CONTEMPORARY ISSUES IN

LAW ENFORCEMENT and POLICING

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Edited by

Andrew Millie
Dilip K. Das

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Preface

Law enforcement and policing in the 21st century must be conducted against a backdrop of great scrutiny and myriad expectations. Practitioners face immense pressure to be tough and resolute in the face of post-9/11 terrorist threats, while at the same time they must meet demands for accountability and closer relationships with local communities. Other pressures arise from decreasing monopolies in law enforcement, organizational changes, and technological developments.

Such tensions and pressures are illustrated by a recent high-profile operation: policing for the Asia–Pacific Economic Cooperation (APEC) Conference held in Sydney, Australia, in September 2007. New South Wales Police had to maintain law and order, and allow 21 world leaders and their representatives to meet without distractions, threats of violent protests, and dangers of terrorism, while at the same time allowing legitimate and peaceful protests. The chosen solution was to segregate conference venues and routes by constructing a steel fence through the center of the city, and deploying massive numbers of police personnel.

The highly visible presence of the police on the streets of Sydney demonstrated the different priorities for contemporary law enforcement simply by what the officers wore. Most officers in New South Wales carry guns. On this occasion some were also equipped with full paramilitary regalia including shin and knee protectors, gloves, stab-proof vests, helmets with protective visors, and the option for riot shields. At the other extreme, a large number of officers wore short trousers and short-sleeved shirts and rode around the city on mountain bicycles, and a significant number of officers donned in-between uniforms of standard cargo-pants and boots, jackets, and baseball caps. Despite differences in appearances, all the officers were on hand to meet the same objective.

Perhaps Sir Robert Peel, the pioneer of modern policing, would not have recognized the needs for deadly weapons, battle dress, and overt displays of paramilitarism, as he famously declared, "the police are the people and the people are the police" (see Hurd, 2007). While the organizational structures and management philosophy of the "new" police were influenced by military tradition (see John Murray's Chapter 6), Peel did not want the officers to be soldiers. His vision was a quiet, efficient, *people's* police service whose

members were charged with the "absence of crime and disorder" rather than demonstrations of preparedness for a "war against crime." However, as the Australian episode illustrates, operational and political realities mean today's law enforcement is not always a straightforward pursuit.

This volume brings together contributions about law enforcement and policing from respected international writers. It is not an exhaustive account of *all* issues facing the police, but a collection of essays covering current challenges and recent developments. The key themes are the day-to-day stresses of policing; ethics and corruption; terror; strategies and investigations; and restorative approaches.

Police issues are widely covered in the literature and some articles of great value demand wider readership. One of the editors of this volume, Dilip K. Das, is the founding editor-in-chief of Taylor & Francis' *Police Practice and Research: An International Journal* (PPR). Since its inception in 2000, this peer-reviewed journal has included many quality contributions of value to police practitioners and academics. This volume originated from a discussion about PPR articles that produced the greatest impacts or covered major issues applicable to today's police. Although PPR is widely available, we thought that a selection of top articles merited greater availability via collection into a single volume.

The themes were, in effect, chosen by PPR's global community of readers since we have included here the most popular articles based on online "hits." It is interesting to note that most of the chapters appeared in special issues of the PPR including papers presented at the annual meeting of the International Police Executive Symposium (www.ipes.info) with which PPR is affiliated. However, we did not want to make "old wine in a new bottle." Accordingly we considered in the Introduction to the book the key arguments covered by each chapter. The concluding chapter assesses the pragmatic aspects and challenges posed by the contributions.

Jane Oakley of the journal division of Taylor & Francis kindly agreed to make available ten articles for this collection and provided a list of the most frequent online "hits." This list was used to indicate an article's value in terms of readers' broad interest. We admit that this is a crude measure, but it provided a useful starting point and an indication of major topics and relevance to readers. To ensure balance to the volume—and prevent one subject such as police strategy and investigation from dominating—we sought other articles covering topics of importance for today's police. The result is a fascinating collection of essays covering some of the major contemporary issues for law enforcement and policing.

