

A PROFILE OF URBAN POLICE

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INTRODUCTION

As Americans become increasingly concerned about the critical role performed by the police in enforcing the rules that regulate life in an urbanized nation, a growing interest also is developing in the characteristics and behavior of police personnel. The ability of policemen to fulfill responsibilities of upholding the highest standards of society and of imposing its most severe penalties on human behavior frequently may be dependent upon the personal values, traits, and activities of the individual law enforcement officers. Hence, the examination of those factors along with such matters as police recruitment and socialization forms an important prerequisite to the investigation of police practices. Without a clear understanding of the general attributes of law enforcement personnel and the way in which they affect the performance of law enforcement duties, it is difficult to appreciate the broad implications of police actions in the maintenance of social order.

I

THE POLICE RECRUIT

A. Socioeconomic Origins

The socioeconomic origins from which officers are recruited may account for many of the more salient characteristics of the police. By a variety of indicators, studies have revealed that most men entering police ranks emerge from working and lower middle-class backgrounds. Two separate surveys of the graduates of the New York City Police Academy, for example, found that nearly eighty per cent of the fathers of policemen were employed as laborers or service workers.¹ In addition, questions about the highest prior position attained by police recruits indicated that most of them had not advanced beyond the status of clerical or sales worker.² Despite the relatively low pay and unfavorable working conditions connected with police duty, joining the force usually constitutes an advancement over the occupation held by the patrolman's father as well as over most other jobs with which the recruit himself has been associated. Thus, for many recruits, the prospect of becoming a

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¹ A. NIEDERHOFFER, BEHIND THE SHIELD 36-37 (1967); McNamara, *Uncertainties in Police Work: The Relevance of Police Recruits' Backgrounds and Training*, in *THE POLICE: SIX SOCIOLOGICAL ESSAYS* 192 (D. Bordua ed. 1967).

² McNamara, *supra* note 1, at 193-94.

policeman represents an opportunity for upward social movement and improved economic position.

Although many departments have required examinations that eliminate sizeable majorities of all applicants, an unusually large proportion of policemen have fathers or other relatives who worked in the same occupation. Studies in Chicago, New York, and elsewhere indicate that one-third or more of the police officers in the departments surveyed had relatives who were employed in police work or related fields.³ A preference for police work often is passed from one generation to the next within a family. Familial influence on the decision to join the force may be partially responsible for the predominance of some ethnic groups, particularly the Irish, in many departments. An investigation of Chicago police sergeants found that two-thirds of the Irish officers had police relatives and three-fourths of those were members of the immediate family.⁴ The handing down from father to son of police work as an occupation, contributes to the perpetuation of a common body of police values and traditions.

One of the most serious consequences of the relatively restricted forms of police recruitment is the difficulty of securing black policemen. For many years in most urban departments, the proportion of black policemen has been substantially below the actual percentage of minority residents in the city; and relatively few black officers have been promoted to high police ranks. Although part of this under-representation may have been related to the general problem of inferior training and other cultural handicaps faced by most black people, the continuing absence of black men in police forces as employment opportunities for minorities expand in other occupations creates a strong suspicion that there were efforts in many cities to prevent them from becoming policemen. Police work, like other occupations that have been influenced by generational succession and rigid patterns of recruitment, appears to have developed institutional norms and expectations that carefully regulate the types of persons who are allowed to join or succeed in the profession.

In addition to attracting predominantly white, lower middle-class recruits, law enforcement agencies draw few men with advanced educational backgrounds. Although approximately seventy per cent of the police departments in the nation have imposed the educational requirement of a high school degree or its equivalent, fewer than thirty per cent of all policemen have ever attended college.⁵ The average policemen—and top police administrators—probably have earned high school diplomas, but they seldom have been exposed to college educations. To the extent that higher education has become an indicator of status in middle-class America, police jobs have failed to match the rising standards of other occupations. As a result of their

³ McNamara, *supra* note 1, at 193; Spencer & Jewell, *Police Leadership: A Research Study*, THE POLICE CHIEF, Mar., 1963, at 40.

