

LEARNING THE SKILLS OF POLICING*

DAVID H. BAYLEY†

AND

EGON BITTNER**

I

INTRODUCTION

How important is experience in learning to become an effective police officer? Police officers say vehemently that there is no substitute. The training given in police academies is universally regarded as irrelevant to "real" police work. Policing, it is argued, cannot be learned scientifically, in the sense that if A is done in Y situation and B is done in X situation, then Z will result. The life police officers confront is too diverse and complicated to be reduced to simple principles. As police officers continually say, every situation is different. What is needed, then, is not learning in the book sense but skills derived from handling a multitude of what seem like unique situations over and over again.

If this view of policing is correct, then it follows that the best officers are likely to be the most experienced, those who are older and have been in service longer. By extension, the only people fit to judge police activity in encounters with the public are other experienced officers. Certainly civilians could not make fair judgments, but neither could supervisors who had not experienced the peculiarities of a specific situation. In effect, the mysteries of the occupation are so profound that one not immersed repeatedly in police operations could not possibly understand the constraints as well as the possibilities of particular circumstances. Few officers would state the case as baldly as this, but these implications are fairly plain.

That this view of policing is self-serving is obvious. More troubling, however, is that it suggests that policing is not amenable to rational analysis and, by extension, to formal learning. Contrary to the pretensions of police "professionalism," officers commonly portray policing as being essentially a craft in which learning comes exclusively through experience intuitively processed by individual officers. Admittedly, policing is not yet a science in the sense that a body of principles has been generated that officers may follow with a reasonable probability of achieving successful outcomes. Officers correctly perceive that there is a gap between the operational world and the classroom,

Copyright © 1984 by Law and Contemporary Problems

* The research for this paper was supported by a grant from the National Institute of Justice, #81-IJ-CX-0082, to the Police Foundation, Washington, D.C.

† Professor, Department of Criminal Justice, State University of New York at Albany.

** Professor, Department of Sociology, Brandeis University.

between the lore of policing as it is practiced and principles of human behavior discovered by social scientists. It should not be forgotten that people who teach, such as the many academic observers of policing, have as large a vested interest in portraying policing as amenable to science and classroom learning as police officers do in rejecting it.

The purpose of this article is to show that the antinomy between policing as a craft and policing as a science is false. What police say about how policing is learned is not incompatible with attempts to make instruction in the skills of policing more self-critical and systematic. Progress in police training will come by focusing on the particularities of police work as it is experienced by serving officers and by analyzing that experience and making it available to future police officers. In order to achieve this, this article examines the work that patrol officers do, recognizing that while skills are required to carry out more specialized police duties such as criminal investigation, patrol work is the centerpiece of policing, occupying the majority of all police personnel, accounting for most of the contacts with the public, and generally initiating the mobilization of police resources.

II

THE NEED FOR LEARNING

If patrolmen acted like automata most of the time, then there would be little scope for learning. This, of course, is far from the case. A vast amount of research has shown that patrol work is fraught with decision: patrol officers exercise choice constantly.¹ It should be noted in passing, however, that the importance of choice in patrol work is a variable, especially when viewed on a worldwide basis. In the United States, Britain, and Canada, responsibility for tactical decisionmaking is delegated to the lowest ranks. But in many countries of Africa, Asia, and Latin America, regulations expressly prohibit lower-ranking officers from making particular decisions. In such systems, patrolmen and constables are hardly more than spear-carriers in the police drama, mechanically patrolling according to fixed schedules and calling superior officers to handle almost any interaction with the public beyond detaining suspects in crimes personally witnessed.² Even in countries where legal authorization is not truncated, organizational practice may require higher-ranking officers to be summoned in specific circumstances.

In addition to command direction, the scope for learning in patrol work varies with the nature of situations encountered. Situations can be ranked along a continuum from the cut-and-dried to the problematic. For example,

1. See generally D. BLACK, *THE MANNERS AND CUSTOMS OF THE POLICE* (1980); K. DAVIS, *DISCRETIONARY JUSTICE* (1969); W. LAFAYE, *ARREST* (1965); P. MANNING, *POLICE WORK* (1977); W. MUIR, *POLICE—STREET CORNER POLITICIANS* (1977); A. REISS, *POLICE AND THE PUBLIC* (1971); J. RUBINSTEIN, *CITY POLICE* (1973); B. SMITH, *POLICE SYSTEMS IN THE UNITED STATES* (1940); J. WILSON, *VARIETIES OF POLICE BEHAVIOR* (1968).

2. D. BAYLEY, *THE POLICE AND POLITICAL DEVELOPMENT IN INDIA* (1969); D. Bayley, *Patterns of Policing* (forthcoming).

American officers have few doubts about what to do when a man is found drunk lying on the ground in the winter. He must be picked up and taken to a shelter. The choices are also fairly limited in serious traffic accidents, alleged housebreaking, and assault with a deadly weapon witnessed by an officer. This is not to argue that some choices are not involved in such cases—officers can turn a blind eye or overreact—but rather that the appropriate responses are clearly recognized by everyone involved—patrolman, public, and command officers. The appropriate action may not be easy to take, but it is obvious. A robbery in progress is dangerous, but the patrolman's appropriate response is straightforward. Investigating a young person on a street late at night after curfew is rarely dangerous, but the decision as to what corrective action should be taken is often perplexing.

American patrol officers recognize these variable features of the work they do and can talk about them with discernment. They have an acute sense of where danger lies and what kinds of situations cause them the greatest difficulty in deciding what to do. In fact, they are so accustomed to thinking about the place of discretion in policing that a favorite in-house joke is that their most problematic situation during each shift is deciding where to go for lunch. In our experience, patrol officers single out disturbances as the most problematic calls they receive, especially domestic disputes, meaning quarrels among people who are living in the same household. These include wife beatings, child abuse, fights between gay roommates, disputes over property by people living in a common-law relationship, violations of restraining orders, and unruly children. The next most problematic activities that police officers mention are proactive traffic stops, in which they choose to stop a moving vehicle for some reason, and maintaining order among teenagers congregating in public places. Observers of police work have also chosen these situations when illustrating the complexity of police work.³ Survey data supports these impressionistic conclusions. Domestic disputes were by far the situation most commonly cited in 1966-67 by Denver police officers as requiring street decisionmaking, followed somewhat distantly by traffic violations.⁴ In 1981, police officers in Battle Creek, Michigan also mentioned domestic disputes most frequently as their most problematic encounter.⁵ Traffic violations were largely ignored. It seems likely that perceptions of the problematic nature of situations are related to the frequency of their occurrence in the working life of police officers. That is, if a particular kind of situation is rarely encountered, officers may not be sensitized to its complexity. Proactive traffic stops, for example, allow considerable scope for choice, but officers may not know this unless departmental policy encourages such activity.

3. See D. BLACK, *supra* note 1, at 188-89; W. MUIR, *supra* note 1, ch. 6; J. RUBINSTEIN, *supra* note 1, at 153.

4. D. BAYLEY & H. MENDELSON, *MINORITIES AND THE POLICE* 72 (1969). The authors cite figures of 38% and 14%, respectively.

5. Domestic disputes were mentioned by 29.3% of the officers surveyed. D. Bayley, *Police and Community Attitudes in Battle Creek, Michigan: An Interim Report on the Evaluation of the Police Improvement Project* (September, 1981) (unpublished report by the Police Foundation).