We are enormously grateful to Jane Oakley, Aimee Wood, and their colleagues in the journal division of Taylor & Francis and the editorial board of PPR for allowing the articles to be reproduced. We would like to thank the

authors of all chapters and also Carolyn Spence, Marsha Pronin, and others at CRC Press/Taylor & Francis Group for their assistance in preparing the work for publication.

Andrew Millie and Dilip K. Das

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Hurd, D. (2007) *Sir Robert Peel: A biography*, London: Weidenfeld & Nicolson.

Contributors

Gordon Bazemore is a professor in and chair of the Department of Criminology and Criminal Justice and director of the Community Justice Institute at Florida Atlantic University. His research has focused on juvenile justice and youth policy, restorative justice, crime victims, corrections, and community policing.

Jean-Paul Brodeur is the director of the International Center of Comparative Criminology and a professor in the Department of Criminology, Montreal University, Canada. He has written several works about the sociology of police forces.

Jharna Chatterjee has been a member of the Royal Canadian Mounted Police and the Canadian Department of Justice. She worked with Liz Elliott of Simon Fraser University in investigating restorative policing in Canada.

Dilip K. Das is a professor and heads the Criminal Justice Department at Grambling State University in Louisiana. He is president of the International Police Executive Symposium and editor-in-chief of *Police Practice and Research: An International Journal* and of the *World Police Encyclopedia*. He also serves as a human rights consultant to the United Nations.

Liz Elliott is a co-director of the Centre for Restorative Justice and an associate professor of the School of Criminology, Simon Fraser University, Burnaby, British Columbia. She is a former social worker and has extensive field experience in the areas of community and prison justice. Her research interests include transformative justice, abolitionism, prison justice, prison education and writing, sociology of punishment, criminal justice ethics, and violence in Canadian society.

Venessa Garcia is an assistant professor of criminal justice at Kean University in New Jersey. She earned an MA and PhD in sociology at the State University of New York at Buffalo. Her fields of research include the sociology of law, police studies, and women in criminal justice. She has published a number of academic articles and reports. Her family court research resulted in a co-authored book titled *Domestic Violence and Child Custody Disputes: A Resource Handbook for Judges and Court Managers* (1997).

Curt T. Griffiths is a professor and coordinator of the Police Studies Program of the School of Criminology at Simon Fraser University, Canada. Among his primary teaching and research interests are the organizational and operational dynamics of policing, comparative police studies, the effectiveness of police strategies and interventions, and issues in police performance.

Stéphane Leman-Langlois earned a PhD in criminology from the University of Toronto and is an associate professor of criminology at Montreal University's School of Criminology. He is a member of the International Centre for Comparative Criminology and has worked in the areas of crimes against humanity, policing, technologies, terrorism, and cybercrime.

Andrew Millie is a lecturer in criminology and social policy in the Department of Social Sciences of Loughborough University in the United Kingdom. He is also the director of the masters' programs in criminology and criminal justice. His research focuses on anti-social behavior, policing, crime and the city, crime prevention, and sentencing.

John Murray is a former chief police officer for the Australian Capital Territory and currently serves as a private consultant on justice-related matters, working from Adelaide, Australia.

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Jerry H. Ratcliffe is a professor of criminal justice at Temple University, Philadelphia, Pennsylvania. He started his career as an officer with the Metropolitan Police in London and has worked in research and academia in Australia and the United States. He is a fellow of the Royal Geographical Society and has published books on criminal intelligence, crime mapping, and policing drug markets. He researches and lectures on environmental criminology, intelligence-led policing, and crime reduction.

Carol Ronken is a senior research and policy development officer at the Bravehearts child protection charity in Australia. From 1998 to 2003, she taught at the School of Criminology and Criminal Justice at Griffith University and was a member of the Ethics and Regulation of Public and Private Policing program of the Key Centre for Ethics Law, Justice, and Governance. She worked with Tim Prenzler on a number of research projects in the areas of police accountability and ethics.

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Per Stangeland is a professor at Møre Research, University College Campus, Volda, Norway. He was the deputy director of the Institute of Criminology in Malaga, Spain. He has now returned to Norway and is working on a project involving crimes among methadone patients.