⁴ Wilson, *Generational and Ethnic Differences Among Career Police Officers*, 69 AM. J. SOC. 522 (1964).

⁵ THE PRESIDENT'S COMMISSION ON LAW ENFORCEMENT AND ADMINISTRATION OF JUSTICE, TASK FORCE REPORT: THE POLICE 10, 126-27 (1967).

educational plateau, policemen probably consider themselves at a disadvantage in dealing with better educated and more respected members of the community.

B. Job Prestige

Somewhat ironically, citizens display a considerable reluctance to grant esteem to the men who are entrusted with enforcing the rules and norms of society. In 1947, a national survey of the prestige of ninety occupations found that policemen were ranked in the fifty-fifth position.⁶ Apparently, public regard for the police has not enjoyed steady improvement. A replication of that study in 1963 revealed that policemen had gained only eight positions and still ranked below the middle of the range of occupations.⁷ A pilot study of college students suggests that policemen of the higher ranks may be rated more favorably than the more visible patrolmen,⁸ but popular respect for the men who have the responsibility of law enforcement has never been a marked feature of American culture. In many communities, police salaries fail to match prevailing wages for semi-skilled laborers. In general, the public is unwilling to allocate respect and resources commensurate with the policeman's awesome power to regulate social conduct. Although the allure of such symbols of authority as the badge and uniform may be a persuasive inducement for many recruits, social status and deferential treatment by the public are not major motivating factors in decisions to join the force.

The popular perception of the prestige level of police work apparently is shared by policemen themselves. A survey of the New Orleans department found that most officers considered their job better than that of a furniture mover, auto mechanic, or bus driver, but not as good as that of a high school teacher, druggist, or business executive.⁹ The working class backgrounds and limited educational achievements of most police officers probably have prevented them from aspiring to more lucrative or prestigious white collar jobs. The New Orleans survey reported that most police officers considered themselves to be moderately dependable and extroverted, but the following proportions of men ranked themselves as low on other characteristics: ambitious, thirty-two per cent; intellectual, forty-eight per cent; and sophisticated, eighty-one per cent. Only nine per cent regarded themselves as highly ambitious, four per cent ranked themselves as highly intellectual, and no one rated himself as highly sophisticated.¹⁰ This lack of self-esteem probably has an effect on the performance of police work. In deciding to join the police force, many men have abandoned plans of attaining lofty individual or economic goals. Confirmation of this finding was obtained from another survey of policemen in a large West Coast

⁶ Hatt & North, *Prestige Ratings of Occupations*, in *MAN, WORK, AND SOCIETY* 277 (S. Nosow & W. Form eds. 1962).

⁷ Hodge, Siegel, & Rossi, *Occupational Prestige in the United States, 1925-1963*, 70 *AM. J. SOC.* 286 (1964).

⁸ NIEDERHOFFER, *supra* note 1, at 21-23.

⁹ J. FICHTER & B. JORDAN, *POLICE HANDLING OF ARRESTEES* 23 (1964).

¹⁰ FICHTER & JORDAN, *supra* note 9, at 15.

department which asked respondents to select the qualities that best described their present feelings, their probable attitudes in ten years, and their personal goals. In all three categories, the most highly valued characteristic was "good health and relative freedom from worry;" but "social prestige" and being "financially well-to-do" ranked at the bottom of the list.¹¹ It is evident from the personal profiles of practicing policemen that police work does not attract people with a commitment to strong personal ambitions or broad social objectives.

C. Job Security

The relative security offered by public employment is a major attraction of police work. A survey of policemen in Boston, Washington, and Chicago disclosed that job security and interest were the explanations most frequently mentioned for the decision to become a police officer. Most men did not refer to specific qualities of the work or to prestige and respect as the main reasons for entering the occupation.¹² In responding to questions about aspects of their position that they liked most, the largest proportion cited job security and retirement benefits.¹³ Officers who had considered leaving the force mentioned salary and economic considerations as motives for changing jobs, but nearly half said that financial security and retirement benefits were the principal reasons they remained in the department.¹⁴ Although economic considerations may play a major role in both preventing and encouraging police resignations, the survey revealed that most policemen have relatively modest financial goals. The largest group of officers endorsed \$6500 to \$7500 annually as an acceptable starting wage.¹⁵