Although some work that patrolmen do is clearly discretionary, it is uncertain precisely how much of it is. If situations calling for the use of discretion occur frequently, then the ability to make decisions becomes central to patrol work. On the other hand, if they occur infrequently, then the kinds of skills that experience teaches are less helpful. The uncomfortable fact is that despite the enormous attention given to studying patrol work, especially to charting the nature of calls for service, little is known about the degree to which police exercise discretion. Information has not been collected about how problematical the different kinds of encounters are.⁶ Specifying the scope for decision is not a necessary part of a description of situations. It is a conclusion requiring information about what officers *could* do. Nor can inferences about the scope for choice be drawn from typical outcomes that situations generate. "Service" situations, occasions in which law enforcement action is unlikely or inappropriate, are not necessarily less complex than "enforcement" situations.⁷ The designation "order-maintenance" covers situations in which enforcement is appropriate but not automatically utilized. Although the decision is implied by definition, the choice may not be particularly difficult.

Unless studies are undertaken of the problematical nature of particular situations, even data from very detailed studies of the composition of police work will not reveal how much police work actually involves decision. However, information is available about the relative frequency of domestic disputes, which have been identified by patrolmen as being especially problematic. Eric Scott, for example, reported a breakdown of 26,000 calls for service in twenty-four metropolitan police forces in 1977 according to seventy-two categories.⁸ He found that domestic conflict accounted for 2.7% of calls for service. Moving violations accounted for 1%, but this statistic is not informative because the study was of citizen calls for service, not of all observed policy mobilizations.⁹ In another study, "domestic trouble" also accounted for 2.7% of all calls for service.¹⁰

These fragments of information suggest that the situations police consider most problematic are not encountered often. If these are the best examples police have of heavily discretionary situations, then making choices may not be the quintessence of patrol work, apart from the need to decide whether to act at all. Police officers may be exaggerating the proportion of problematic

6. M. FARMER & M. FURSTENBERG, *ALTERNATIVE STRATEGIES FOR RESPONDING TO POLICE CALLS FOR SERVICE* 2 (1979).

7. M. BANTON, *THE POLICEMAN IN THE COMMUNITY* (1964); W. LAFAVE, *supra* note 1; P. SHANE, *POLICE AND PEOPLE* (1980); J. WILSON, *supra* note 1; LAFAVE, *The Police and Nonenforcement of the Law*, 1962 *WIS. L. REV.* 104.

8. E. Scott, *Calls for Service: Citizen Demand and Initial Response*, 28-30 (1980) (Bloomington, Indiana: Workshop in Political Theory and Policy Analysis, University of Indiana) (unpublished paper).

9. J. McIver & R. Parks, *Identification of Effective and Ineffective Police Actions* 13 (March 1982) (paper for the annual meeting of the Academy of Criminal Justice Sciences). Five percent of all calls for police service involved domestic and nondomestic conflict.

10. Lilly, *What Are the Police Now Doing?*, 6 *J. POLICE SCI. & AD.* 51, 56 (1978).

work, in part perhaps to enhance their own self-esteem and in part because such situations are especially disconcerting to officers. What is needed before firm conclusions can be drawn about how important experience might be in policing is a systematic mapping of the range of responses actually employed by patrol officers in the situations that occur most frequently.

Interestingly, the situations officers believe provide the greatest scope for decision are among the most dangerous police face. Federal Bureau of Investigation statistics show that, between 1975 and 1979, disturbances (including family fights, quarrels, and "man-with-a-gun") accounted for the largest proportion of police officers killed (17%). Robberies in progress, which are not particularly problematic, were next (16%), and traffic stops and pursuit were third (12%).¹¹ Although dangerousness and "problematicness" are conceptually distinct, they appear to be associated to some extent. Because officers know these figures, it may be that their evaluations of the problematical nature of situations reflect their fears.

III

WHAT EXPERIENCE TEACHES PATROL OFFICERS

Recognizing that focusing on domestic disputes and proactive traffic stops may overemphasize the problematic character of police work, we find that experience on the job contributes to learning about (1) goals, (2) tactics, and (3) presence. That is, when officers talk about what is informative in practical experience, these are the matters most frequently mentioned.

A. Goals

Decisions about goals are antecedent to choices about tactics, which is not to imply that officers are always purposive. Some officers are essentially aimless, in that they do not try to align tactics and objectives. Any attempt to do so occurs after the fact, involving the false attribution of a rational purpose. Nonetheless, in explaining what they seek to achieve, whether truly or spuriously, patrol officers describe their operating goals as (a) meeting departmental norms, (b) containing violence and controlling disorder, (c) preventing crime, (d) avoiding physical injury to themselves, and (e) avoiding provoking the public into angry retaliation that threatens their careers. No priority can be given to these items; they are simply objectives that patrol officers try to achieve in varying combinations from situation to situation as they work. Each will now be explored in turn.

Departmental norms about what actions are to be undertaken are conveyed in many ways. Officers complain most about the "numbers game," numerical quotas that must be met by each officer. For example, commanders sometimes unfavorably compare the number of felony arrests made by one shift with those made by another, or the number of traffic tickets issued, or the

11. U.S. DEPARTMENT OF JUSTICE, SOURCEBOOK ON CRIMINAL JUSTICE STATISTICS 326, table 3.81 (1981).

amount of time spent "out of service" as opposed to patrolling. If the quotas are not met, officers are told to "earn their pay." Generally announced policies also constrain tactics, for example, with respect to using firearms against fleeing felons, arresting for minor offenses, or arresting without signed complaints in domestic disputes. The problem is that departmental policy is often not clearly expressed or understood. Supervisors indicate—sometimes subtly, sometimes directly—what they prefer by way of action. Officers are aware that what they normally do is not what "the sergeant" or "the lieutenant" would do. Officers cynically remark that calling a supervisor for assistance in a domestic fight usually produces "two domestics," one among civilians, another among police. Finally, tactical decisions are powerfully shaped by departmental procedures for reporting action. Many contacts with the public require filling out forms that are filed with the department. Often these forms present blocks to check, enumerating the actions taken. These forms structure choice, because officers know that if they take an action not specified, they will be required to provide an explanation. Explicit and detailed forms not only simplify reporting, they raise the cost of exercising initiative. They may also encourage specious reporting.

All of these cues as to what departments consider to be acceptable action are noticed by patrol officers, even when they are not followed. The expectations of departments are so constraining that officers, like youths walking through a graveyard at night, frequently strike brave postures privately about what is required. An officer may say proudly that, "When I'm on patrol I forget about all the higher-ups, I'm my own little police force." He may be, but the department has made him anxious nonetheless.

One of the great imperatives of a patrolman's life is the need to "reproduce order," in Richard Ericson's apt phrase.¹² It has been observed that police characteristically are called to deal with "something-that-ought-not-be-happening-and-about-which-someone-had-better-do-something-now."¹³ An essential part of police work is taking charge. The means used to accomplish this end depend on the circumstances. They can involve hitting, shooting, referring, rescuing, tending, separating, handcuffing, humoring, threatening, placating, and discussing. The objective is to minimize the disruptions of normal life. As one officer said, "We keep the peace, we don't settle problems." Police recognize the superficiality of what they do, often blaming this on the pressure of work. The fact is that the police frequently seem to have too much time on their hands and they are forever apologizing for how slow a particular tour of duty is. Actually, officers may be right: they *are* too busy to give the kind of attention that would make any permanent difference to the circumstances encountered. The requirements for dealing with deeper levels of problems are too exorbitant for police to meet. Doing

12. R. ERICSON, *REPRODUCING ORDER: A STUDY OF POLICE PATROL WORK* 4 (1982).

13. BITTNER, *Florence Nightingale in Pursuit of Willie Sutton: A Theory of the Police*, in *THE POTENTIAL FOR REFORM IN THE CRIMINAL JUSTICE SYSTEM* 30 (1974).

whatever is necessary to restore order is all that can reasonably be expected of the police.

