "crime wave", and public investigation and political debate. While local departments undergo organizational change as a consequence of "scandal", public investigation, and a wave of reform, major changes have been linked to public definition of the problem as "national" in scope and of legal and political, as well as of moral concern.

The nature of these changes in police organization and practice will not be detailed here. Nevertheless it should be apparent that their effect has been toward more disciplined and orderly control of the mass and the mob and a greater reliance on centralization and specialization of command in the processing of complainants and violators. There has been another major effect of pressure for change, however, and that is on organizational and occupational response to the environment through a movement to "professionalize the police".

This organizational and occupational response to make a profession of police work is the major concern in

⁸It is also apparent that there have been major changes in the character of crime and in mass behavior. The relations among citizens today generally are more orderly, if not more lawful.

what follows. We shall begin with a conclusion and try to adduce evidence for it. The conclusion is that most attempts to make a profession of police work have led to a professionalization of the police department, to a lesser extent of those in staff positions, and only to a relatively minor extent of the rank and file officer in the line. In stating the evidence for this conclusion, three arguments will be advanced: First, that the nature of changes within police departments work against the professionalization of the line officer; rather the department is professionalized through bureaucratization and the line officer becomes at most a technician, at the least a person who is commanded. Second, that changes in the Great Society work against professionalization of the line, primarily through redefinition and monitoring of the police role and work. Finally, that the nature of police work coerces discretionary decision making in social situations where the ends of society and means valued by the society require that it be "professional".

Before turning to these arguments we shall need to make clear what is meant by "a profession" or "becoming a professional". It is common to think of a profession as a special kind of occupation where the job of the professional is technical, the technical knowledge generally having been acquired through long prescribed training, and the knowledge itself being systematic in nature. Furthermore, it is assumed that the professional

man follows a set of professional norms that may include a code of ethics that binds the professional to behave ethically toward his clients.⁹ Both the training and norms generally fall under legal or professional organizational control, specifying who can practice.

Now all of these things may characterize persons who are called professionals. But they miss a central feature that characterizes any profession. At the core of any profession is a relationship with clients. Professions are based on practice, and a major element in all practice is the relationship with clients.

Now what is crucial in defining the professional is the nature of this relationship with clients. We can say that it is technical in nature where the specialized knowledge is utilized in practice, as when the physician calls upon his specialized knowledge to diagnose illness. We can say that it is moral or ethical, as when the lawyer treats information from his client as privileged or confidential. Yet a core feature of the relationship with clients is a decision about the client--a decision in which the professional person decides something about the client that relates to his future. In some professions this decision is given largely in the form of advice.

⁹See, for example, Harold Wilensky, "The Professionalization of Everyone?", The American Journal of Sociology, LXX (September, 1964), p. 138.

The client presumably is free to ignore or follow the advice. But in some professions and in certain roles within other professions, it is a decision over which the client can exercise little if any choice. We speak of this as a coerced decision, an evaluation, judgment, or determination. The teacher decides whether the pupil shall pass or fail. The social worker decides whether the applicant is eligible for additional welfare rewards. The judge decides whether or not the defendant is guilty and what disposition shall be made for the case. Jurors, by the way, are not professionals and some of the conflict in the criminal trial procedure today arises over the very question of competence of jurors to decide what have come to be called technical questions.

To return to the point under discussion, we shall base our discussion of professionalization of the police on the presumption that the core feature in professional practice is a decision that involves technical and moral judgment. In the jargon of the professions this is called professional judgment or a discretionary decision. Though there invariably are boundaries that surround the freedom of choice, a professional decision presumes latitude in choice and responsibility in making the decision.

The Department and Professionalization of the Line

We concluded that changes within modernizing police departments have led to professionalization of the

department through bureaucratization. These changes it was stated work against professionalization of the line officer, particularly the patrol where initial contact is made with the public. Let us examine three main changes within police departments that sustain this conclusion.