The tendency of most policemen to emphasize job security and to attach major importance to relatively small salaries raises some serious questions about their motivation and the satisfaction that they derive from their jobs. A survey of New York patrolmen revealed that a majority agreed with the statement that any "recruit who thinks he is going to get much personal satisfaction just from performing police duties is due for a rude awakening." Nearly three-fourths of the men who had two years of experience also believed that it would be difficult to prevent policemen from resigning "if it weren't for the salary and other benefits connected with the job."¹⁶ Apparently, most police officers find little enjoyment in those aspects of their work that involve serving others. Despite the critical nature of their duties of applying social controls to human conduct, policemen continue to regard their jobs largely as a means of securing economic rewards.

¹¹ J. SKOLNICK, *JUSTICE WITHOUT TRIAL* 269-70 (1967).

¹² Reiss, *Career Orientations, Job Satisfaction, and the Assessment of Law Enforcement Problems by Police Officers*, in 2 *STUDIES IN CRIME AND LAW ENFORCEMENT IN MAJOR METROPOLITAN AREAS* 18-19 (undated).

¹³ *Id.* at 27-29.

¹⁴ *Id.* at 36-38.

¹⁵ *Id.* at 44-46.

¹⁶ McNamara, *supra* note 1, at 242-43.

II

POLICE SOCIALIZATION

A. The Basis of Police Solidarity

After policemen join the force, they normally are exposed to a brief period of training before being assigned to patrol duty. Most of the time spent by recruits in police academies or similar institutions is consumed by instruction in practical matters such as routine procedures for patrolling and handling suspects, physical conditioning, and the use of firearms. Only a limited number of hours, if any, is devoted to courses in human relations or similar subjects that affect police encounters with the public.

Despite the highly pragmatic nature of police training, many rookies and their more experienced colleagues have developed the belief that the average patrolman must be "reeducated" before he reaches the streets. A survey in New York City indicated that a majority of the experienced police officers felt that academy training "cannot overcome the contradictions between theory and practice" and most police recruits believed that they would have to learn everything over again when they were assigned to precincts.¹⁷ This disdain for academy training reflects not only a reluctance to think abstractly about their law enforcement experiences but also some significant features of the working relationships between police officers.

One of the most striking and unusual aspects of the police vocation is the high degree of solidarity displayed by most officers. United by the shared objective of fighting crime and by a common attitude toward the public, policemen display a degree of cohesion unmatched by most other occupational groups. A survey of New York City patrolmen, for example, found that more than two-thirds of all officers agreed with the statement that the "police department is really a large brotherhood in which each patrolman does his best to help all other patrolmen."¹⁸ This sense of fraternal loyalty and support encourages cooperation in the performance of police duties, and also influences many other aspects of law enforcement activities. When rookie patrolmen emerge from academy training, they are exposed to the values and traditions of police work perpetuated by experienced officers. Most recruits find it difficult to violate bonds of departmental camaraderie by rejecting the advice offered by senior colleagues. Despite the efforts of many academy instructors and superior officers to promote new law enforcement practices, solidarity in police ranks has made established procedures highly resistant to change.

Police cohesion not only is characterized by mutually reinforcing attitudes about work and about organizational goals, but it also is reflected in activities during off-duty hours. Since many civilians are uncomfortable about including police officers among their close acquaintances, there is a tendency of policemen and their families

¹⁷ NIEDERHOFFER, *supra* note 1, at 211-13.

¹⁸ McNamara, *supra* note 1, at 246.

to restrict their social contacts to other members of the force.¹⁹ A study of police sergeants in Chicago reported that one-fourth said that "they spend off-duty time with other officers as often as once or twice a week."²⁰ When the members of a large West Coast department were asked to name their three closest friends thirty-five per cent of them were other policemen. The natural tendency to develop personal loyalties among fellow workers is promoted and accentuated by strong organizational ties in the ranks of police forces. Eighty-six per cent of the officers in the West Coast department had attended at least one police banquet during the past year and fifty-four per cent had participated in three or more such activities in the same period.²¹ Social and fraternal groups within police departments, often organized by ethnic distinctions, are numerous and highly active in large cities. In addition, organizations such as the Fraternal Order of the Police and the Patrolmen's Benevolent Association have been formed in many departments to promote and protect the common interests of policemen.