Not only do police want to restore order, they want to lower the likelihood that future disorder, particularly crime, will occur. Though they tend to deny it, police officers are future oriented. The test of success in domestic fights, for example, is "no call-backs." Even while they deprecate the effect that their actions can have on the root causes of problems, they accept uncritically that they should work to deter future criminality. They do not view law enforcement as an end in itself but as a tool for convincing people not to do wrong.¹⁴ Faced with the threat of disorder, officers use laws to get leverage over people, to threaten that if police orders are not followed, the people will go to jail.¹⁵ This is one reason police condemn the decriminalization of nonconforming behavior in public places, such as drinking alcoholic beverages, being drunk, and loitering, that has taken place over the last generation. Such laws are needed, the police argue, to help them gain control before more serious incidents occur. But the police employ even longer time perspectives. This perspective shows up when they explain why they do not enforce the law in certain situations. Time and again they argue that an arrest or a citation would do more harm than good. Why give a traffic ticket, for instance, to an elderly woman who has run a red light and whose hands are shaking with fear as the officer comes up to the car window? A ticket is gratuitous in such circumstances. Why encourage a woman to sign a complaint against the drunken husband who has just blackened her eye when she admits she does not want a divorce, it is apparent the family cannot make bail, and even a short detention in jail may jeopardize the family's income? Whether the public approves or not, patrol officers continually make judicial types of decisions, deciding whether the imposition of the law will achieve what the spirit of the law seems to call for. Police officers are convinced that they know more about the deterrent utility of law than does anyone else. This attitude probably explains why they become so angry at prosecutors and courts that are more lenient than the police expected. They view prosecutors and courts as second-guessing the evaluations made by officers who are more immediately in touch with the practical reality of the situation.¹⁶

Patrol officers are continually alert to the danger of physical injury to themselves. They take great care with protective equipment such as guns, nightsticks, and sturdy multi-celled flashlights. Many officers now routinely wear light-weight protective vests under their uniform shirts. Sometimes vests are provided by police departments, but they are often purchased out of the officer's own pocket. Police conversation is thick with stratagems for avoiding injury, an urgency stressed from their earliest days in training: when

14. A. REISS, *supra* note 1, at 134-38.

15. Bittner, *supra* note 13, at 22-29; W. LAFAVE, *supra* note 1, at 138; C. SILBERMAN, CRIMINAL VIOLENCE, CRIMINAL JUSTICE 136 (1978).

16. Reiss argues that anger against the courts also arises from the fact that police arrest only when they feel it is morally justified. When courts are lenient, the policeman's sense of justice is affronted. A. REISS, *supra* note 1, at 134-38.

knocking at residences where violence is suspected, do not stand in front of doors; when making traffic stops at night, blind the eyes of the driver with cruiser spotlights or a flashlight; when approaching a vehicle, one officer should linger slightly behind the vehicle on the right side, hand on weapon, while the other interrogates the driver; when questioning a driver, do not stand in front of the door so that its sudden opening could harm you; carry a small blackjack in the rear pocket in order to provide protection less provocatively than with a nightstick; unbutton holsters when responding to calls in particular areas; always keep your head covered in certain tenement neighborhoods; and never turn your back on particular types of people. Police work, according to officers, is fraught with unpredictable and frequently deadly violence. Getting home safely is a primary concern.

Police concern with deadly force is to some extent exaggerated. The death rate for police is well below that of several other occupations. In 1980, for example, the death rate per 100,000 police officers was 32.4, while it was 61 per 100,000 workers in agriculture, 50 per 100,000 workers in mining and quarrying, and 43 per 100,000 construction workers.¹⁷ Police deaths, however, unlike those in other occupations, are not acts of God; they are generally the result of willful, deliberate attacks. They are personal, human-to-human, and imbued with malice in the same way that crime is generally. Just as the public finds small comfort in statistics showing that they are safer on the streets than in their bathtubs, police are more anxious in their work than construction workers are in theirs.

There is another aspect to policing, however, that accounts for officers' pervasive concern with personal injury. Police continually deal with situations in which physical constraint may have to be applied against people who are willing to fight, struggle, hit, stab, spit, bite, tear, hurl, hide, and run. People continually use their bodies against the police, forcing the police to deal with them in a physical way. While police seem to be preoccupied with deadly force, the more common reality in their lives is the possibility of a broken nose, lost teeth, black eyes, broken ribs, and twisted arms. Few officers are ever shot or even shot at, but all except the rawest rookie can show scars on their bodies from continual encounters with low-level violence.

As a result, officers develop an instinctive wariness, what one officer called "well-planned lay-back." While they never want to give the impression of being afraid, especially to their peers, they try to avoid having to struggle with people. Since they are obliged at the same time to establish control, they feel justified in acting with preemptive force. In effect, they learn to act with a margin of force just beyond what their would-be opponents might use. One officer likened it to taking a five-foot jump over a four-foot ditch. Never cut things too closely; if personal injury is likely, strike first with just enough force to nullify the threat. When guns are believed to be present, this margin can be deadly. Sometimes police concern with avoiding injury comes across as a

17. BUREAU OF THE CENSUS, U.S. DEPARTMENT OF COMMERCE, STATISTICAL ABSTRACT OF THE U.S. 179, 403, 415 (1981).

peculiar fastidiousness, not simply anxiety, but distaste for having to soil themselves. Officers complain continually about having gotten blood on their shirts, rips in their down jackets, dirt on their trousers, and vomit in their cars. Many officers carry soft leather gloves for manhandling dirty people. In many residences officers will not sit down for fear of bugs. Police officers often act like people who have gotten dressed up to go to a party only to be confronted with having to wipe up spilled food or change a tire. The point is that police life is rough-and-tumble. Through preemption, overreaction, and simple avoidance, officers try to minimize the unpleasant, sometimes deadly, physical contact that is part of their job.

According to patrol officers, experience sharpens the ability to read potential violence in an encounter. The experienced officer avoids the use of unnecessary physical force, as the "hot dog" does not, but at the same time he is fully prepared to meet such force when necessary, especially by preempting it. The experienced officer has learned when to relax and when to attack. Competence involves the ability to do both and get away with it.

Finally, police worry a lot about repercussions from the actions they take that may affect their careers. They have in mind, in particular, complaints and civil suits. Police, unlike workers in most other jobs, are constantly being reminded of the fatefulness of their actions to themselves as well as to the public. They believe their jobs are on the line daily. So for police to avoid what would be viewed as a mistake by the department or the courts is an imperative.¹⁸ One aspect of what police learn on the job, then, is what *not* to do. As an officer remarked, "In policing, don'ts are often more important than do's."¹⁹

In sum, experience has a great deal to teach police about goals. Essentially, it teaches an instinct for priorities. What kind of goals can reasonably be achieved at the least cost to the officer? In Peter Manning's words:

The central problem of [policing], from the agent's perspective, is not moral but distinctly practical. The aim is to define the work in ways that will allow the occupational members involved to manage it, to make reasonable decisions, control it, parcel it out into meaningful, solvable, and understandable units and episodes, and make this accomplishment somewhat satisfying day after day.²⁰

This task involves juggling disparate goals that operate in varying time frames. By and large, police goals are short-range in that their achievement can be determined almost immediately. This observation is true with respect to departmental expectations, the establishment of control, the avoidance of injury, and the protection of the officer's career. The only exception is the objective of preventing future crime and disorder. It seems reasonable to suppose that short-run imperatives prevail in most cases because the

18. F. Ianni & E. Reuss-Ianni, *Street Cops vs. Management Cops: The Two Cultures of Policing* 24-28 (December 1980) (paper prepared for the seminar on policing at Nijenrode, The Netherlands).

