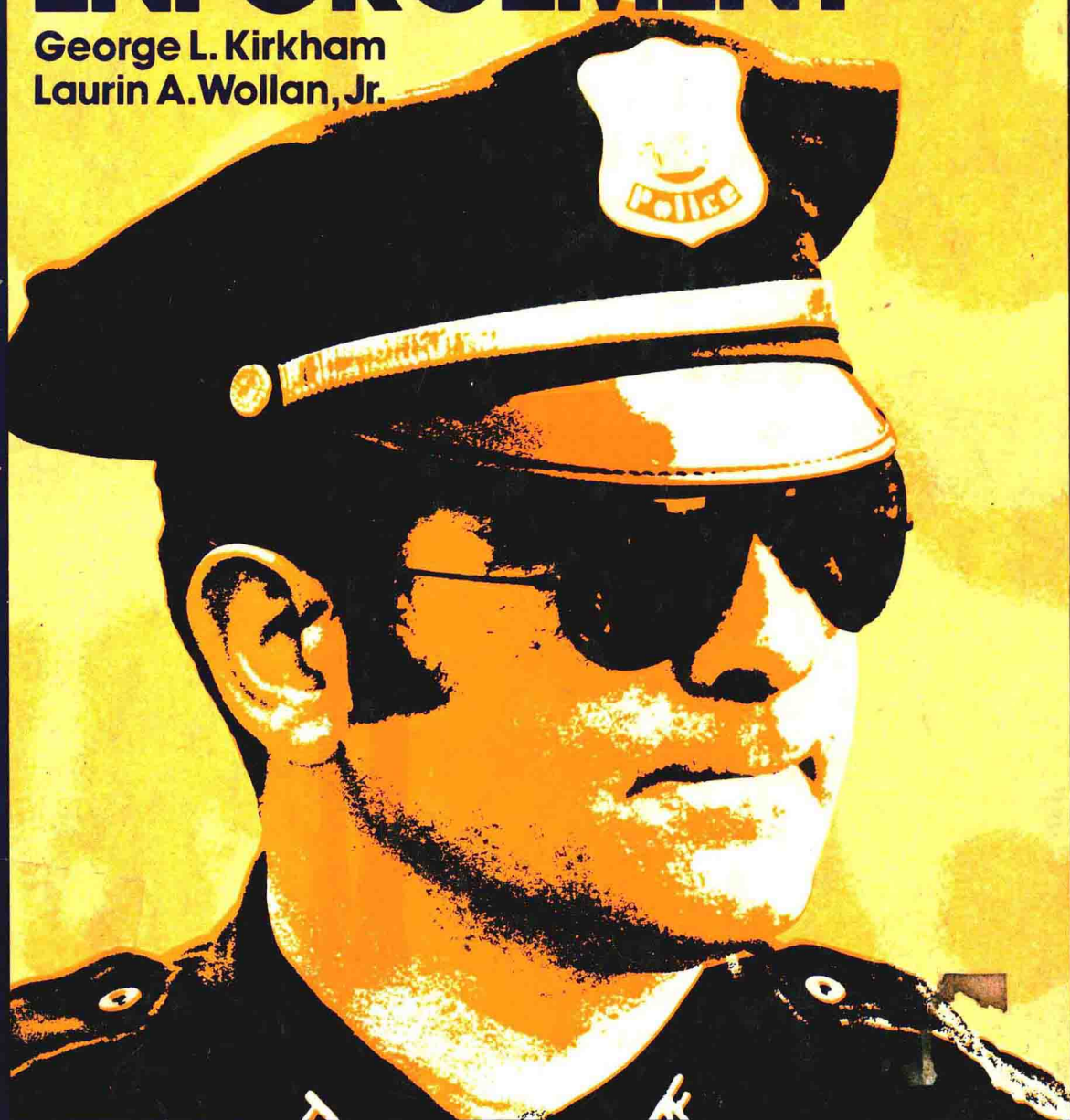


INTRODUCTION TO LAW ENFORCEMENT

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Introduction to Law Enforcement

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PREFACE

Law enforcement is one of the most complex, dynamic, and little understood institutions of modern society. *Introduction to Law Enforcement* goes beyond the traditional scope of a basic text by exposing students to a number of critical issues and provocative problems that are not ordinarily considered in introductory books on law enforcement.