The influence of fellow policemen can also have an impact on the development of an individual officer's ethical standards. In the normal performance of their duties, officers are brought into a close and continuing association with criminals and other elements of the population which have rejected society's moral code. As a result, policemen are exposed to more sources of temptation than most occupational groups. Although no accurate estimates can be provided concerning the amount of corruption that exists in police forces throughout the country, periodic scandals in major cities indicate that at least some policemen use their positions to obtain personal gains or favors. The unique experiences of policemen are likely to affect their ethical values. For example, the survey of New Orleans police officers revealed that two-thirds or more of them considered such acts as politicians taking graft, bribery to avoid a ticket, and cheating on an examination for promotion to be highly immoral; but forty-six per cent saw nothing seriously wrong with discrimination against minority people and fifty-seven per cent had no serious objection to overestimating damages for an insurance report.²² In a study of patrols in Boston, Chicago, and Washington, sixteen and one-half per cent of the policemen were observed in misconduct that amounted to a felony or a misdemeanor, and an additional ten and one-half per cent admitted that they had engaged in similar practices.²³ According to a former Denver police officer who was involved in a major scandal in that city, police corruption often results from the solidarity of the police and their animosity toward the public. These factors produce the sentiment that "nobody likes us, so the hell with them." For example, before the amount of theft is determined in the investigation of a burglary, new officers have been en-

¹⁹ M. BANTON, *THE POLICEMAN IN THE COMMUNITY* 188-219 (1964).

²⁰ Wilson, *Police Morale, Reform, and Citizen Respect: The Chicago Case*, in *THE POLICE: SIX SOCIOLOGICAL ESSAYS* 157 (D. Bordua, ed. 1967).

²¹ SKOLNICK, *supra* note 11, at 52.

²² *Id.* at 36.

²³ *New York Times*, July 5, 1968, at 1.

couraged by cynical references to public standards to pocket any remaining items—an additional loss which would be almost impossible to detect. After such promptings by fellow officers, “the young cop feels the pressure to belong so strongly that he reaches over and picks up something, cigars perhaps. Then he’s ‘in,’ and the others can do what they wish.”²⁴ Although many people find it difficult to understand how officers of the law can engage in lawless behavior, policemen are exposed to strong temptation and often provocation in the course of their work.

B. Effect on Internal Administration

The strong personal cohesion and organized activity that exist among policemen have a major impact on the operation and administration of police departments. A quasi-military structure of police organizations seldom is realized in everyday practice. Since police officers have developed unified and mutually supportive means of reacting to common problems, their superiors often encounter difficulty in attempting to gain firm control of the department. The effects of police solidarity are particularly evident in attitudes toward departmental rules and regulations. A survey of New York patrolmen revealed, for example, that most officers viewed the *Rules and Procedures*, the officially prescribed policies of the New York City Police Department, as “a guide for patrolmen and not something to be followed to the letter.” More than eighty per cent felt that it would be “impossible to always follow the *Rules and Procedures* to the letter and still do an efficient job in police work.”²⁵ Another survey concluded that three-fourths of all police officers in New York were “resigned to the necessity of violating rules in order to perform an active tour.”²⁶ Prevailing attitudes toward departmental regulations greatly complicate the administrator’s task of limiting the discretion of the cop on the beat. Since many patrolmen accept the guidance of fellow officers rather than the rules promulgated by their superiors, the cohesion of police forces is a major obstacle to the imposition of effective restrictions on police conduct.

In addition, some evidence indicates that the expectations of policemen cause supervisors to protect officers who have been charged with the violation of department rules. Most police administrators have advanced to higher positions from within the department, and they seldom are able to divest themselves of the fraternal loyalties that form an important part of police work in the ranks. The survey of New York patrolmen disclosed that from one-half to two-thirds agreed with the statement: “Most supervisors are careful to fit the *Rules and Procedures* to the situation rather than insisting the *Rules and Procedures* have to be followed regardless of the situation.”²⁷ More than eighty per cent felt that patrolmen were “officially entitled to all the help” they needed from supervisors, and a comparable

²⁴ Stern, *What Makes a Policeman Go Wrong?*, 53 J. CRIM. L.C. & P.S. 97, 100 (1962).