19. This remark fits the dominant management strategy of police departments, which James Q. Wilson characterizes as constraint-oriented rather than task-oriented. J. WILSON, *THE INVESTIGATORS* 197-98 (1978).

20. P. MANNING, *THE NARCS' GAME* 17 (1980).

information needed to judge whether preventive actions have worked are beyond the ken of the serving police officer. Learning to subordinate long-range to short-range goals makes police officers appear uncaring and hard-bitten. Their own awareness that they are dominated by short-run concerns tends to make them cynical. But this deprecation of their own efforts is not unique to police officers: it is an attitude developed by people in many occupations who learn to substitute practical, instrumental goals for larger visions of social effectiveness. It is found among teachers, doctors, lawyers, social workers, and businessmen. To some extent, then, what experience teaches the police is an acceptance of social impotency.

If experience teaches policemen how to juggle complex priorities in action, one can understand why civilian review is so threatening to them. Police officers say civilian review is unfair because outsiders do not have the experience to judge which actions are required in real-life situations. This view is plausible, but it ignores the fact that choices among tactics are only one part of the problem. Indeed, impressionistic evidence suggests that civilian review boards are frequently willing to accept police expertise. A greater danger, from the police point of view, is that civilian reviewers will insist on a different ordering of objectives, especially ones that ignore altogether the policeman and his career. This concern explains, perhaps, why hostility to civilian review seems to go with the job. It follows naturally from learning that goals have to be set in chaotic moments of action.

B. Tactics

Tactical choices are the second area in which the police claim that experience is essential to learning. It is no longer informative to point out that patrol officers do much more than enforce the law. This fact has been thoroughly established by research. But the range of options employed by patrol officers is much greater than this observation conveys. Patrol officers can discern as well as discuss an array of tactical alternatives. Moreover, they can distinguish actions that are appropriate at different stages of an intervention. What patrol officers do has commonly been described according to their culminating actions—arrest, referral, friendly advice, threats, and so forth.²¹ But officers have done many things already before they decide how they will leave an encounter. Adequate description of police tactics requires paying attention to different stages in the evolution of police-public interactions.²² An exploration of the tactics police use must distinguish at least three different stages: contact, processing, and exit. Each stage offers distinctly different choices to patrol officers. These choices will be explored in the cases of domestic disputes and proactive traffic stops, recognizing that these may be the most problematic situations for police officers.

21. Black uses categories of this kind: penal, compensatory, therapeutic, and conciliatory. D. BLACK, *THE BEHAVIOR OF LAW* 6 (1976); BLACK *supra* note 1, ch. 5.

22. R. SYKES & E. BRENT, *POLICING: A SOCIAL BEHAVIORIST PERSPECTIVE* (1984). This sophisticated work tried to determine how antecedent stages shaped later ones.

At contact in domestic disputes, police may choose from at least nine different courses of action. As one would expect, these serve by and large to establish immediate control over events, to shift the axis of interaction from the disputants to the officers. The possible courses of action are: to listen passively to disputant(s), verbally restrain disputant(s), threaten physical restraint, apply physical restraint, request separation of disputants, impose separation on disputants, physically force separation, divert attention of disputants, or question to elicit the nature of the problem.

As officers settle into an encounter, having established control on their own terms, they may choose from among eleven tactics: let each disputant have his say in turn, listen in a nondirective way, actively seek to uncover the nature of the problem, accept the situation as defined by the complainant, reject the view of the complainant, follow the request made by the complainant, physically restrain someone, urge someone to sign a complaint, talk someone out of signing a complaint, investigate the incident further without indicating likely action, and indicate that there is nothing the police can do.

Finally, police need to terminate the encounter and make themselves available for other business. Their exiting actions may again be substantially different from anything done before; they may: fail to find the other disputant, find the other disputant and warn or advise, arrest someone, separate disputants temporarily by observing one off the premises, by transporting one from the scene or by arranging a pickup by someone else, explicitly warn disputants about the consequences of future trouble, give friendly advice about how to avoid a repetition, provide pointed advice to disputant(s) about how to resolve the issue, suggest referral to third parties, promise future police assistance, transport injured persons to a medical facility, issue a notice of police contact, or simply leave.²³

Even if these lists of tactics are not exhaustive, the number of alternatives open to officers is already formidable—nine at contact, eleven at processing, and eleven at exit. Experienced patrol officers have strong opinions about which of these courses of action to pursue under different circumstances. Moreover, they criticize one another for choosing the wrong one. For example, police academies often teach that officers should separate disputants immediately and never let them continue to argue. Officers say, however, that the ventilation of grievances is sometimes all that both parties want. The best defusing tactic, therefore, is to let them get things off their chests, with police playing the role of friendly referee. For wives, particularly, calling the police is an act of assertion in itself and they are satisfied when they have made their point. Rather than arresting the husband, the police are better advised to provide her with a safe opportunity to make a statement. When neighbors dispute, arrival of the police may actually exacerbate the argument as both

23. Parnas, *The Police Response to the Domestic Disturbance*, 1967 WIS. L. REV. 914-60; M. Haist & R. Daniel, Draft of a Report on Structure and Process of Disturbance Transactions (January, 1975) (unpublished draft at the Police Foundation), and J. McIver & R. Parks, *supra* note 9, are the only attempts to map tactics in domestic disputes known to the authors.

parties feel they need not worry about things getting out of hand. So some officers covertly restrain the growing altercation by turning their backs or pulling away, indicating that they really do not care what happens. Frequently this action causes the dispute to lose some of its steam.

Officers are especially sensitive to actions they take that may make situations more explosive. They are particularly careful, for example, to avoid laying hands on people unless they absolutely must. Touching connotes restraint and it is apt to be resented. Officers say that people of a minority group are especially quick to anger when police touch them. So police learn to move people about verbally or by imposing their bodies without actually reaching out. This tactic is related to the need to save "face," something most officers recognize as being important. Police must be careful not to inflict humiliation gratuitously. For this reason, patrol officers think twice before writing out traffic tickets to fathers in front of their children, unless the violation is serious or the man uncivil.²⁴ Officers believe that older people get angry at traffic stops because they are accustomed to disciplining rather than being disciplined. They feel belittled. Thus, officers tread warily so as not to make acquiescence difficult. Similarly, many officers testify to thanks earned by not handcuffing men in front of their children but doing so outside the residence or in the patrol car. It also seems that men submit to handcuffs more tractably than do women, who frequently become hysterical and sometimes violent.

Demonstrating the importance of obtaining control without physical injury in the hierarchy of operating values, patrol officers have a great fund of stories about how violent situations were defused through cunning verbal ploys. For example, an officer who was a born-again Christian spotted religious decor in the home of a couple who had had a violent argument. He asked them what they thought the Lord would want them to do and ten minutes later they were reconciled. One tactic is to divert the attention of disputants, thus allowing emotions to cool. Noting what appears to be handmade furniture, an officer may say, "Do you make furniture? So do I." Others ask if they may use the bathroom, obliging the residents to point it out, or inquire what the score is of the baseball game on TV, or request a cup of coffee or a soft drink. One officer gained control in a domestic dispute by sitting down indifferently in front of the television set and calmly taking off his hat. The husband and wife were so nonplussed at this lack of concern for their fight that shortly they, too, lost interest. Stories like these are so common among officers that they should probably be taken with a grain of salt. The same stories crop up too often, suggesting that they have become part of the mythology of policing, passed on uncritically from officer to officer. Told always with pride, they are used to illustrate the subtlety of police officers. Most of the ploys so lovingly described are also clearly not in general use,²⁵ as most officers admit that

24. See also D. BLACK, *supra* note 1, at 34.

25. M. BROWN, *WORKING THE STREET* ch. 9 (1981), found significant differences in the tactics officers said they would use in four scenarios presented to them. The scenarios involved drunken

while they try to defuse violence without using physical restraint, their own stratagems are more direct.