Jeanne B. Stinchcomb is a professor in the Department of Criminology and Criminal Justice at Florida Atlantic University. Her teaching and administrative experiences range from colleges and training academies to the Federal Bureau of Investigation and the Miami–Dade Department of Corrections. As a consultant, she has developed promotional examinations for police departments, provided in-service training, and conducted evaluation research. Her publications cover organizational culture, boot camps, leadership, and workforce issues. Her most recent textbook (2005) is *Corrections: Past, Present, and Future*.

Introduction: Expectations for 21st Century Law Enforcement and Policing

Law enforcement and policing across the world have been subject to fundamental changes since the start of the 21st century. Most notable are the immediate and long-term impacts of high-profile terrorist attacks on the United States, Bali in Indonesia, Spain, and the United Kingdom that produced political and operational pressures for strong, intelligence-driven, paramilitary policing. Conversely, many countries face growing pressures for greater local accountability with calls for "softer" neighborhood-based models of community policing. There are also ongoing difficulties maintaining order during and after conflicts as exemplified by Afghanistan and Iraq.

These are big challenges and police in many countries have had to adapt and change. Advances in technology, along with new strategies and investigative techniques, have also stretched the officer's traditional role. The new officer is under increasing pressure to be tough, yet compassionate and technologically adept. In 1981, John Avery, a former commissioner of New South Wales Police in Australia, noted that a decision had to be made between having a police force and a police service. Today's police are pulled in both directions. On the one hand, they are meant to be tough and resolute, particularly in the face of post-9/11 terrorist threats (Brodeur, 2007; Clarke and Newman, 2007), but they are also expected to be ethically driven (Kleinig, 1996; Neyroud and Beckley, 2001), adhere to rule of law principles (Mani, 1999; Millie and Das, 2008), and engage with the communities they serve (Skogan and Hartnett, 1997; Myhill, 2006).

This volume contains a collection of essays covering a range of contemporary law enforcement and policing issues. The essays appeared in *Police Practice and Research: An International Journal* (PPR) and include the most requested articles from the journal's website. While we are not certain why certain articles enjoyed greater demand, it is a fair assumption that two reasons were their importance and relevance. The articles come from the United States, Canada, Australia, and Norway (the author is a Norwegian; the locale

for the contribution is Spain). Reflecting the nature of a journal that seeks contributions from both practitioners and researchers, contributors to this volume include innovators, respected police researchers, and academics.

Significance

The most requested articles focused on five key themes that gained prominence in the early years of the new century: the pressures of day-to-day policing; ethics and corruption; terror; police strategy and investigations; and restorative approaches. The book is divided into these five themes of two chapters each. This introduction presents the key arguments covered within each topic. The final "Conclusions" chapter considers the pragmatic aspects and challenges posed by the different contributions.

Part I: Day-to-Day Policing

Part I covers the daily activities and experiences of contemporary policing. In Chapter 1, "Searching for Stress in All the Wrong Places," Jeanne B. Stinchcomb considers stress in the law enforcement field in the United States. She notes that "the American way of dying is now predominately associated with…the 'wear-and-tear diseases' that are thought to be linked to stress." The police are not exceptions to this general trend. In other words, the problems of everyday policing in the United States are fundamentally U.S. problems and "stress is an occupational hazard of modern living." Having noted stress as a problem for contemporary living, Stinchcomb strives to understand what aspects of law enforcement may be promoting chronic stress and occupational burnout and states that:

> Contrary to popular opinion, it is not the danger of police work that is most stress-inducing. Substantial evidence indicates that stress is more likely to be produced by the routine, day-to-day features of work life that tend to be taken for granted. Like a chronic cough or an ongoing illness, chronic organizational stress is continually present in the everyday work environment. Unlike episodic stress, it is not the result of a one-time crisis. Instead, it is the product of a slow, continual process of erosion that occurs over time.

The daily hassles of the job rather than the rare traumatic incidents and life-and-death decision making are most likely to cause stress in police work. Stinchcomb lists factors that are responsible for everyday stress for police officers: (1) lack of consultation and communication; (2) inadequate guidance and support from administrators; (3) insufficient feedback; and (4) little

or no input into department policy, along with authority that is not commensurate with responsibility—too little authority and too much responsibility.

