

# **POLICING AMERICA**

## CHALLENGES AND BEST PRACTICES

PEAK

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terrorism

crime prevention

crime analysis

FBI

investigation

criminal profiling

cybercrime

due process

DNA

informants

use of force

mentoring

# POLICING AMERICA

CHALLENGES AND BEST PRACTICES

SEVENTH EDITION

**Kenneth J. Peak**

*University of Nevada, Reno*



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“Novus ordo seclorum”—“A new order for the ages”—is the motto inscribed below the pyramid on the U.S. one dollar bill. The motto, approved by Congress in 1782, was to signify “the beginning of the new American Era,” which commenced in 1776.

In keeping with that theme, this seventh edition is dedicated to those police practitioners who are now more innovative, technology- and data-driven while still committed to the community, and constantly seeking new ways of doing the business of policing better. May their efforts—*novus ordo seclorum*—take policing where it needs to go.

—K. J. P.



# Preface

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## Purposes and Approaches

This edition of *Policing America*, like its predecessors, benefits from my many (more than thirty) years of combined practical and academic experience, which includes holding two positions as a police chief executive officer. Its chapters therefore contain a real-world flavor not found in most policing textbooks and reflect the changing times in which we live and the tremendous challenges facing federal, state, and local agents and officers every day. And like its six preceding editions, this edition continues to represent my best attempt to allow the reader, to the fullest extent possible, to experience vicariously the wearing of a police uniform by providing a highly practical, comprehensive view of the world of policing.

The book's subtitle—*Challenges and Best Practices*—is indicative of its heavy emphasis on the practical aspects of policing as well as what the police are doing to address the many crime problems and issues that plague the United States. This edition includes new topics and beneficial additions to previously presented topics as well as changes in organization and content.

## New Topics in This Seventh Edition

Substantively new topics in this edition include the following:

- |            |   |
|------------|---|
| Chapter 1: | Civil rights movement vis-à-vis police; expanded Peel's principles of policing  |
| Chapter 2: | Types and functions of state-level law enforcement agencies, to include those of both primary and special-purpose nature; NCIC; federal law enforcement agencies  |
| Chapter 3: | Organizations as bureaucracies, per Weber; St. Louis PD organizational structure  |
| Chapter 4: | Nature, extent, and curriculum of the police academy experience; in-service training; women and minorities in policing moved to this chapter  |
| Chapter 5: | How the recent economic downturn affected traditional patrol functions; patrolling on two wheels (motorcycles, bicycles, Segways); legal and psychological aspects of officers' uniforms, appearance, and dress codes; dispatch and communications: the patrol lifeline |
| Chapter 6: | CompStat (for comparative or computer statistics); problems with empirically evaluating COPPS initiatives   |

- Chapter 7: “Body farms”; using DNA for solving property crimes; U.S. Supreme Court ruling on postconviction DNA tests; problems with forensic labs and DNA storage; using social networking sites for investigations; the Regional Computer Forensics Laboratory (RCFL) Program
- Chapter 8: A new chapter dealing with personnel issues and methods; stress (nature, types, sources, effects), labor relations, higher education, and the private police
- Chapter 9: New U.S. Supreme Court decisions that affect the police
- Chapter 10: The Law Enforcement Oath of Honor; use of force continuums (i.e., the dynamic resistance response model)
- Chapter 12: This newly configured chapter combines materials previously distributed in other chapters, adds new material, and focuses on policing criminal syndicates; terrorists, the mob, gangs, and drug traffickers; new information added concerning terrorists (intelligence-led and predictive policing, fusion centers, new investigative methods); the mob in popular culture; gang violence; police responses to gangs; and nature/extent of the nation’s drug problem
- Chapter 13: This newly configured chapter brings together materials previously included in other chapters and now focuses primarily on crimes committed by individuals and selected “people problems”; new and updated information concerning immigrants, youth, crimes, hate crimes, and the homeless
- Chapter 14: New technologies; new section on license plate recognition systems and “robotic ferrets”; material on augmented reality, unmanned aerial vehicles, and nanotechnology brought into this chapter
- Chapter 15: Completely revamped from previous editions, this chapter now includes discussion of the changing United States (demographically) and the impact on future policing; challenges in the nature and types of crime, victimization, and violence; coping with drugs, alcohol, guns, and cybercrime; coping with high-technology crimes; grooming future leaders; whether or not local police are becoming too federalized and too closely aligned with military forces; future impact of information technologies; a critical juncture regarding police education; the future of community policing

