THE OXFORD HANDBOOKS IN CRIMINOLOGY AND CRIMINAL JUSTICE

General Editor: Michael Tonry

EDITED BY
MICHAEL D. REISIG
ROBERT J. KANE

The Oxford Handbook *of* POLICE AND POLICING

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The *Oxford Handbooks in Criminology and Criminal Justice* offer authoritative, comprehensive, and critical overviews of the state of the art of criminology and criminal justice. Each volume focuses on a major area of each discipline, is edited by a distinguished group of specialists, and contains specially commissioned, original essays from leading international scholars in their respective fields. Guided by the general editorship of Michael Tonry, the series will provide an invaluable reference for scholars, students, and policy makers seeking to understand a wide range of research and policies in criminology and criminal justice.

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Contents

PART III POLICE AUTHORITY

PART IV RACE/ETHNICITY AND POLICING

PART V VARIETIES OF POLICE RESEARCH

PART I

POLICING CONTEXTS

CHAPTER 1

A RECENT HISTORY OF THE POLICE

JAMES J. WILLIS*

LIKE many other political and social institutions, the police have been the focus of many reform efforts aimed at improving what they do and how they do it. This essay sketches some of the major efforts at changing local police organizations in the United States over the last thirty years. In doing so, it takes occasion to make comparisons to policing developments in other countries (mostly other Western democracies). Its purpose is to identify some broad patterns and trends as a context for interpreting the essays that follow.

Following Weisburd and Braga (2006a), its point of departure is Everett Rogers's (2003, 137) notion that social change is often driven by a perceived problem or crisis to an existing social system that demands an innovative response. Not only may this generate new approaches; it can also influence their form and character. As Hans Toch (1980, 55) writes, "The premise here is not that crises inevitably lead us to new ideas, but that crises permit us to evolve new ideas by unsettling old ones." The late 1960s in the United States was such a period of crisis, when racial tensions and concerns about crime and disorder revealed the limitations of the existing policing model. Not long after, urban riots in Britain exposed the police to similar scrutiny (Brain 2011). The government inquiries and ensuing reports on both sides of the Atlantic identified a host of challenges facing the criminal justice system including the police.[1] Key among these was improving public safety though effective crime strategies and repairing the fraught relationship between the police and its publics (particularly with minorities living in inner-city neighborhoods).

This essay suggests that some recent and important innovations in the policing environment can be regarded as new or continued adaptations to the problems of public safety and police legitimacy first identified in the United States in the 1960s and 1970s, and in Britain in the early 1980s. Thus, in the decades since community policing emerged as a coherent reform, we have witnessed its evolution in response to developments in police research and practice and in response to larger

social, economic, and political forces. At the same time, other innovations, such as Compstat, have appeared as new attempts to improve the police capacity to fight crime and strengthen public accountability for performance. In addition, the structure of policing in the United States and elsewhere has been influenced by a new shock to the policing environment that in turn has presented a set of new challenges to the way police operate—the threat of terrorism. Thus this essay is structured around developments in the following key and overlapping areas: strategic innovations, accountability and legitimacy, and policing terrorism.

Reform efforts rarely work as intended, and so it is important to distinguish the desires and recommendations of reformers and reform movements from actual police operations in order to get an accurate historical portrait. This essay will also offer a brief assessment of the nature and degree of change over this reform period. Finally, just as the President's Commission on Law Enforcement and Administration of Justice (1967, x) recognized research as a "powerful force for change," some trends in police scholarship are also considered.

The essay is organized as follows: Section 1.1 discusses some key strategic innovations to have emerged in policing over the last few decades; Section 1.2 examines recent efforts to strengthen police accountability and enhance legitimacy; Section 1.3 explores how local police have adapted to the new challenge of terrorism since the attacks of September 11, 2001; and Section 1.4 concludes by offering some comments about continuity and change over this period and by noting opportunities for future research.

A number of conclusions can be drawn:

- Police scholarship has significantly advanced understanding about the effectiveness of a variety of police strategies for reducing crime and disorder.
- It has become generally accepted that the police role extends beyond crime control to include a wide range of citizen concerns and neighborhood problems.
- New systems have emerged for holding police organizations accountable for their crime control efforts, for improving oversight of individual police officer performance, and for increasing public confidence in these processes.
- Despite attempts to improve police community relations, most notably through the continued development of community policing, studies still show that African Americans are less supportive of the police than whites.
- A growing body of research suggests that treating people in procedurally just ways enhances the legitimacy of the police and delivers important crime control benefits.
- Local police are regarded as playing a key role in anti-terrorist activities, but by and large their organizational priorities, structures, and practices have been little affected by the attacks of September 11, 2001.
- Routine and reactive patrol work remain at the core of policing and yet little is still known about whether or how often patrol officers make the best choice in using their discretion in their encounters with the public.