Officers also tend to agree on what actions are to be avoided, such as failing to gain control quickly enough when injury is likely, making threats that cause people to lose face, taking sides in an argument, leaving a dispute with a threat about what the police will do when they return, and making take-it-or-leave-it statements that the police cannot honor. These are the mistakes rookies make. Only experienced officers are presumed to have the diagnostic skills to know when these tactics can be used safely.

It is precisely with respect to the choice of tactics that the separation between the craft of policing and the science of policing is most destructive. Officers say experience teaches them what works. But does it? They manage to get along, which means avoiding affronting the department or getting seriously hurt or sued, but are they intelligently discriminating in their tactical choices so that they are raising the probability of achieving stated goals? Perhaps almost anything "works" most of the time, largely because the police are so authoritative in relation to the people with whom they have to deal. The questions that need to be answered scientifically are: (1) can the tactics and the circumstances of encounters be better matched so that patrol officers can more certainly avoid failures according to their own criteria; (2) are the long-run, post-encounter effects that officers want to accomplish truly achieved through the actions they choose; and (3) do the tactics they choose produce unintended consequences that deserve to be considered? At the moment, this kind of factual knowledge is not being provided to officers. The fault is not that of the serving police officer. By necessity, he must fall back on the lore that experience generates. The problem is that science has not illuminated the operational imperatives of the work that patrol officers do. Nor have police departments acknowledged that guidance could be useful. Crouched behind the statement that "every situation is different," they have failed to pay attention to what their own rank and file are telling them: namely, that learning about what "works" is possible and that it is taking place already through the haphazard mechanism of individual experience. While the partisans of science have failed to focus on the tactical world of the serving officer, police officers have not seen that it is contradictory to say that although every situation is different, experience is crucial.

Turning to traffic stops, we have identified ten actions considered appropriate at contact, seven at processing, and eleven at exit. At contact, officers may leave the driver in the car, order him out, leave passengers in the car, order passengers out, ask the driver for documents, ask passengers for documents, order the driver to remain in the car, order passengers to remain in the car, point out the violation that prompted the stop, and ask the driver if he knew why the stop was made. At processing, officers may check whether the car and the driver are "clear," give a roadside sobriety test, make a body

driving, quarreling neighbors, assault between husband and wife, and disorderly juveniles in a public place.

search of the driver, make a body search of the passengers, search the vehicle from outside, search the vehicle from inside, and discuss the alleged traffic violation. At exit, officers may release the car and the driver, release with a warning, release with a traffic citation, release with both a citation and an admonishment, arrest the driver for a prior offense, arrest for being drunk, arrest for crimes associated with evidence found during the stop, arrest for actions during the encounter, impound the car, insist that the driver proceed on foot, help the driver to arrange for other transportation, arrest the passengers for the same reasons as the driver, transport the driver someplace without making an arrest, and admonish the passengers.

Officers have different opinions about what tactics to apply at each stage, recognizing, of course, that some situations permit little latitude. On initial contact, for example, officers favor different gambits. Some tell the driver why he was stopped before asking for his license and registration. This settles the driver's natural curiosity and puts him on the defensive. Others first ask for documents, thus ensuring that the driver will not escape and demonstrating that information will be given only when the officer chooses. Still others like to begin with the question "Do you know why I stopped you?", hoping that the drivers, most of whom drive on the edge of the law, will admit an infraction even more serious than the one that led to the stop. The officer can then be magnanimous, agreeing to forgive the more serious offense in favor of the lesser that the officer was going to ticket anyhow. Not all these gambits can, of course, be tried in every situation; they depend on particular circumstances. But it is easy to see that each gives a distinctive impetus to the police-citizen interaction. At least police believe so, making choice of action on their part a test of professional savvy.

The crucial stage, from the public's point of view, is exit, where there are eleven different possibilities that are used singly or in combination. Most officers disagree strongly with the teaching that they should make up their minds whether or not to issue a ticket before approaching a stopped vehicle. Although some officers will ticket anyone—even their grandmothers, as other officers contemptuously say—most believe that individuation is essential to justice. It is unnecessary, for example, to give tickets for driving without a license to responsible people who admit their offense but can't produce their licenses. Officers, too, have left their wallets at home while running to do an errand or have forgotten to take their licenses out of their checkbooks after going to the bank. Drivers have been "cleared" on the basis of all sorts of identification, including credit cards and fishing licenses.

The key ingredient in exit decisions, apart from the seriousness of the offense, is the attitude of the driver. If the violation is minor, drivers who admit error and do not challenge the authority of the officer are likely to be treated leniently, unless departmental policy decrees otherwise. On the other hand, drivers who dispute the offense, question the value of what the officer is doing, use disrespectful language, and threaten to complain will virtually write themselves a citation. Officers are especially resentful of well-to-do

people driving expensive late-model cars who threaten to complain to “the chief” or “the mayor.” Officers are proud of their one-line put-downs of such people, such as, “Do you know the chief too? When you see him tell him Officer Jones gave you a ticket today.” While much of this bravado is probably indulged only off the street, it accurately reflects what officers may consider in making exit choices. At the same time, officers often take amazing amounts of verbal abuse from people for whom profanity is as natural as breathing. The same is true for racial put-downs by blacks of white officers, such as studied, face-saving condescension and mutterings about “honky cops.” Officers also know the importance that their own demeanor has in shaping the results of a stop. If they do decide to give a ticket, they try to be matter-of-fact, unless provoked, and to avoid verbal humiliation. The choice is between ticketing or lecturing and releasing. In the words of one officer, “chew or cite, but not both.”

It would appear that the tactical choices patrol officers make, at least for domestic disputes and traffic stops, are much more extensive than is generally recognized. They have to learn what “works” in terms of objectives that they can reasonably judge in circumstances that vary enormously. They are anxious about the fatefulness of their actions for themselves as well as for others, fearful that the instant diagnoses they make will be incorrect. This is undoubtedly what prompts the often repeated assertion that every situation is different, which, according to the officers’ own testimony about the utility of experience, is not true. Donald Black has shown that tactical choices with respect to exiting actions in domestic disputes are affected by a small number of structural features in each encounter—race, class, age, status of complainant in the household, intimacy between the people involved, institutional affiliation of complainants, and attacks on police legitimacy.²⁶ However, the effect of these factors does not appear large, accounting for between ten and twenty-five percent of the variance.²⁷ As has been noted, officers want to emphasize the difficulty of their work. Confronted by social scientists probing to uncover choices, they may even exaggerate small differences in procedural detail, falsely attributing forethought to automatic decisions. None of this, however, contradicts the fact that choices *are* made, sometimes among a bewildering number of alternatives, and that officers cannot readily state the principles that they use to simplify the situational complexities faced. The best they can do is to tell anecdotes. That they do simplify, as Black points out, in no way diminishes the uncertainty they feel in making tactical choices. Having implicit operating principles does not lessen anxiety. Nor does it follow that experience is not important in learning to apply them. Moreover, officers are often genuinely trying to forecast the effects of their actions on a recurrence

26. D. BLACK, *supra* note 1, at 75-80. Black’s analysis applies to his four categories of action, which are termed exit actions in this article. He does not try to explain the structural determinants of the tactics police use at earlier stages of disputes.