²⁵ McNamara, *supra* note 1, at 240-41.

²⁶ NIEDERHOFFER, *supra* note 1, at 217-18.

²⁷ McNamara, *supra* note 1, at 241-42.

proportion believed that supervisors were "expected to give help without any reservations to patrolmen who need help."²⁸ From the perspective of police officers, superiors are not expected to enforce departmental rules to the detriment of patrolmen; but they are viewed as obligated to protect their subordinates from the restrictions imposed by political authorities and by the public.

When policemen are disciplined, the source of the complaint usually is attributable to an external influence. A survey in New York found that more than three-fourths of the patrolmen and fifty-six per cent of the superior officers thought that an "average departmental complaint is a result of the pressure on superiors from higher authority to give out complaints."²⁹ Disciplinary action against policemen usually is ascribed to vaguely defined sources and not to immediate supervisions or other superiors in the department.

As a result of their dependence on superior officers for protection from unjustified criticism as well as their belief that most complaints arise from external pressures, policemen often display signs of severe anxiety at the threat of disciplinary action. Most police officers, for example, believe that the mere issuance of a charge against them would inevitably produce a guilty verdict. More than half of the patrolmen in New York and forty-one per cent of their superior officers thought that any officer summoned to appear before a disciplinary hearing would "probably be found guilty even when he has a good defense."³⁰ The basis of this fatalism is reflected in many aspects of police behavior. Law enforcement officers usually perceive themselves as being in conflict with political and community influences, and they protect themselves from the hostile forces by developing a form of solidarity that encompasses all members of the forces. The filing of a complaint against an individual policeman may seem to destroy those safeguards. Deprived of the support of his supervisors and fellow officers, the policeman accused of misconduct feels himself at the mercy of alien elements. Consequently, even the most temperate criticisms of police conduct frequently are met with unexpected resistance and defensiveness. The perceived loss of departmental protection in disciplinary procedures leaves a residue of bitterness among many policemen. A survey of New York patrolmen who had served at least two years of duty revealed that sixty-three per cent believed that "the department's handling of civilian complaints" was unfair and fifty-four per cent thought that "disciplinary action in the department" was unfair.³¹ This sense of unwelcome martyrdom, particularly as a result of grievances that originate outside the department, is exacerbated by the importance of the threat of insecurity in a profession that places a premium on job security.

Despite the high degree of unity exhibited at nearly all levels in most police departments, there is some evidence that top administrators can have an important

²⁸ *Id.* at 232-33.

²⁹ NIEDERHOFFER, *supra* note 1, at 207.

³⁰ NIEDERHOFFER, *supra* note 1, at 178, 214-16.

³¹ McNamara, *supra* note 1, at 235-36.

impact on the morale or performance of law enforcement organizations. Police officers display more concern for internal authority relations than employees of other municipal agencies,³² and they are particularly apt to personalize authority in departmental superiors.³³ In some cases, these characteristics have produced a temporary responsiveness to departmental authority. One study of Chicago police sergeants conducted in 1960, when the department was embroiled in a major scandal, and in 1965, after a new "reform" superintendent, O. W. Wilson, had assumed control, found a substantial increase in favorable attitudes about how the department was being run.³⁴ In large measure, the new superintendent produced this change by promoting younger officers and by introducing "professional" law enforcement practices. However, since this type of transformation usually requires centralized authority, it often has been resisted by subordinates within the department. The professionalization of police departments, therefore, acts to undermine the professional stature of individual police officers by limiting their personal discretion in handling the problem of "clients" in the community.³⁵ While these reform efforts by police administrators probably have a temporary effect on the morale or activities of law enforcement officers, the eventual impact of this trend may be growing opposition and reduction in professional obligations.