First, there is the increasing centralization of both command and control in departments--a centralization of decision making. Some police departments have been reorganized so that most of the command and control functions are essentially removed from the precinct level of organization. The precinct functions then primarily to allocate men to assignments and supervise them in their work roles. The core of many modern police departments is the centralized communications center where allocative decisions are made under centralized command. The line officer on patrol is commanded from a central headquarters and reports directly to them by radio, with reports in some cases being made directly to central headquarters by radio or telephone. Furthermore, the bounds of decision making by the line are officially narrowed so that the officer is left without functions of investigation or, at most, a preliminary report. It should be clear, however, that such moves toward a centralized bureaucratic system have not necessarily limited the discretionary decision in practice, but simply to point out that they have not been consistent

with a model of professionalization of those decisions by the line. A bureaucratic system where decision making is decentralized would be more consistent with professionalization of the line.

Second, most modern police departments centralize the investigative function in a "more technical" elite of the department--the detective bureau. Much overrated in its capacity to investigate and certainly to "solve" most crimes, it nonetheless increasingly bears the "professional" label. Though there is much evidence of increasing bureaucratization of the investigative functions within police departments leading to a large number of special investigation units over and above that of the detective division, there is much less evidence that the requirements of technical knowledge and training are consistent with professionalization of personnel in these units. It is in this sense that we speak of the professionalization of the organizational system, leaving the corollary development of professional role specialization relatively untouched.

Finally, there is a growing tendency to make decisions at the staff rather than the operating levels of the department and to introduce professional specialists at the staff rather than the operating level. This is partly due to the fact that increased bureaucratization and introduction of a complex technology necessitate the utilization of other professions within the police system.

But such professionals are generally introduced at the staff level or as special consultants inserted for a special reason into operating units. Thus a department employs medical internists and psychiatrists to perform certain applicant or promotion screening functions. The planning or analysis sections may include professional specialists. These professional specialists are generally referred to as "civilians" within the department, separating them not only from the line but in many cases from the "sworn" staff as well.

The tendency to make decisions at staff rather than operating levels is readily apparent when one examines the staff units of a department. There is considerable evidence that the handling of "human relations" within police departments is largely a staff function. Despite a spate of human relations training for the line, it is the staff units that are regarded as "professional" in human relations work. The training division and the human relations unit of the department is more "professionalized". There is almost no provision for actual implementation of "human relations" in the line except by "central order" and some training of the line in the classroom of the Academy. Without explicit provision for implementation in the line, there is little opportunity for professional treatment of clients in what is bureaucratically referred to as human relations. That this characterization is not unique to the more recently developed specialized

staff functions in departments cannot be demonstrated here, but a careful examination of almost all such units in most modernizing police departments would serve to bear this out.

External Organizations and Professionalization of the Line

A metropolitan police organizational system faces considerable penetration of its organizational environment from organizations and interest groups that lie outside its boundaries. This is so for a number of reasons. Legally charged with responsibility for law enforcement, it nonetheless faces problems of overlapping jurisdiction with county, state, and national enforcement agencies. Law enforcement likewise is intricately linked with a larger organizational system of criminal justice such that its output is an input into the criminal justice system where it is evaluated. Furthermore, it is directly linked to a municipal, county, or state organizational system that controls at least its budget and it also maintains a host of transactions with other municipal and community organizations in providing "police service". A police system thus engages in transactions not only with its clients who are citizens demanding a service, and with victims and their violators, but with a multiplicity of organizations where problems of service, its assessment, resource allocation, and jurisdiction are paramount.

We can only illustrate how these relationships tend on the whole to militate against the professionalization of the line and to suggest how they militate against the professionalization of the staff as well. The recent decisions of criminal and appellate courts defining the limits of interrogation, search of the person and property and the seizure of evidence, and of the use of force have been defined by the police and the courts as limits on discretionary decision making. The general public and legal view is that the police have exercised too much discretion in their relationships with the public and that decision as to method is to be defined on legal professional rather than police professional grounds. In short, the prevailing view is that the police must be controlled by more legitimate authority--authority that is invested in either the law, the public prosecutor, and the courts or in a civil review procedure.