1.1 Strategic Reforms

The focus in this section is on strategic innovations whose lineage can be traced back to the crises of the 1960s and 1970s and that continue to shape the contemporary police role and function: community policing and order maintenance policing,[2] problem-oriented policing (POP), and hot spots policing. These are obviously not the only important reforms to have emerged over the intervening period (these exclude, for example, legal, administrative, and technological changes), but they have generated considerable discussion among police scholars and practitioners and can be thought of as "strategic" because their doctrines, if implemented faithfully, promise to transform the means and ends of policing (Moore, Sparrow, and Spelman 1997, 278; Weisburd and Braga 2006a). Moreover, examining the context in which these "big reform ideas" emerged helps to highlight aspects of the policing environment that lie at the core of other attempts to change police (Bayley 2008, 8).

1.1.1 The Standard Model of Policing

In order to make any meaningful assessment of recent reform efforts, it is first necessary to establish some kind of benchmark for measuring change. What is policing purportedly changing *from*? Regarding this question, it is worth bearing in mind that assessments of police reform, including the one here, are more often based on interpretations of case histories from big city police departments than on rigorous scholarly analysis (see Lane 1967; Fogelson 1977). While models identifying different reform eras provide a helpful framework for considering general historical trends (Kelling and Moore 1988), to what degree they accurately capture the diverse workings of thousands of police departments over several decades is an empirical question that needs to be tested. For example, when a study of two large police departments in the United States from the 1990s shows that "general patrol, administrative activities, and personal breaks accounted for the majority of the [patrol] officer's self-directed time," is this significantly different from how patrol officers spent their time twenty or even a hundred years ago? (Mastrofski 2004, 114). If not, what does this say about claims that the last three decades have been "remarkable" in terms of police innovation (Committee to Review Research on Police Policy and Practice 2004, 82)?

Accurate comparisons over time eschew impressions for hard empirical evidence, whose absence brings to mind what Marcel Duchamp called "the delightful fantasy of history" (Tomkins 2011, 69). What is needed is a more reliable basis for making judgments about how extensive changes in policing have or have not been. Longitudinal field studies could help fill this lacuna in existing police scholarship, but this would require the implementation of a research infrastructure very different from the current model

where individual projects are funded over short two-to-three-year periods rather than being sustained over decades (Willis and Mastrofski 2011, 327). Fortunately, the National Institute of Justice is currently testing a long-term research platform that would allow researchers in the United States to collect data indefinitely on hundreds of police departments across the country (Rosenbaum et al. 2011). Such an approach would allow for more meaningful assessments of police reform, including the historical factors promoting stability and change.

Putting this caveat aside, the conventional wisdom is that up until the crises of the 1960s, police operational strategies in the United States were primarily reactive, focused on serious crime, and applied generally across a jurisdiction (Committee to Review Research on Police Policy and Practice 2004). Referred to as the "standard" policing model, the primary police methods of routine preventive patrol, rapid response to calls for service, and retrospective investigations were influenced by ideas about general deterrence and incapacitation (Weisburd and Eck 2004, 44). It was thought that maintaining a visible presence in communities, responding promptly to individual emergency calls (especially those that were crime related), and increasing the risk of apprehension could reduce crime because arresting some offenders and deterring others would give the impression of police omnipresence. Furthermore, consistent with the assumption that the police exercise of legal-rational authority should be protected from arbitrary political interests, subject to rules, and applied uniformly by well-trained professionals, police organization took the form of a "legalistic and technocratic bureaucracy whose members are committed to an occupational community with norms of subordination and service that set it apart from the community that it policed" (Reiss 1992, 57).

Rising crime rates from the late 1960s to the mid-1980s (Bayley and Nixon 2010, 3), and a series of high-profile research studies questioning the effectiveness of standard police practices (Kelling et al. 1974; Greenwood, Petersilia, and Chaiken 1977; Spelman and Brown 1981), presented serious challenges to the strategic assumptions of a policing model that had dominated for much of the twentieth century. Additionally, the Civil Rights Movement, race riots, and increasing citizen alienation from government (Mastrofski 2006, 44) revealed a tense and distrusting police-citizen relationship (Fogelson 1968). The form and character of ensuing police reform strategies were influenced by the nature of this performance gap between current practices and public expectations for what the police should be doing and how they should be doing it in a democratic society (Weisburd and Braga 2006a, 3).

In this context, community policing and broken windows policing can be considered police departments' attempts to foster closer working relationships with communities and to respond to a broader range of public safety concerns than just serious crime; problem-oriented policing developed to reorient policing from a bureaucratic focus on internal management concerns and "one-size-fits-all" responses to individual incidents; and lastly, hot spots policing emerged in the wake of evidence challenging the effectiveness of crime control strategies involving the uniform application of police resources across jurisdictions. It is to these reforms that I now turn.