In Chapter 2, "Constructing the *Other* within Police Culture," Venessa Garcia investigates police culture in terms of the "othering" of certain departments or occupations and the promotion of a we–they paradox that may be regarded as another occupational stressor. In particular, Garcia examines how police culture stigmatizes and sanctions or penalizes community-oriented policing (COP) officers. Her study reveals the key components of stigmatization as lack of agency support and officer ridicule. It seems that the day-to-day experiences are not only important in causing stress (as noted in Chapter 1), but also generate stigmatization. Garcia also discovered that most COP officers who participated in her study did not tend to perceive that their status as "real" officers was challenged. While this is encouraging, a sizable minority felt challenged. More work is required to determine how replicable these findings are.

Part II: Police Ethics and Corruption

Part II concerns ethics and corruption. In Chapter 3, Jerome H. Skolnick discusses "Corruption and the Blue Code of Silence." He provides evidence that such a code exists and examines case material to explain how the code is reinforced. Based on participant observation research in the New York County Prosecutor's Official Corruption Unit, Skolnick investigates how the code impedes police investigations and considers measures to address the code. Key to the development of a code of silence is the existence of a culture in which loyalty is the norm. Of course, loyalty is a good quality, but when misplaced it can also hinder investigations of corruption, brutality, and malpractice.

Some rather disturbing examples are discussed and Skolnick offers possible solutions, including the use of independent monitors. He concludes that we can have little confidence in the integrity of policing, without efforts to penetrate the "walls of silence" by using investigations of independent monitors if that proves necessary.

The theme of police ethics and corruption continues in Chapter 4. Tim Prenzler and Carol Ronken provide an Australian perspective in their chapter about innovations in the development and maintenance of ethical standards by Australian police departments. Over the past two decades, a number of high-profile investigations have covered police misconduct in Australia, notably the Fitzgerald inquiry (1989) in Queensland and the Wood Commission in New South Wales (1997; see Chan and Dixon, 2007 for a 10-year assessment). Prenzler and Ronken also investigate strategies to prevent misconduct and maximize ethical conduct and propose three models of

integrity development. They conducted a survey of eight police departments and found some innovative and promising programs in operation, including drug and alcohol testing, targeted integrity testing, and complaint profiling. However, they found that none of the departments utilized what could be regarded as comprehensive or advanced programs of integrity development and maintenance.

Part III: Policing Terror

Police integrity is of paramount importance for the third theme of this volume, the policing of terrorism. In Chapter 5, "Terrorism Old and New: Counterterrorism in Canada," Stéphane Leman-Langlois and Jean-Paul Brodeur provide important perspectives surrounding current debates. They devise a typology of terrorism according to the scope of the stated objectives and the justifications given for the acts committed. Particular attention is given to "new" terrorism and the best strategies to prevent or repress it. In their view, although new terrorism has features in common with the old, it also has "features that call for an equally new counterterrorism" approach. Their analysis is based on four assumptions: (1) efficient counterterrorism necessitates knowledge of the kind of organization to be fought; (2) the knowledge needed must support action—it must efficiently match police responses to core features of terrorist organizations; (3) although the tactics of important terrorist organizations such as the Basque ETA have not evolved completely, the nature of terrorism in Canada and worldwide has undergone a momentous change; and (4) counterterrorism must adapt to changes in terrorism. Leman-Langlois and Brodeur also explore possible strategies to deal with the new terrorism in Canada.

In Chapter 6, "Policing Terrorism," John Murray explores the impact of an increased emphasis on policing terrorism on other priorities, notably community-oriented policing. Law enforcement and policing in the new century can be characterized by a tension between calls for tough and resolute policing (police "forces") and softer, locally accountable, neighborhood-based models (police "services") (cf. Avery, 1981). Murray notes that "the terrorist events of September 11, 2001 have changed the world forever. To some observers, so too has the public profile of policing. In many countries now there are signs of police reverting to...paramilitarism which is...at odds with community policing." He argues convincingly that turning away from community policing would, in fact, be counterproductive because the community is where trust and mutual respect can be built. Early warnings about terrorist acts are much more likely to be provided and "a hostile or fearful community, for example, will be disinclined to cooperate with police." Murray considers different models for policing and the

development of cultures that help or hinder the policing of terrorism and community policing.