Perhaps paramount among these “new” subject areas is an in-depth treatment of the human dimension of modern policing—a perspective on police officers as human beings and the problems and pressures confronting them because of the nature of their work. In our society we too often think of the police as an impersonal class of robots—rigid and mechanical beings who are programmed to react to crimes and criminals with a set of neat, stereotyped responses. The complex range of human services, interpersonal skills, and sometimes agonizingly difficult decisions that police officers make each day is often lost sight of. This text seeks to remedy that long-standing deficiency by helping students develop a better understanding of policing as one of the most difficult and demanding (but rewarding) forms of “people work” in modern society.

The senior author decided to include major sections on subjects such as stress in policing and the human dimension of law enforcement, after a number of his police-officer students persuaded him some years ago, to leave the university environment, go through a police academy, and spend a number of months working as a uniformed officer in a major metropolitan department. The years since that first revolutionary exposure to the real world of law enforcement have seen the senior author in the role of a “professor–policeman,” alternating time in the classroom and at the typewriter with time in the blue uniform of a patrolman and the plainclothes garb of an investigator.

The junior author, a former prosecutor, viewed law enforcement from a quite different perspective as a result of several years of policy-making work in the United States Department of Justice. We think the contribution of a policy-oriented lawyer adds considerable depth and scope to our overall treatment of the subject, by raising such important issues as the involvement of the police in the community, and vice

versa, and in the sharing of police functions by public and private elements of the community.

Introduction to Law Enforcement covers the basics of law enforcement in a structure that can be thought of in terms of journalism's "who, what, where, when, and why," but without, however, much attention to the "how" of law enforcement. This is because the authors have not attempted to write a manual or handbook of law enforcement techniques. As discussed in the concluding chapter on professional policing, these important aspects of the subject are best relegated to the police training academy and ultimately to "the street," where experience is the best—indeed often the only—teacher.

Part One of the text opens with an introduction to the "what" of law enforcement: its origins in the nature of social life and the need for order; then moves to the evolution of the police function in social control from primitive times; and continues through the modern patrol functions, the specialized activities in the traffic, investigative, juvenile, and vice and narcotics fields, and such supporting services as communications and criminalistics.

Part Two surveys the "where" of law enforcement—in a sense broader than geography—that reveals many influences that shape law enforcement. It puts the police at the beginning of the flow of cases into the criminal justice system; places the police in relationships with systems closely associated with social control (e.g., the mental health system); and finally locates the police within the governmental, political, and social systems.

Part Three turns to the "when" and "why" of law enforcement: it defines the "why" in terms of purposes, particularly the police officer's concern for crime and for the criminal law he or she is responsible for enforcing. Attention is given to the limitations on the police that are aimed at the protection of individual liberties. The "when" of law enforcement identifies the occasions when police action is taken—what triggers police intervention and what does not. It deals with the difficulties of police discretion—the range of choices the police have as to whether they will act at all, with what means, to what extent, and under what limitations. The conclusion of Part Three presents the problem of discord between legality and legitimacy in police authority—the power to do what they should not do, and the lack of power to do what they should.

Part Four takes up the "who" of law enforcement: it presents the personal or "human" dimension of policing, especially its social and psychological stresses and their effects on the officer's work, health, and family. The text concludes with a discussion on the professionalization

of the police, with special attention to the controversy over the relationship of higher education to law enforcement.

We hope our collaboration has enriched the text with insights and concerns that will make it valuable not only to the present or future law enforcement practitioner but also to workers in other parts of the criminal justice system and to citizens who seek a better understanding of the police role in modern society.

Because the authors believe firmly in the value of supplementing conventional lecture and reading material on the subject of law enforcement with periodic exposure to the issues and problems being dealt with, the text can fruitfully be used in conjunction with a series of films the senior author has developed. These serve to illustrate graphically such key subjects as stress in policing, the exercise of discretion, and a wide variety of other topics discussed in the text. Information on these audio-visual supplements may be obtained from the Media Division, Harper & Row, Publishers, Inc., 10 East 53rd Street, New York, New York, 10022.