27. R. Friedrich, *The Impact of Organizational, Individual, and Situational Factors on Police Behavior* (1977) (unpublished Ph.D. dissertation, available at University of Michigan, Ann Arbor, Dept. of Political Science).

of the situation. Unfortunately, they have only rough-and-ready rules for doing so, probably involving the factors Black has noted. Here is where the lore of policing with respect to tactics is probably the least well-informed and the chances for bias to intrude the greatest.

What officers need, of course, is information that shows what the likely results will be from the use of tactics of different sorts in various situations. As Herman Golstein has said:

[S]ystematic analysis and planning have rarely been applied to specific behavior and social problems that constitute the agency's routine business. The situation is somewhat analogous to a private industry that studies the speed of its assembly line, the productivity of its employees, and the nature of its public relations program, but does not examine the quality of the product being produced.²⁸

Such testing will not be easy to carry out, although the principles for doing so are clear.²⁹ This is scant comfort to patrolmen. In the absence of tested knowledge about what works, patrol officers have no resource to call on except their own collective experience. From their perspective, choice is an operational necessity, and they see trial and error as the only way to learn about it.³⁰

C. Presence

The third important feature that experience teaches is "presence." Effective policing is more than simply doing things, it involves *being* something. The key elements of effective presence are external calm and internal alertness. Police say repeatedly that it is essential to be nonprovocative in contacts with the public—to adopt a demeanor that pacifies, placates, and mollifies. "Always act," said an experienced officer, "as if you were on vacation." In effect, be careful not to heighten the tension already present. At the same time, officers must never relax. They must be constantly watchful and alert because danger can arise in an instant. Danger, however, is not the only threat. All officers with any seniority speak bitterly of the times they were "conned," accepting uncritically a story told to them on which they then acted. Police learn quickly that appearance and reality are often sharply different. People will use the police for their own purposes if they can, even if it means telling elaborate lies. Some people, police know, really are evil. As a result, police officers often appear indifferent, cynical, and unsympathetic in the most heart-rending situations. The presence that police officers cultivate is much like that of professional athletes, who talk, too, about the importance of balancing concentration and relaxation. One must be keyed up but not "choke." In policing, this means that officers must protect without provoking.

28. Goldstein, *Improving Policing: A Problem-Oriented Approach*, 25 J. CRIME & DELINQ. 236, 243 (1979).

29. The authors will explore this problem and suggest specific research projects in a forthcoming paper.

30. On the absence of research on this topic, see M. Wycoff, *Reconceptualizing the Police Role* (November 1980) (draft report from the Police Foundation for the National Institute of Justice). The Police Division of the National Institute of Justice has recognized the importance of this problem; their grant supported the work that led to this article.

The inward equanimity that leads to outward poise is not something people are born with, nor can it be taught. As in sports, it is learned through practice.

In summary, then, from the point of view of the patrol officer, policing is more like a craft than a science, in that officers believe that they have important lessons to learn that are not reducible to principle and are not being taught through formal education. These lessons concern goals—which ones are reasonable; tactics—which ones ensure achievement of different goals in varying circumstances; and presence—how to cultivate a career-sustaining personality. “Experience-tested good sense,” as one officer said, is what police must learn over the years.

What has not been grasped, however, is that even if policing at the present time is more craft than science, learning *can* take place, skills *can* be increased, and levels of expertise *can* be discerned. Officers themselves recognize this point when they talk about how they “learned” to become effective. They also continually complain that standards of performance should distinguish degrees of coping ability, not mechanical conformity to specific do’s and don’ts—excluding horrendous errors, of course.

Although seldom admitted, learning in policing involves discovering how each officer can achieve stated goals within his own personal limitations. If tactics are as varied as has been shown, then different styles may be equally effective. Some officers have a gift of gab, others do not. Some officers are so physically imposing they can reduce violence simply by “blotting out the sun;” others have to raise their voices, threaten retaliation, or spin a yarn. Being skilled in policing, as in carpentry, is a matter of learning to be effective with the materials and tools at hand.

The police community is very judgmental about skills displayed on the job, quite apart from formal systems of performance appraisal. Policemen judge the work of colleagues all the time. To begin with, patrol work is often performed before an audience of other officers. In domestic disputes, for example, several cars frequently respond when violence has been reported. As the premises suddenly fill up with large men in blue uniforms, the first officer on the scene has to give a lead as to how the situation will be handled. Whether comfortable or not, he dare not back away. He has to perform on-view. Rookies particularly feel the presence of this attentive audience. Remembering his own days as a rookie, one officer said, “It’s like your ears are on stalks.” Rookies cannot help notice when an experienced officer gives a snort of laughter or contemptuously turns his back.

And well they should be concerned, because police officers make judgments about the strengths and weaknesses of colleagues all the time which they do not hesitate to express. Reputations are made in a twinkling, especially for recruits or newly transferred personnel. Every unit has its known hotheads, deadbeats, unreliaables, and head-knockers. They also have respected master craftsmen, although this designation is not used. These officers are cool, poised, inventive, careful, active, and nonviolent—officers

who can cope without jeopardizing themselves or others. Appraisals of colleagues are a staple of police conversation, often taking place between partners in patrol cars and prompted only by hearing an officer speak over the radio: "Go get 'em, hot dog"; "Surprised he's not taking his fifth coffee break"; "Uh, oh, we'll have to cover that screw-up for sure"; and "Smith has got a rookie tonight." Judgments are also conveyed through preferences officers express for partners. Some are shunned, others are sought out. Occasionally, doubts about performance will be so serious that officers will indicate privately to supervisors that they will not work with a particular officer. Only the most insensitive policeman could fail to appreciate that if people are talking about others as openly as they do, they must be talking about him too. Officers know that reputations are on the line whenever they work. Among their own kind, they want to be known as master craftsmen, hoping to escape from the stigma of apprentice as soon as possible.

In policing, then, it is legitimate to talk about skills and to make judgments about performance. The critical question is whether there is a consensus about craftsmanship. That is, although officers recognize differences in performance, do they agree on what constitutes better as opposed to worse activity? Police officers could be in the tragic situation of wanting desperately to learn from experience yet receiving conflicting signals from their peers. Approval of skill may be given for nothing more profound than doing things "my way." In these circumstances, learning would consist of developing a mode of operation that bore little relation either to objective measures of effectiveness or approval by peers. The situation may not, however, be so dismal. Like teaching, good policing may be easier to recognize in practice than to define abstractly. Perhaps officers really do agree on who is especially skilled, raising the possibility that learning through emulation is possible. The truth of this matter would be important to test. It would also be easy to do. Officers would be asked to identify by name others whom they consider to be particularly skilled. If there was reasonable agreement, observers would then determine whether these individuals acted in terms of similar goals, chose similar tactics, and displayed the same presence. Observation would be better than asking officers about the qualities that caused them to identify others as being skilled, because officers might simply project onto others what they thought should be valued in themselves. Since patrol officers believe, almost as an article of faith, that supervisors evaluate performance superficially, ignoring displays of skill that do not show up in numbers, it would be important to solicit opinions about skilled officers from all ranks. Supervisors may not be quite as out of touch as they are portrayed to be. Alternatively, they may be emphasizing norms that increase the uncertainty patrol officers feel as they go about their daily work.