Part IV: Police Strategy and Investigations

Part IV considers recent developments in police strategy and investigations. The stereotypical view of criminal investigation shows police officers crowded around a map containing lots of pins that represent crimes, victims, or suspects. Nothing is wrong with the picture but crime mapping has, of course, become much more sophisticated with the development of computer tools and methodologies such as hotspotting. In Chapter 7, Jerry Ratcliffe develops the hotspotting approach into a matrix that serves as a framework for the spatio-temporal targeting of crime reduction. He adds a temporal component to the traditional spatial emphasis and notes that "the temporal component has received less research attention, but it is arguably of equal value to an operational police commander or crime prevention officer."

Examples from Australia illustrate the technique. Ratcliffe provides "a first attempt to describe a typology of crime hotspots in a spatio-temporal manner." The attempt is comprehensive and suggests appropriate crime prevention and detection methodologies.

Hotspotting also has a place in Per Stangeland's real-life case study cited in Chapter 8, "Catching a Serial Rapist," which discusses the criminal profiling of a serial rapist in Malaga, Spain. The main focus is the geographical profile, which is made more detailed by considering a possible awareness area, activity space, and buffer zone of a serial offender. The profile submitted to the police did not, however, identify the rapist. Stangeland analyzes the reasons for this failure by considering the hits and misses of the investigation.

The determination of the suspect's means of transport was inaccurate and affected the accuracy of the computer model. The rapist was eventually caught and further insights were provided from interviews with the rapist. The main focus of the chapter is the geographical profiles, and it explains methods of improving future investigations. The author recommends supplementation of geographical profiles by thorough on-site observations and improved police access to public and civil registers, especially if an offender has no prior criminal record.

Part V: Restorative Policing

The fifth and final part takes us in a different but related direction by considering developments in restorative policing. In Chapter 9, Jharna Chatterjee and Liz Elliott consider restorative policing from a Canadian perspective.

The main influences in the development of restorative policing were the Mennonite and aboriginal traditions in Canada and the influence of conferencing as introduced by the Royal Canadian Mounted Police in the mid-1990s. This was an approach imported and adapted from New Zealand and Australian experiences. The authors examine the role of the Royal Canadian Mounted Police in the development of restorative practice. The Youth Criminal Justice Act implemented in 2003 has affected police discretion and restorative approaches. Its impact in Canada is discussed.

Chatterjee and Elliott note that, "one issue of contention with the conferencing model is its focus on shame." Concerns related to the practice of shaming are highlighted, particularly linking shaming with violence. The authors also question the role of police officers in conferencing. They ask whether the police should act as facilitators in conferences or attend as interested parties or not participate at all. They believe the role of police in the conferencing process "marks a return to an original goal for police, to act as peace officers." They also suggest that facilitators must "clearly understand restorative justice, receive ample and ongoing training, and the capacity to help participants manage shame in helpful ways."

Issues of police involvement in restorative justice are taken forward in Chapter 10, "Police Reform, Restorative Justice, and Restorative Policing." Gordon Bazemore and Curt Griffiths take the view that the restorative justice model can assist the police in community engagement, forming meaningful partnerships, and building community capacity. The authors see restorative practice as a fundamental shift in intervention objectives, from punishment or treatment to an emphasis on repairing harm. Bazemore and Griffiths see such an approach as "best developed with maximum input from victim, offender, and their supporters through a non-adversarial process. This process, in turn, has value in its own right. For example, as a means of promoting stakeholder ownership of the problem created by the crime in question." Despite the successes, the authors see the need for a systematic vision of restorative policing: "Effective, principled implementation of restorative policing depends on a holistic, systemic vision that seeks to incorporate restorative justice principles in all aspects of the profession."

Summary

Whether restorative policing is the right route for contemporary law enforcement is another matter, but it shows one potential and promising pathway. It is only one challenge for policing during the early years of the century. As explored in this volume, other significant challenges to the role of the police officer include the day-to-day stresses, ethics and corruption, changes in priority caused by international terrorism, community policing imperatives,