We have many people to thank for contributions of various kinds to the development of this book, but especially Frank Niland and Dennis Hauptly for providing some important information, and Jim White and Gus Dalley for reading portions of the manuscript, Donna Whitaker for typing most of it, and the senior author's wife, Merry Ann Kirkham, who somehow always managed to find time for valuable editorial advice, despite her other responsibilities as a full-time criminal investigator, wife, and mother of four.

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Laurin A. Wollan, Jr.

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One

THE ORIGINS AND FUNCTIONS OF THE POLICE

Part One of *Introduction to Law Enforcement* introduces the reader to the origins, evolution, and functions of the police. Chapter 1 puts the police into perspective against a background of social order. It sketches the social origins of law enforcement within the universal need for order—a need that had historically been filled with very little deliberate, formal action by established social institutions. The need for order is met by social control mechanisms in many forms, only one of which is the enforcement of the law by the police. But the police, despite the impression made by the media, are neither omnipotent nor omnipresent. They are a fragile, “thin blue line,” few in number, a scarce resource, and limited in many ways, including limitations placed on them by society. The police are, in short, a backup for many other means of social control and are called up when others fail to bear their share of the burden.

The need for social order and control is so fundamental to a society that some form of law and police force are found, in one form or another, in all but the most primitive cultures. The study of one civilization after another reveals remarkable parallels to our modern law enforcement system, such as Augustus Caesar’s *vigiles*.

Chapter 2 traces from antiquity the evolution of law enforcement systems, from the developments in the days of Moses and Hammurabi, through ancient Greek and Roman times, to early English history, from which so many later American institutions and procedures have emerged. This historical background sets the stage for a survey of modern law enforcement systems.

Chapters 3 and 4 accordingly review the activities of the modern police force. Chapter 3 describes the patrol functions—the most basic responsibility of the municipal police, the eyes and ears of the department as a whole. This chapter looks at the characteristics of the patrol officer, the tasks involved in a typical

workday on patrol, the organization of patrol operations, and the types of influences affecting what the officer does. In addition, Chapter 3 deals with such issues as the relative importance of law enforcement, order maintenance, and public service; the deterrent effects of patrol; and the findings of recent experiments with different patrol procedures. It concludes with the traffic function—a responsibility that has grown rapidly with the importance of the automobile to the American way of life, yet one that is easily viewed negatively and underestimated despite its importance (given the significance of 50,000 traffic deaths per year). The chapter also examines the social and psychological influences on the encounter of a motorist and police officer.

Chapter 4 brings Part One of the text to a close by reviewing additional police functions, beginning with the detective function. The chapter delves beneath the romantic stereotype of the fictional detective to deal realistically with the role, organization, and daily operations of the criminal investigator. Less visible components of the police are also discussed, such as the juvenile unit, the importance of which is seen in the 5 percent of America's children who have some contact with the police each year, and the detective specialties of vice and narcotics investigation. The chapter concludes with a review of police support services, such as communications systems and criminalistics, to provide a rounded picture of the police organization and its activities.

1

**LAW AND
SOCIAL
CONTROL**



Social Order

What exactly do we mean when we speak of *order*? The word, like so many others in our language, holds very different meanings for different people. If we turn to the dictionary, we find that order is defined as “A social condition of peace or harmony.” For a great many people in our society today, however, the word holds a far more emotional and complex significance than that simple definition suggests. During the mid and late sixties in America, in the face of soaring crime rates and mounting civil protests, *order* became a highly volatile and often-used term. For some—those who saw our society’s survival as gravely threatened by the forces of crime and anarchy—*order* became a political rallying point. For still others during the same era, the word became the hated symbol of a totalitarian future, a police state filled with mindless robots and characterized by the absence of individual liberty.

The idea of order carries with it an inescapable connotation of sameness, conformity, and uniformity. It therefore bristles the backs of many of us who feel strongly committed to the values of individuality and diversity in human thought and action. As members of a free society, we have come to cherish each person’s right to be unique, to march to a different drummer if he or she so chooses. Despite this, the truth is that order has been an essential part of every human society, whether democratic or totalitarian, since the beginning of time.

The earliest people discovered the elementary reality that, if they wished to interact regularly with one another on a cooperative basis, they would first have to agree upon and enforce certain standards of conduct. Human social life was possible, they found, only in proportion as it was to some extent predictable, stable—in a word, orderly over time.