## Special Features and Attributes

The first aspect of the book that will be noticed are its several pedagogical attributes. First, to help make this textbook more reader friendly, each chapter begins with learning objectives and an introduction. A summary, a list of key terms, review questions,

“Learn by Doing” features, and endnotes are found at the end of each chapter. Other instructional aids found in the chapters include Career Profiles (new to this edition), MyCrimeKit notes in margins (new to this edition), Comparative Closeups (looking at some aspect of policing in foreign venues), Court Closeups, tables and figures, exhibits describing police methods and news items, and photos illustrating the text content. A detailed index at the end of the book makes it easy to find information on specific topics quickly.

A few additional comments are in order concerning the “Learn by Doing” and “Career Profiles” sections of this edition, which are intended to further enhance the text’s applied nature. Beginning in the early 1900s, famed educator John Dewey promulgated the “learning by doing” approach to education, or problem-based learning. This approach also comports with the popular learning method espoused by Benjamin Bloom in 1956, known as Bloom’s Taxonomy, in which he called for “higher-order thinking skills”—critical and creative thinking that involves analysis, synthesis, and evaluation. These new chapter scenarios and activities place the reader in hypothetical situations, shifting attention away from textbook-centered instruction and moving the emphasis to student-centered projects. These activities also create opportunities to practice skills in communication and self-management, problem solving, and learning about and addressing current community issues. It is my hope that readers will be inspired to become engaged in some or all of these scenarios and activities.

The Career Profiles, appearing in all but Chapters 12 and 15, contain information provided by current and past police practitioners and provide the reader with their insights concerning the nature of their duties, a “typical day,” and some career advice.

## Chapter Organization and Contents

The book’s fifteen chapters are divided into five parts; however, some parts as well as chapters have been reconfigured and relocated from the previous edition to better organize and cluster their overall flow and content. Following is a description of the organization and contents of the five parts and fifteen chapters that compose this edition, as well as its supplemental attributes.

In Part One, the foci are the foundations and evolution of policing. This part now has what might be termed a “funneling effect.” Chapter 1 takes a broad view of policing, tracing its history from its English origins to its migration to the United States; included are its striving for acceptance in both nations as well as its struggles (e.g., political influence, reform, and the civil rights movement in the United States) and transformations along the way. Chapter 2 takes a wholly domestic view and examines the organization and administration of U.S. federal and state law enforcement agencies to protect their respective borders. The roles of state agencies—including those of general police duties as well as state bureaus of investigation and other special-purpose state agencies—are also discussed. Chapter 3 continues this funneling effect, examining the status, organization, and administration of local agencies (here, meaning the municipal police departments and sheriff’s offices); included are profiles of both and comparisons with each other. Also

discussed are definitions of organizations; organizational communication; functions of police executive officers, middle managers, and supervisors; influence of politics; media relations; contract and consolidated policing; and agency accreditation.

Part Two generally looks at policing from the individual officers' as well as various occupational perspectives. Chapter 4 begins by examining how common citizens are prepared for doing the work of policing: recruitment (to include the testing process used to discern whether one possesses the physical and psychological attributes that are sought), training (both during and after the recruit academy), and the different styles and roles of policing. Next, Chapter 5 explores the very fundamental and important function of patrolling and includes the purposes and nature of patrol; the dangers encountered; the variations in patrol work by shift, beat, and assignment; officers' use of discretion; and the traditional traffic function. Chapter 6 focuses on the current era of policing, which is the community policing era; the chapter includes discussions of both community-oriented policing and its corollary, problem solving, and includes their principles, strategies, and various applications. Chapter 7 focuses on criminal investigation, including some discussion of how it evolved, the roles of detectives, working undercover, DNA and other forms of analysis and technologies, uses of behavioral science, and recent developments in the field. This part concludes with Chapter 8, which, as noted, is a new chapter on selected personnel issues; topics included are stress, labor relations, higher education, and the private police.