The effects of the introduction of professional norms and practices were evident in the attitudes of the Chicago sergeants. Before the "reform" administration came to power, perceptions of their relations with the public were much more significant than assessments of internal administration in shaping departmental morale. After the new superintendent had initiated his program of professionalization, however, perceptions of citizen respect had a strong impact on the morale of officers who thought that the department was being run well; but citizen attitudes had only a limited effect on the morale of policemen who remained dissatisfied with departmental management.³⁶ The increasingly positive evaluation of the police force was not accompanied by a growing feeling of public respect or by an increasing reliance on community support as a basis for forming judgments about the department. Most police sergeants maintained the conflicting views that the department had improved but that cooperation with the public had not reflected corresponding gains. Unlike other professional groups which have developed an expanded range of responsibilities and personal relationships with the public, the particular brand of professionalism that has arisen in police departments emphasizes the centralization of authority and a weakening of their relations with the community.

³² Peabody, *Authority Relations in Three Organizations*, PUB. AD. REV., June, 1963, vol. 23, at 87.

³³ Peabody, *Perceptions of Organizational Authority: A Comparative Analysis*, 6 AD. SCI. Q. 461 (1962).

³⁴ Wilson, *supra* note 20, at 139-49.

³⁵ Bordua & Reiss, *Law Enforcement*, in *THE USES OF SOCIOLOGY* 275 (P. Lazarsfeld, W. Sewell, & H. Wilensky eds. 1967).

³⁶ Wilson, *supra* note 20, at 151-55.

III

POLICE AND THE COMMUNITY

A. Alienation

As police departments become increasingly professionalized, they tend to become self-contained rather than reliant upon the assistance of the public. The growing specialization of police functions, for example, reduces the importance of information obtained or contacts established by officers during their tour of duty on the streets. One of the principal means by which the police maintain their separation from the community is through a vigorous emphasis on secrecy. In part to protect themselves from public criticism, many departments rigidly enforce a policy of refusing to discuss police business with civilians.³⁷ By their defensiveness and alienation, departments may insulate themselves from both public disapproval and support.

1. *The Profile of an Introverted Force*

The increasing gap between the public and the police also is reflected in the characteristics of law enforcement officers. The modern city policeman who lives outside the area that he patrols, whose acquaintances are largely restricted to other members of the force, and who surveys his beat from a squad car, usually develops few contacts with residents of the neighborhood to which he is assigned. This estrangement is particularly critical in crime-ridden and potentially volatile urban ghettos. Several studies indicate that only a small proportion of policemen become familiar with the ghettos that they patrol. Not only do patrolmen fail to gain extensive information about the neighborhood, but most confine their contacts to relatively unrepresentative segments of the population. A survey of the policemen who patrol the ghettos of eleven major cities revealed that most were acquainted with store owners and merchants in the areas. More patrolmen were familiar with the organizers of unlawful enterprises such as crime syndicates, numbers rackets, and drug operations than with "important teenage and youth leaders," even though adolescents and young people were viewed as the principal antagonists of the police.³⁸ The limited relationships developed by the police in ghetto areas do not provide them with an understanding of the mood or the problems of the neighborhoods.

Some evidence has demonstrated that black policemen are able to establish better rapport with ghetto residents than their white counterparts. While less than one-sixth of the white policemen who patrol the ghettos of these eleven cities reported any involvement in the neighborhood, thirty-seven per cent of the black policemen either lived in the area or regularly attended local meetings, and fifty-six per cent of the black patrolmen had relatives living on their beats.³⁹ Another

³⁷ Westley, *Secrecy and the Police*, 34 SOCIAL FORCES 254 (1956).

³⁸ Groves, *Police in the Ghetto*, in SUPPLEMENTAL STUDIES FOR THE NATIONAL ADVISORY COMMISSION ON CIVIL DISORDERS 103, 112-113 (1968).