Apart from the emphasis on civil review procedures this dilemma faced by the police is a classic case of dispute over jurisdiction; indeed of professional jurisdiction. A group of professionals--in this case largely made up of lawyers and jurists--seeks to restrict the powers of "would-be-professionals"--in this case the police. This conflict is not unlike that between medical doctors and nurses or prosecutors and judges. What is generally characteristic of such conflicts are questions

of jurisdiction. But over and above that is an equally important consideration: such conflicts generally arise where one group of professionals controls the fate of another group of professionals (or aspirants to professional status) in an intricately balanced organizational system. Much of the conflict between the courts and the police is in this sense inevitable, given our system of law enforcement and criminal justice. For in that system we have on the one hand institutionalized the introduction of clients into the larger system in the hands of the police, since operationally at least it is they who largely exercise the power of arrest. Yet on the other hand we have institutionalized the power of assessing outcome of arrest of the client and assessment of police procedure in the prosecutor and the court. When the ultimate fate of clients rests in another group of clients--and particularly when they are removed from the situation that precipitated the client relationship--conflict is endemic in the system.

We could by analogy show that the relationship between the police and the courts is not unlike that which might prevail in a higher educational system where the determination of the classroom evaluation of students rests not with the professor but with someone else. To force the analogy, most professors in the American system probably would object strongly to someone else not only grading their students but requiring the

professor to take back into his classroom students whom he regards as failures. Such conflicts also by the way tend to arise in professional training where the experienced professional regards the trainee with distrust and severely restricts his opportunity to make discretionary decision or to gain the requisite experience. Howard Becker has pointed out that this is an essential ingredient in the production of student subcultures in professional schools. Policing as a subculture may arise for somewhat similar reasons.

Civil review boards are an organizational mechanism for penetrating the police organizational system. Apart from general questions of jurisdiction and legitimacy of authority to make decisions, the organizational arrangement introduces important questions about professional control of professional practice. What the civil review board does in effect is to monitor practice by setting itself up to review client complaints about practice. The monitoring of professional practice is zealously guarded by professional groups, the norm being that a "professional" group is able to police its own professional practice. Though no professional group is entirely free from an external monitor since there are at least some conditions for judicial proceedings charging malpractice, the traditional professions have tried to retain virtually complete control of standards of practice, arguing essentially that professionals are the most competent

to judge their own professionals. Even where professionals are employees of public organizations such as public hospitals, civil service review has generally been restricted to complaints of the organization against the employee (or vice versa) and not of client against the organization.

Civil review boards thus pose some barrier to professionalization of the police, attenuating the latitude an occupation or an organization based on an occupation has to "police" itself. That the police have not been altogether ineffective in preventing the creation of civil review boards in the United States is apparent. Much of their success probably is due to the effective organizational effort of the line organizations of police officers backed by legitimacy of their claims from the police chief. Locally organized they bring local pressures. Yet lacking effective organization on "professional grounds" across local departments, their long-run effectiveness may be more restricted. Unlike trade unions that increased their bargaining power through extra-local organization, the only extra-local police organization of consequence is the International Association of Chiefs of Police. The line, therefore, is without national power.

The issue for professionalization of the police is one of whether civic accountability will take the form of an inquiry into an individual's work within an organization, whether it will take the form of accountability of an

occupational organization of police, or whether accountability rests with a local police organizational system headed by a chief as the "accountable officer". Traditionally line organizations of police have "protected" the rights of the officer in charges involving the local organization. Traditionally the local police organization has been held accountable through control by the mayor, the occasional appointment of "civilian" chiefs, and the sporadic investigations of the department under charges of scandal by "blue-ribbon" committees. Traditionally the organization of the line has failed to develop standards for control of practice by members of the occupation. The dilemma that exists for the line then is that the police occupation exists within a local formally organized police department that controls practice rather than with a professional organization of the police. To shift the balance of review and control to an external review system, however, creates problems both for the operating departmental organization and the occupational association. This is particularly the case when there is external review of an individual's performance within an organization. For this form of accountability interferes with both institutionalized forms of professional control of practice in the United States and with organizational forms of control to protect its boundaries. The same kind of dilemma was presented to public school teachers. Historically they were under review from both a school

organization and a civil review agency--respectively, the school administration and the school board. Increasingly the professional organization of teachers has resisted such review on "professional grounds", thereby coercing the relationship of public school teachers to organizations, employers, and clients more along the lines of traditional professional organizations. It is obvious that police now lack the effective extra-local organization developed among public school teachers.