In the three chapters composing Part Three, we combine several means by which police authority is constrained, by constitutional law and court decisions, in terms of their accountability to the public, and by their being found liable to citizens when overstepping their authority. Chapter 9 looks at the rule of law: court decisions and constitutional enactments that direct and constrain police actions; the focus here is on the Bill of Rights in the Constitution, particularly the Fourth, Fifth, and Sixth Amendments. Chapter 10 considers police accountability from several perspectives, including the issue of police ethics, use of force, corruption, and discipline. The civil liability of the police is then examined in Chapter 11, which includes various areas in which officers may be liable, and the means by which citizens may seek legal redress when they believe their civil rights have been violated.

Part Four, like the preceding parts, is intended to have a grouping effect, with the emphasis on the problems caused by special populations of criminals, the challenges they pose for the police, and some of the methods being used to deal with those problems. In Chapter 12, we consider several criminal syndicates that plague U.S. society, including terrorists, the Mob (also known as La Cosa Nostra or the Mafia), gangs, and drug traffickers. Methods, relevant legislation, and other tools for coping with these crime collectives are included. Chapter 13 leaves the grouping of offenders and looks instead at selected individual offenders as well as other "people problems." Included in this chapter are crimes involving illegal immigrants (and, as a part of that, efforts to protect our borders), youth crimes, hate crimes, and the homeless. As in Chapter 12, the emphasis here is placed on methods, relevant legislation, and other tools that are available to the police for coping with these crimes.

In Part Five, the emphasis shifts to police technologies and challenges of today and beyond. Chapter 14 examines a wide array of exciting police technologies that exist today or are on the horizon for detecting crime, analyzing evidence, and doing everyday work (such as traffic collision investigation). Included are discussions of less-lethal weapons and innovations in wireless technology, fingerprinting, firearms analysis, robotics, and other new technologies (including several exciting technological possibilities now in development: augmented reality, unmanned aerial vehicles, and nanotechnology). Chapter 15 concludes the text with a consideration of the future of policing; it is hoped that all readers will give this chapter a serious look because it does lay bare a number of serious challenges and issues that will face the police in the near future. We consider how rapidly the United States is changing demographically and the issues posed as a result; the challenges police will face in terms of the changing nature of crime and victimization—which are exacerbated by crime “accelerators”: drugs, alcohol, and guns; the need for the police of the future to be trained and educated in the ways of the cybercriminal; how as baby boomers retire, policing will soon face a “crisis stage” in preparing its future leaders. We also discuss whether or not the local police are becoming too federalized and militarized, as many people now believe; the future impact of information technologies; and what might happen with community-oriented policing. These are all weighty issues that loom on the horizon and for which the police must be planning today.

There are also five brief “Comparative Closeups” disseminated throughout the text, focusing on various facets of policing in other venues, including China, Iraq, Saudi Arabia, Japan, and Mexico. It is said that the comparative approach to learning demands a higher level of cognition, thus providing opportunities to search for order and to better assess the role and functions of the democratic U.S. policing system while allowing us to look for the common properties of these systems.

From its beginning through the final chapter, this book provides a penetrating view of what is certainly one of the most difficult and challenging occupations in America: policing.

## Instructor Supplements and Pedagogical Features

This text is accompanied by an Instructor’s Manual with Test Bank, MyTest computerized test bank, PowerPoints, Test Item File for WebCT, Test Item File for Blackboard/Course Compass, and a MyCrimeKit Web site ([www.mycrimekit.com](http://www.mycrimekit.com)).