³⁹ *Id.*

survey in Boston, Chicago, and Washington found that forty-one per cent of the black policemen, but only twenty-six per cent of the white officers, stated that they liked their assignments because they knew the people well.⁴⁰ In addition, eighty-nine per cent of the black patrolmen and only forty-eight per cent of the whites claimed that it was easy to get to know people on their beats.⁴¹ Although the lack of public support was the most common complaint about police work in ghetto neighborhoods, most policemen—white as well as black—stated that they would not prefer to be transferred to another assignment.⁴² The largest proportion of black policemen cited their familiarity with local residents as the aspect of their assignment which they liked most. However, a plurality of white policemen said that they liked their patrols primarily because they were “active.”⁴³

An accurate indication of the relationship between the public and the police was reflected when policemen in Boston, Chicago, and Washington were asked if they ever heard criticism about police practices from people on their beats. Seventy-eight per cent of the black policemen, as opposed to forty-six per cent of their white counterparts, reported receiving such complaints.⁴⁴ Thus, the findings suggest that the insulation of the police might be largely restricted to white officers and that the policing of ghetto areas by black patrolmen may offer an important means of improving communications between law enforcement agencies and the community. In responding to complaints from local residents about the police department, however, the usual sharp differences between all policemen and the outside community seemed to reassert themselves. The survey revealed that nearly all police officers—white as well as black—“feel obligated to defend the department when it is criticized.”⁴⁵ Although black policemen seemed to enjoy a peculiarly close rapport with ghetto residents, almost all members of the force responded to strong public criticism with the usual feelings of suspicion and animosity toward the public that have pervaded police departments for years.

2. *Conservatism*

In addition to the loyalty and defensiveness that prevails among police officers and separates them from the community, restrictions on their political and social affiliations tend to shield the police from involvement in public issues that may be of crucial importance to the society. As civil servants, policemen are often restrained by local regulations from active participation in local controversies. In many areas, this policy apparently is based on an uncritical acceptance of Justice Oliver Wendell Holmes' famous dictum in a Massachusetts State Supreme Court case which upheld the right of a municipality to fire a police officer for discussing political issues by

⁴⁰ Reiss, *supra* note 12, at 60-61.

⁴¹ *Id.* at 64-67.

⁴² *Id.* at 58-59; Groves, *supra* note 38, at 104.

⁴³ *Id.* at 59-60.

⁴⁴ *Id.* at 76-78.

⁴⁵ *Id.* at 78.

asserting that the man "may have a constitutional right to talk politics, but he has no constitutional right to be a policeman."⁴⁶ Furthermore, the police always have displayed a strong antipathy toward political intervention or pressures that might affect their law enforcement activities. As a result, policemen not only tend to reject the guidance and leadership of political officials and community leaders but they also fail to gain extensive exposure to political issues and processes. This lack of political experience is a contributing factor in the markedly conservative and anti-civil libertarian beliefs among policemen. One researcher concluded after a careful investigation of a large West Coast department that "a Goldwater type of conservatism was the dominant political and emotional persuasion of police."⁴⁷ A survey of New Orleans policemen found that forty-two per cent would prohibit a Communist from being employed as a retail clerk and fifty-three per cent would remove any novel written by a Communist from the public library, regardless of the content of the book.⁴⁸ In addition, the strong conservative bias of most policemen often has been translated into departmental policies.

B. Psychological Forces Shaping Police Behavior

1. *Desire for Power*

The opportunity to wield authority over the lives and conduct of other men undoubtedly has been a major attraction for many police recruits. In some departments, efforts have been made to screen or eliminate recruits who display an excessive interest in gaining a superordinate position over other persons. Between 1953 and 1956, for example, eleven per cent of the applicants for jobs in the Los Angeles Police Department were rejected because they failed to meet minimum psychiatric standards.⁴⁹ Despite the attempts to remove persons who are unfit for police work, many men admitted to the force have been drawn to it primarily by the lure of the badge, the gun, and other symbols of authority rather than by the opportunities it affords for community service.

2. *On-the-Job Associations*

Personal backgrounds manifest themselves in the manner and language used by police officers in approaching the public. The unavoidable association between policemen and criminal or underworld persons has injected a larger number of slang terms and epithets in the police vocabulary than in that of other occupational groups. Also, police officers use this jargon with the public as well as among themselves. In a survey of persons arrested by the New Orleans police in 1962, twenty-six per cent of the respondents reported that the policemen used obscenities in making the arrest.⁵⁰ The socioeconomic sources of this language, which is more

⁴⁶ *McAuliffe v. New Bedford*, 115 Mass. 216, 220; 29 N.E. 517 (1829).