In the United States then professional organization has resisted client review by external organizations. The professions also have tended to resist accountability to the organizations within which they are employed. Accountability has generally fallen within the province of the professional association and where a profession has been relatively weak in its formative period, it has tended to rely upon the employing organization to resist client claims on practice.

There are, of course, major issues of accountability of public employees and organizations to civic authority in any democratic society. The Scandanavian countries and New Zealand among other democratic countries have created a special role, the ombudsman; to protect the individual citizen against abuse by public employees. The ombudsman generally is distinguished in these societies by the fact that no public official, including public prosecutors and judges, are exempt from inquiry. Moreover

the ombudsman has enormous powers to investigate and order sanctions against offenders.

Without doubt, attempts to institutionalize the role of ombudsman in American Society would encounter considerable resistance, particularly from lawyers and judges who perhaps have been most exempt from public scrutiny among the professionals in the United States (unless it be physicians). Quite clearly also, their resistance would be stipulated on "professional" grounds of competence to control practice. Since police in the United States are inextricably linked to the system of criminal justice, they are inclined to regard with cynicism a civic accountability system of their organization that exempts the office of public prosecutor and jurist. But they are more vulnerable to client claims. Unlike the lawyers and social workers in the criminal justice system, their claim is based primarily on local police organizational control of police malpractice rather than on professional association control of malpractice.

Discretionary Decision Making and
Professionalization of the Police

The third argument was that discretionary decision making not only is institutionalized in the police role but that the nature of police work requires discretion in making decisions. The open question is whether the decision making is generally of a kind that is "open to professionalization".

To discuss this question it seems worthwhile to call attention to the obvious distinction between the organization of an occupation and the organization of work for persons in an occupation. Police are members of an occupation and an organization, an organization that historically was composed almost exclusively of members of the occupation. We already have noted the tendency to professionalize police organization rather than police practice. The failure to separate the two facets of organization poses certain additional problems for police professionalization as an analogy may make clear.

Police organizations often formulate the problem of professionalization as one of developing a single profession of employees of the organization. The analogy between craft and trade unions immediately comes to mind. But perhaps analogy with a university may make the point more obvious. A police department like a university is an organization that deals with clients. There are many kinds of work roles in the organization; only some of its members deal directly with the clients. Furthermore, not all who deal with clients in a university are professionals. A large state university today may have over 10,000 employees, many of whom are clerks and technicians, others are managers or administrators, some are skilled craftsmen, and some are even unskilled laborers. Indeed the professors comprise fewer than 50 per cent of the work force.

But to think of a university as made up of professors who are professionals is also misleading, despite the organization of the American Association of University Professors. Professional competence largely rests with other criteria. There are professors who are medical doctors, others are lawyers or social workers, or economists, or physicists. Even within these groups, there are professional distinctions: One is a psychiatrist, a pediatrician, or a surgeon as well as a medical doctor, and these are the professional specialties. Not all professionals in universities are teachers. Some are professional librarians--even professional law, or reference medical, librarians. Claims to professional competence then rest in a specialization of a task or a kind of practice as well as in a "general practice" or occupation of common practitioners.

And so it is with police departments. Police work itself is many different occupations and a police department is comprised of an even greater range of occupational specialties, specialties that range from professional and technical through clerical and maintenance. That all should be regarded as bound by more than an allegiance to an organization--the police department--and by a common identity as "involved" in a common task--police work--seems doubtful. Professionalization of police rests therefore in determining tasks that lend themselves to professionalization. The occupational organization of a

police department rests then in a number of professions, in technical specialties, and in occupations with more limited skills.

No attempt is made here to delineate those skills within police work as currently organized that lend themselves to professionalization or to examine those niches in the organization that are already occupied by professionals from other specialties. Nor will we examine the way that selection into police roles may be defined in terms of prior professional training, such as the limiting of investigative roles in the FBI to persons with law training.

Rather the question that will be addressed is whether the basic discretionary role in the police department--what often is regarded as the heart of police work--the patrol--is a task requiring professional competence. To provide some answer to this question leads us to examine the nature of this particular police role, bearing in mind, as already noted, that there are other police roles, some of which appear to lend themselves to professionalization.