To access supplementary materials online, instructors need to request an instructor access code. Go to **[www.pearsonhighered.com/irc](http://www.pearsonhighered.com/irc)** where you can register for an instructor access code. Within forty-eight hours after registering you will receive a confirming e-mail including an instructor access code. Once you have received your code, go to the site and log on for full instructions on downloading the materials you wish to use.

## Student Supplements

The MyCrimeKit website at **[www.mycrimekit.com](http://www.mycrimekit.com)** is an online study guide that offers key terms and review, multiple choice, true/false, fill-in-the-blank, and essay questions; a Media Review section where you can review chapter topics; Media Video related to

some chapters; Flashcards, to test your knowledge of each chapter; The Career Center, where you can explore career opportunities in criminal justice and criminology; and The Online Research Library, where you can explore the Cybrary and Research Navigator. Students can submit the practice quizzes, essays, and Web quest activities to instructors through the website for grading.

## Acknowledgments

I would like to extend my heartfelt gratitude to the reviewers who are responsible for the improvements and overall product found within this book's covers. We textbook authors—not unlike artists at their easels—constantly strive to upgrade the quality of our “palette” to deliver a better product to our “gallery.” Anonymous reviewers are the unheralded heroes in this regard, toiling long and hard over each chapter to provide the author with comprehensive, thoughtful, and cogent reviews. Their incisive and insightful work with each chapter far exceeds what I could accomplish, and in my experience my final product is immeasurably improved because of the reviewers' efforts (even though it typically means I have to eat a lot of humble pie upon reading their comments concerning my initial efforts). Again, many thanks to all of you: James D. Cunningham, State Fair Community College; David M. Jones, University of Wisconsin Oshkosh; Verna R. Jones, Jackson State University; and Kent R. Kerley, University of Alabama at Birmingham.

I hasten to add that this edition, like its six predecessors, is also the result of the professional assistance and forbearance of several people at Prentice Hall, many of whom have stayed the course with me over several editions of several textbooks. Specifically, I worked very closely with, and benefitted greatly from the efforts of Eric Krassow, senior acquisitions editor; Elisa Rogers, associate editor; Nitin Agarwal, project manager; and Heath Lynn Silberfeld, copy editor. Their work with this seventh edition resulted in many beneficial changes as well as a final product of which I am quite proud.

# About the Author

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**Ken Peak's** career as a practitioner and educator in law enforcement and criminal justice spans more than three decades, including nearly eight years as a police chief executive and beat officer. He is currently a full professor and former chairman of the Department of Criminal Justice, University of Nevada, Reno, where he was named teacher of the year by the university's honor society. He entered municipal policing in Kansas in 1970 and subsequently held positions as a nine-county criminal justice planner in Kansas; director of a four-state Technical Assistance Institute for the Law Enforcement Assistance Administration; director of university police at Pittsburg State University in Kansas; acting director of public safety at the University of Nevada, Reno; and assistant professor of criminal justice at Wichita State University. He has authored or co-authored twenty other textbooks, including *Justice Administration: Police, Courts, and Corrections Management* (6th ed.); *Community Policing and Problem Solving: Strategies and Practices* (5th ed., with Ronald W. Glensor); *Police Supervision and Management: In an Era of Community Policing* (3rd ed., with Ronald W. Glensor and Larry K. Gaines); *Women in Law Enforcement Careers: A Guide for Preparing and Succeeding* (with V. Lord); and *Policing Communities: Understanding Crime and Solving Problems* (an anthology, with R. Glensor and M. Correia). He has also published two historical books—*Kansas Temperance: Much Ado About Booze, 1870–1920* (with P. Peak) and *Kansas Bootleggers* (with Patrick G. O'Brien)—as well as more than sixty journal articles and book chapters. He has served as chairman of the Police Section of the Academy of Criminal Justice Sciences and as president of the Western and Pacific Association of Criminal Justice Educators. His teaching interests include policing, administration, victimology, comparative criminal justice systems, and planned change in criminal justice. He received two gubernatorial appointments to statewide criminal justice committees while residing in Kansas and holds a doctorate from the University of Kansas.

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