The final and indispensable step would be to determine whether the tactics chosen by master craftsmen really worked as intended. As in medicine, a proper bedside manner does not guarantee correct diagnosis or treatment.

Only rigorous testing of the efficacy of tactical choices can at last transform police lore into the wisdom its practitioners think it to be.

IV

CAN THE CRAFT BE TAUGHT?

If learning to make correct choices takes place by and large in the crucible of experience, rather than through formal training, then the development of occupational skills is likely to be a lengthy process whose outcome is far from certain. It does not follow, however, that learning could not be accelerated and made more systematic. We would like to make four suggestions for making the transition from apprentice to master craftsman both faster and more assured.³¹

First, formal training programs must give more attention to the problematic nature of police work. Oddly, police keep talking as if policing were a craft, but recruits are instructed as if it were a science. As Manning remarked, "The striking thing about order-maintenance methods is how little they are taught, how cynically they are viewed, and how irrelevant they are thought to be in most police departments."³² The reason is probably that training staffs do not know how to instruct in craftsmanship. As in colleges, teaching mainly consists of lecturing and listening. What is needed in police training, instead, is frank discussion, with case studies of the realities of field decision. Training in police academies is too much like introductory courses on anatomy in medical schools and not enough like internships. The problem, however, is that this kind of training would require admitting what command staffs would rather hide, namely, that in many situations no one is really quite sure what is the best thing to do.

Training must focus on the need for choice in specific, clearly delineated situations. The reality of police work must be brought into the classroom so that students and staff can discuss appropriate goals and tactics. They should also be encouraged to think reflectively about the cues that should be used to shape decisions and those that should not. These training objectives can be accomplished in several ways. Students and staff can simulate "street" encounters, taking the roles of citizens and police. Students can be asked to discuss how they would respond to a variety of written scenarios. Discrepancies among students should be highlighted, with an analysis made of what the likely results of responding in each way would be. Films and videotapes, now being developed fairly widely, could be used to portray the hurly-burly of real life. In all of these cases, master craftsmen, if they can be identified, should be used to help train recruits. This does not mean that they should have classes turned over to them, since they are generally not trained in instruction, nor

31. In putting forward these four recommendations, this article does not mean to imply that all police departments in the United States are remiss in these respects. There are departments in which these proposals have already been substantially incorporated. Nonetheless, many departments have not done so and should give these ideas serious consideration.

32. P. MANNING, *POLICE WORK* 289 (1977).

should they be brought in primarily to excite the recruits with "war stories."³³ Rather, they should be used as authentic exhibits to help instructors explore the uncertainties of choice that police face on the street. It is their experience that should be deliberately and systematically tapped. Finally, academic discussion must alternate with observation of patrol operations. This practice is followed now in many departments. Unfortunately, debriefing is rarely systematic; field experiences are not used to prompt discussion about the range of goals and the probable effectiveness of various tactics.

Second, master craftsmen should be used as field instructors for rookies. This is the rationale behind programs in many departments in which probationary officers are assigned to experienced patrolmen for periods of time. Though field instruction programs are a considerable advance over training wholly in classroom settings, the full potential for uncovering significant craft skills is not being developed. Too often, appointment as a field instructor is a reward for having an unblemished record, not for recognition of superior skills, or it is a reward for meeting departmental criteria of performance, which are not necessarily those of craft operatives. The importance of discovering whether this gap in performance norms really exists has already been explored. Furthermore, field instructors are rarely trained to draw lessons from their own experience. They have no more insight into what they are doing than do other officers. In particular, they may be totally blind to alternative ways of accomplishing the same objective. They may be especially confident, which makes their advice particularly persuasive, but they are not necessarily more informed. Finally, because field instructors are often responsible for evaluating the performance of trainees, they are viewed as judges rather than as mentors. They intimidate the recruit rather than draw out his perplexity about police work. Training and evaluation should be more carefully separated, even though that may lengthen the probationary period.

Third, if policing does encompass varying levels of skill related to experience, it follows that learning can be continual and cumulative. The shape of the learning curve would need to be determined through research. It may be found that diminished returns set in relatively soon after an officer leaves the academy, or that learning continues fairly steadily throughout most of an officer's career. If learning tapered off rapidly, it would be necessary to find out whether this was due to the unexpected simplicity of the work or to the lack of encouragement for continued growth in skills. On the testimony of police themselves, learning should not be viewed as a short-run matter. It needs to be built into policing throughout an officer's career. This need is generally recognized under the rubric of in-service training. Unfortunately, in-service training relies primarily on sending people back to classrooms for traditional lectures and note-taking. If skills are to be further developed, what is needed are seminars among patrol personnel in which they share their understanding of appropriate goals and useful tactics. Officers must be

33. Van Maanen, *Working the Street: A Developmental View of Police Behavior*, in *THE POTENTIAL FOR REFORM IN CRIMINAL JUSTICE* 88-91 (H. Jacob ed. 1974).

helped to learn from one another less haphazardly than they do in the front seats of patrol cars. Such seminars should not be bull sessions, where people talk in a nondirective way. Seminars must be carefully led by people who are trained in maintaining focus, imposing discipline, and drawing out participants. In our own seminars with officers, we found that patrolmen frequently disagree about elementary facts concerning law, departmental policy, and the functioning of the criminal justice system. Opportunities for relevant instruction emerge out of the perplexity of officers themselves. Furthermore, although officers recognize that there are different ways for handling situations, they have never had an opportunity to share insights about the relative utility of these approaches. They do what comes naturally, which may be good or may be bad. The final benefit from forthright discussion is that it may resensitize jaded officers to the problems and potentialities of the job. Experience may teach, but it also rigidifies. Being comfortable in one's work is not the same as being effective in it.

In-service seminars may contribute to raising performance levels even though immediate skill development does not occur. Because they are a visible sign that departments take seriously the complexity of patrol work and value the learning that experience engenders, in-service seminars may raise the standing of patrol work. Officers are proud of what they have learned, not always with reason, and interested in demonstrating their skill. As in the famous Hawthorne study of industrial productivity, institutional attention to their workday life may rekindle the enthusiasm of officers for their work.

Fourth, assuming that experience is valuable in learning about police work, departments should reward advancement in skill development. Presently, police departments reward superior achievement by promoting people into supervisory positions or transferring them to non-patrol duties. Thus, they lose skills in patrol without assuredly gaining talent for other pursuits. Good patrolmen are not necessarily good supervisors, any more than they are good detectives, planners, or juvenile counselors. Police departments must find ways to encourage continued growth in patrol skills among the people who remain in patrol work.

Identifying and using master craftsmen in departmental training is an important first step. It demonstrates to the rank and file that skills are recognized, that what is learned on the street is valued. But there are other possibilities that should be explored as well. Pay raises might be given to people recognized by their peers as master craftsmen. Departments might also establish a special title, rank, or insignia for officers who are especially skilled in patrol work. The point is to convince patrol officers that the creative use of experience in learning to perform more effectively is appreciated.

V

THE BOTTOM LINE

Experience teaches lessons to patrol officers that they consider crucial to effective performance and career longevity. Complicated decisions are being

made on the street about goals and tactics in the face of enormously varied social circumstances. This being the case, obvious benefits would result from ensuring that what is being learned bears a close relation to approved goals, that correct tactical lessons are being reinforced, and that learning takes place as quickly as possible. In order to accomplish this, it is important to study the coherence among what pass as craft skills in departments and the connection between tactics and both short-range and long-range outcomes. Most important of all, police departments must face up to the implications for training of their own argument that policing is learned by experience.