Superficial examination of police patrol work suggests that while it has features common to technical work roles it also has some that are more characteristic of roles that have been professionalized. Since we have suggested that the core of the professional role is the relationship with clients, we shall examine the patrolman-

client relationship in some detail, indicating how professional ideology and practice might relate to it.

Patrol work first of all is characterized by the fact that unlike most professional or technical roles a police officer must expect both physical violence and verbal aggression directed against him in the performance of his work. In the absence of a "professionalized" public that will not resort to such means, police officers always will have to deal with aggression directed specifically against them as they perform their work role.

Though there is considerable evidence that homicide where the police officer is the victim is less common today than ever before, physical aggression against the police still is high. There are no reliable data on physical aggression against officers, since in many cases the officer suffers no physical harm of consequence. Yet, the number of work days lost in any police department due to physical injury in line of duty is higher than in most occupations. Even assuming that the rate of physical aggression is fairly low, the fact remains that it is not easy to forecast the situations where it will occur. For that reason, officers must always "expect" physical aggression, including that which threatens their very life. And further, it is expected that an officer will use no more force than is necessary to deal with aggression directed against him.

Verbal aggression against the police is far more common than physical aggression. It is there, too, where major changes in expectations concerning police behavior have occurred in recent years. The police officer today in modernizing departments is expected to accept verbal aggression without responding with counter-aggression. In brief, what is expected of him is that he respond to verbal aggression with what is commonly referred to in the professions as affective disengagement or neutrality. He must not allow verbal aggression to influence his judgment other than in a professional sense.

To cope with aggression then the police officer is expected to respond with judgment as to the amount of force necessary to meet the situation of physical aggression and to respond with affective neutrality to verbal and physical aggression, i.e., it is not "personal". Indeed the police officer is in something of a dilemma in that both forms of aggression can be defined as offenses against an officer (as they would be against any citizen) justifying in many cases formal charges involving arrest. Yet it is also apparent that almost all sectors outside the law enforcement field "expect" the police officer to respond to such aggression without pressing formal charges. It is suggested here that such dilemmas and matters of judgment involving affective neutrality and discretion in using coercion in "unpredictable" situations

are most easily dealt with in a system by professional ideology, norms and practice.

The social setting for police work generally takes place when the police go to the client and his "stage" or to clients on a "public stage". There is considerable variability in these social settings and the patrol officer must be prepared to act in any setting. Almost no other professional operates in a comparable setting since characteristically professionals eliminate this necessity by bringing the client to an office or a bureaucratic setting where the client is "not at home". The house call of the physician is almost gone; their clients even are preprocessed by semi-professionals, clerks and technicians; their setting is an office, a clinic, a hospital room, or a laboratory. Even social workers have made considerable strides toward bringing the client into their office. So much so, that the most progressive programs today in social work are billed as "detached worker" programs or "reaching out to the unreachable". Police officers need not be reminded that this is precisely what they are expected to do twenty-four hours a day rather than from nine to five. Even when social workers move into the community they are more likely to operate on a public stage over which they exercise some degree of control over time. The police by contrast must move continually from "stage" to "stage"--stages where the scenery, the plot and the actors are at most defined in

general terms like "family trouble", "proowler", or "B & E".

It is incumbent upon a police officer then to enter upon a variety of social scenes, encounter the actors and their roles, and figure out the plot. Indeed, the main task of the police often is to discover the "plot" and to learn more about the actors. This is true even in emergency situations where an officer is expected to assess the situation almost momentarily and make judgments as to what he has to do. For the fate of the actors and the situation in such cases may lie with the police. Perhaps it need not be pointed out that quite comparable forms of assessment and judgment are treated as professional matters in our society.

Though police officers ordinarily deal with only a relatively small number of actors in a social setting, they must be prepared to deal with large numbers as well. There may be large numbers in picket lines, sit-ins, an unruly crowd or mob, drivers in traffic, or an audience at a mass event. Though superficially their role is to preserve the peace and cope with any individuals in the large aggregate who violate the law, they must be prepared to deal with large numbers of persons to either preserve the peace or enforce the law. The major work emphasis in such settings falls on "team work" and the work may be para-military. While "professional" judgment on the part of individual officers is less important in such

settings, clearly the command function is facilitated by a "professional orientation" and the outcome will vary considerably depending upon the degree of professionalization of police work.

Police officers must deal not only with actors on stage, whether large or small in number, but often with an audience as well. The audience may range from members of a family to strangers in the street or a large gathering. This poses for the police the problem of control of audience as well as client. The officers must assess their audience as well as their immediate actors, since the audience may have an important effect on their work. Are they cooperative or hostile? Can they supply information? How can they be utilized in the situation? Involved then are matters of judgment and control of the audience.

The feature of police work most commonly emphasized is the necessity to assert authority. This is closely related to two other facets of the work situation--the willingness of the client to cooperate with the police, and the necessity to utilize force to control the client. Police must be prepared to assert authority when the client is unwilling; if necessary to use coercive authority as in physical force.

Clients of professionals are not always cooperative. The teacher is faced with unwilling pupils, the psychiatrist with a resistant patient, and the judge with a hostile witness or defendant. Yet the situation is

different for the police. When any practicing professional is faced with a particularly violent client, he can call the police. The police must cope with any and all clients regardless of their willingness to be processed.

A striking feature of police work is that not infrequently the officer is confronted with a dual set of clients--those who call the police and those who are to be "policed". Those who call are prepared to accept his authority; those who are to be policed often do not. The major form of control open to the officer in such a situation is to assert "authority". It is not surprising, therefore, that on entering a situation, an officer typically takes command by asserting authority. Unlike most other professionals who deal with clients who are preprocessed to accept the authority of the professional when he enters the situation, the police officer must establish his authority. The uniform, badge, baton, and arms all may play a role in asserting authority. Yet it appears that the police exercise command in most situations largely through the exercise of the person in the role. The more "professional" the person in that role, the more likely authority will be regarded as "legitimate" by the public and the more likely the officer will exercise authority legitimately.

One often hears these days complaints from segments of the public that the police use illegal means and exercise undue coercion in their dealing with the public.

From the police, one hears another set of arguments-- that a police officer must take more abuse from the public than ever before, that the power to enforce the law is gradually being eroded, and that the public is uncooperative in helping the police perform their role. These complaints from both the police and the public undoubtedly stem from common sources of change, changes by the way that affect both public and police behavior. And despite often expressed views, the changes reflect perhaps more, rather than less, orderly relations are in prospect for both the public and the police.

Despite dissatisfaction with the "new" role emerging for the police officer, it seems clear that the changes underway involve a reinterpretation of client role and behavior in terms of a more "professional" ideology and practice. The dilemma for the police is to somehow balance traditional moral and quasi-legal concerns with enforcing the law and catching criminals who are to be "punished" with the emerging concerns for civil rights and legal requirements on police methods. "Professionalization" of police work appears to be one "legitimate" way to deal with the dilemma.

As professional work in our society is bureaucratized, the professional deals largely with clients that are pre-processed in a bureaucratic setting. There is a preparation of the client for professional practice. The more common situation for the police is to encounter a client

who they must begin to process.¹⁰ It is not surprising, therefore, that police officers often begin by getting a "case history" as well as an account of events that led up to the immediate situation. An interesting question surrounding the professionalization of police work is that regarding the quality and quantity of information necessary to judgment and the manner in which it is obtained. In recent years, the manner that information is obtained by the police has been given priority over the quantity and quality of information. It should be apparent that both are essential ingredients in the exercise of judgment, particularly in what is regarded as professional judgment.

The police officer, like all professionals when faced with a client, must make a decision--a decision that determines the fate of the client. Only some of his decisions will be evaluated by others both in and outside the department. And with some decisions rest not only the fate of the client but the fate of the public as well. Often, too, the decision involves not only the

¹⁰The increasing bureaucratization of police work means that officers can treat some clients as preprocessed by calling upon the organization to supply information on the client, securing as is now the case a quick response to their inquiry for information. It should also be clear that police officers at the district station or the lock-up receive clients that have been preprocessed by the department. Their role and behavioral response to clients differs as a consequence of this fact.

fate of an individual but the fate of a social relationship or a family unit. Each decision is potentially a decision of consequence.