The benefits of doing all this are obvious. First, giving institutional attention to the skills that experience teaches will raise morale and self-esteem among the most numerous police rank, the patrolmen, who bear the major responsibility for police performance. Emphasizing the subtlety of patrol work also redresses the overemphasis on criminal investigation, so often deplored by policemen and observers alike.³⁴ Patrol work would begin to be perceived as a disciplined activity, no less demanding than the work of detectives.

Second, police departments would be forced to develop techniques for measuring degrees of skill. It is a matter for fierce debate in police circles whether existing measures do so. Most patrolmen think they do not, arguing that evaluation is based on quantitative indicators which measure activity rather than effectiveness. As we have suggested, a careful study of the performance traits of officers recognized by their peers as being especially good at patrol work would help to clarify this matter. It does not follow, of course, that patrolmen are right. If a discrepancy exists between what officers and the organization think is good patrol work, it should be eliminated. If, on the other hand, the discrepancy exists only in the minds of the rank and file, steps should be taken to correct this impression.

Third, only by developing canons for better/worse, proper/improper, more/less useful patrol action can policing become truly professional. Professionalism—meaning the development and imposition of operating principles out of an on-going cooperative analysis—is essential in both scientific and craft domains of work. Indeed, it is precisely when operating principles are unclear that responsible learning requires the systematic and sensitive pooling of experience. Paradoxically, policing has not developed the self-consciousness that claims about the craft nature of policing would entail. For all the talk, the police community has not acted as if it really believes that there is utility in studying experience. Policemen have wanted the autonomy of professionals without accepting the counterbalancing responsibility for regulating the work of practitioners in operational terms. It is not being argued that policemen are more duplicitous than other claimants to professional status, but police have not successfully convinced either themselves or

34. P. MANNING, *supra* note 32, at 372.

the public that their work is highly skilled. Until they do, their talk about professionalism will seem presumptuous.

Here is the rub: Substantial risks are involved for the police in openly admitting that goals are not fixed, that law enforcement is often uncertain, and that tactical choices are matters of opinion. They become politically more vulnerable if they say outright that patrol work requires the development of skills over time, for it implies that the great mass of police officers are flying by the seat of their pants. Police officers may chafe at the fact that their work is undervalued because its subtlety is not understood, but the fiction of automatic decisionmaking protects them from being second-guessed.

Little imagination is required to foresee what would happen to public confidence in the police if they admitted that age, education, class, race, and sex were considered when they decide what to do. These factors *are* considered, however, and the police believe, on the basis of hard-won experience, that they must be considered. Here are some examples. A white man and a black man, each well-dressed, each carrying a television set from a retail store to the trunk of a car at 5:30 p.m., will probably be treated differently by the police. Officers will not only be more suspicious of the black man and more likely to stop and question him, they will also be more circumspect in their approach if they decide to confront him. They know that black men have had a belly full of "hassling" and are much more likely than white men to get angry. Another example deals with spouse assault reports made by Hispanic, as opposed to black, women. Because Hispanic women have been found to be less willing than black women to file complaints against husbands who beat them, police officers have to work harder to provide equal protection. Their approach to marital discord has to follow different lines from the beginning. Antagonism toward the police is often more intense in some places in a community than in others. Officers, therefore, take more precautions in those areas. From their point of view, this behavior is reasonable; from the public's, it is hostile, provocative, and demeaning. On a warm Friday night, shortly after dark, cruising patrol officers saw a small car pull away from the side door of a public school. As the car went past them, they saw that the driver was a white middle-aged man who hardly gave the police a passing glance. "Your basic pillar?" said one officer. "Yep," replied the other, "your basic pillar." The car was not stopped for investigation. Can such a decision be explained to the public without controversy?

A real distinction does exist between useful operational intelligence and prejudice, but because both utilize the same cues, they are difficult to separate in practice.³⁵ It would certainly be unrealistic, as well as unreasonable, to expect patrolmen not to make decisions about goals and tactics on the basis of situational circumstances such as the visible appearance of the people involved. Unless choice is precluded altogether in police work, officers

35. M. PUCH, *POLICING THE INNER CITY* 124 (1979), and C. Shearing, *Cops Don't Always See It That Way* (1977) (unpublished paper), show how police distinguish good people from bad people on the basis of ostensible features.

cannot avoid developing stereotypes. To achieve the goals of control, crime prevention, personal safety, and career protection, patrol officers must adapt what they do to what they see.³⁶ In order to protect such decisions from prejudice, however, more examination of the link between visible cues and the results of particular tactics must be made. In particular, research must be undertaken to determine what really does work both tactically and strategically. Is it true, for example, that disproportionate attention to black teenager activity on the streets produces more criminal arrests than arrests of teenagers indiscriminately; that a criminal complaint pressed by the police with a wife's approval is not as effective in providing protection for the battered spouse who is Hispanic, even if the complaint is eventually withdrawn, as for the spouse who is black and prosecutes to the end; or that preemptive force against strapping black males controls violence and avoids injuries to police more surely than less provocative tactics? Addressing such questions is essential if prejudice and operational intelligence are to be distinguished. However, the point remains that if different approaches are found efficacious based on ascriptive stereotypes, as police officers certainly believe, imparting these lessons will look very much to nonpolice observers like legitimating discrimination.

In point of fact, the public may not disagree with police decisions as much as the police fear it does. John Clark compared what the police and public respectively thought were appropriate police actions in six hypothetical situations.³⁷ He found that the police tended to recommend arrest more and that they thought the public wanted more arrests than they really did. This evidence would suggest that the public would welcome more individuation, but that it is the police who are reluctant. In an international testing of what the public would approve in four criminal situations, the public agreed that police decisions should be affected both by the nature of the crime and the class of the perpetrator.³⁸ The public appeared to believe, as the police do, that actions should be bent to considerations of natural justice.

Undoubtedly, there are serious potential costs to the police in responding to the challenge of improving skills by forthrightly addressing how policing is learned. This is not the last word, however, about the public's likely reaction. Failure to confront the learning requirements of patrol work not only affects police performance and morale, but also does not solve the problem of public perception. Police are fooling themselves if they think so. If choice is unavoidable in police work, because goals and tactics must be determined situationally, pretending otherwise becomes a living lie that the public soon detects. Although facing the training implications of patrol work will be controversial, not doing so is also controversial. The police lose the opportunity

36. Clark & Sykes, *Some Determinants of Police Organization and Practice in a Modern Industrial Democracy*, in *HANDBOOK OF CRIMINOLOGY* 467 (D. Glazer ed. 1974).

37. Clark, *Isolation of the Police: A Comparison of the British and American Situations*, 56 *J. CRIM. L. CRIMINOLOGY & POLICE SCI.* 327 (1965).

38. *CRIMINAL EDUCATION AND RESEARCH CENTER, PERCEPTION OF POLICE POWER: A STUDY IN FOUR CITIES* 63-64 (1973).

for developing public acceptance of their professional status that would not only be gratifying but that they believe would enhance effectiveness. Part of the reason the public questions the use of discretion is that the police have always tried to appear exclusively as technical agents of law rather than instruments of public morality. A vicious circle has arisen. If police improved performance by testing the "lessons of experience" for efficacy, both through controlled observation and the sharing of collective police experience, and then imparted those lessons more systematically to police officers, the public might have more confidence in the police as moral arbiters. Unfortunately, at the present, the public's distrust of the police impels officers to hide the problematic nature of their work, causing departments to undervalue what the rank and file believe is critical to their work, to neglect intelligent appraisal of collective experience, and to pass up the opportunity to reward those who do patrol work particularly well.