There are of course many decisions that must be made to arrive at the decision of "fate". These involve not only technical questions of whether this is a civil or criminal matter, whether to detain or arrest, but of what information is necessary to arrive at a decision, what other units might be mobilized to provide that information, what is needed for testimony, and so on. Unlike the physician who may take a long time gathering information to make a diagnosis that leads up to a decision, an officer often must make a "quick" decision. In many ways this creates a paradoxical situation for the police. To be professional about the decision requires more information and more time; to obtain the information lawfully and to protect the interest of the client and the public coerces a quick decision.

Police decisions, furthermore, are complicated not only by professional standards and judgment but by a sense of justice. To be sure, more "professional" advice is available to the patrolman from his superiors, but most decisions must be his. They must be not only correct but disregarding legal fiction, both the police and the public sense that they must be just.

To complicate matters further, some decisions by the officer will be evaluated by others both within and

outside the department. These "superiors" will regard it as their prerogative to solicit information from the officer and most certainly to withhold a decision for indefinite periods of time while they exercise their "professional" judgment. Inevitably then, an officer who makes a decision that will be processed within and outside the department, makes a decision that later is subject to review.

This pivotal decision position of the patrol officer, controlling as he does subsequent organizational processing, poses a dilemma both for the officer and the organizations that later process the case. The position of the decision in a sequence of decisions presses toward control of the decision by persons who process it later in the sequence. Those who will process the case within the police department, e.g., the detectives, make the claim they are "more professional", thereby coercing the patrol officer to the role of a technician. Those who lie outside the organization, e.g., public prosecutors and judges, press toward a decision on technical grounds, regarding the "professional" decisions as falling within the province of the law and to be made by lawyers.

Whenever a number of roles are involved in making decisions about the same case, problems of overlapping jurisdiction and rights to make the decision arise. Where professionals are involved, there will be competing claims to professional competence to make the decision.

The role of the patrol officer, occurring as it does at the lowest rank order in the decision making system makes his role most vulnerable to counter claims to competence and least defensible. Paradoxically, however, it is the officer's original decision that controls whether law enforcement and criminal justice agents can process the decision at all. He has the broadest potential range of discretion and jurisdiction and therefore, of possibilities for the exercise of "professional" judgment, but the most vulnerable position in the system of law enforcement and criminal justice for restricting his jurisdiction.

This paradox exists not only for the individual officer but lies within the organizational system itself. For the system of law enforcement and criminal justice is organized such that the output of the police organization is constantly evaluated by the courts both as to the substantial nature of the case and the manner in which the law enforcement occurred. This is the case again where one group of professionals controls the fate of another group of professionals. In this case the lawyers through the courts will set the ground rules and the basis for decision within the broad interpretative powers granted within and under the law. Regarding their position as the more professional one providing the greater amount of discretion, they will resist claims by the police to provide more definite ground rules. Indeed the public prosecutor will insist about his right of "choice" among

the charges that the police will bring against an individual, and the courts will insist upon their view of "justice". Yet the police in the nature of the case insist upon broader jurisdiction, greater discretion, and they are engaged in the doing of justice. In a sense, when the police are denied professional autonomy in discretionary decision, they seek more definitive rules to make technical ones. But the prosecutor and the courts insist even here upon the discretion to decide in each individual case.

Paradoxically then, what the police want clear, the courts want to leave open. And what the courts want clear, the police want to leave open. Thus the courts want police procedures to be clear, definite, and unambiguously defined. The police want to be left with broad discretion in enforcing the law, obtaining information, and in procedures for handling clients. But what the police want clear--how is substance to be applied in this case, what evidence must be available in this case, how can we have a bona fide case--the courts want to leave open to argument and decision, even to new interpretation and precedent. For them, precedent governs but does not rule.

This organizational arrangement then inevitably poses problems for the professionalization of the police. For the prosecutor and the courts, to say nothing of outside agencies, will insist upon prior claims to

competence in these matters. A colleague of mine once summarized this dilemma by remarking that in our system of law and order, everyone seems to have the law and the police get stuck with the orders.