⁴⁷ SKOLICK, *supra* note 16, at 61.

⁴⁸ FICHTER & JORDAN, *supra* note 9, at 15.

⁴⁹ Rankin, *Psychiatric Screening of Police Recruits*, 20 PUB. PERSONNEL REV. 191 (1959).

⁵⁰ FICHTER & JORDAN, *supra* note 9, at 30.

common in working-class than in middle-class styles of life, are reflected in the fact that the vocabulary of the police officer varied by the race, sex, and occupational level of the person arrested. One-third of the white arrestees mentioned that the policemen had used "tough talk" in making the arrests, while a similar proportion of black arrestees cited racial slurs and epithets. Moreover, white-collar arrestees were more than twice as likely as laborers to report that the policemen had been courteous and had not used vulgar language.⁵¹ The language used by police officers in making arrests not only reveals a strong pattern of deference characterized by reluctance to use terms among higher status citizens which they would use with their social peers, but it also evidences an emphasis on masculinity.

The stress by policemen on both virility and conventional behavior has bred in them a particular distaste for sexual deviance. A survey of New York officers found that homosexuals were rated second to cop-fighters as those most disliked by policemen; they outranked other despised elements such as drug addicts, annoying drunks, and known criminals.⁵² Another survey in New Orleans found that most policemen considered homosexuality more serious than bribing or assaulting a police officer but less serious than burglary, the sale of narcotics, or miscegnation.⁵³ The occupation of police officer probably provides many men with a means of asserting their masculinity—an ethos characteristic of the working class from which most of them have been recruited.

3. *Tension in the Nature of the Task*

Many observers have suggested that another factor which is instrumental in shaping the approach of police officers toward the public is their constant exposure to danger. They theorize that the perceptual threat of unexpected physical injury or even death accounts for much of police defensiveness and suspicion. However, a survey of policemen in Boston, Chicago, and Washington revealed that only two per cent cited danger as one of the undesirable features of their work, but thirty-seven per cent stated that their wives or families were concerned about this aspect of their job.⁵⁴ Police departments may tend to recruit persons who display unusually little concern about their personal safety, or perhaps policemen have become relatively immune to the anxiety caused by the threat of danger. In any event, the perceptions of policemen themselves suggest that fear for personal safety is less influential in molding attitudes than is commonly supposed.

Police perceptions of the public are shaped in part by the nature of the tasks that they have been required to perform. Merely by definition most contacts between policemen and members of the public involve aberrant personal conduct; otherwise the police would not have been called to the scene. Police officers usually confront

⁵¹ *Id.* at 28, 31.

⁵² NIEDERHOFFER, *supra* note 1, at 122-23.

⁵³ FICHTER & JORDAN, *supra* note 9, at 24.

⁵⁴ Reiss, *supra* note 12, at 38-39.

people in rare moments of crisis. A study of police-citizen interactions in three major cities revealed that a large proportion of hostile police actions were directed at persons who were emotionally agitated or drunk.⁵⁵ Continual exposure to distressed or abnormal people may be the basis for such a reaction.

In the investigation of major crimes the police may be placed in an unusual dilemma. Initially, their prospects for apprehending a suspect may depend upon the reports and cooperation of witnesses or victims. Yet a police officer has been taught by instinct and experience to assume a posture of suspicion and to maintain his distance toward all persons. A victim or witness may furnish the information needed to capture the offender. Yet he also may be deeply implicated in the crime, or in an emotional outburst, he may pose an even more dangerous threat to the officer than the suspect. Consequently, the attitudes of policemen toward the public have been characterized by ambivalence and tension.

Since the violators of important social norms are the principal objects of police attention, the hostility aroused by these criminals may be transferred by policemen to the public in general. Murderers, rapists, and thieves are hardly the kind of people likely to generate sympathy or admiration; the emphasis placed on their capture causes many policemen to adopt cynical attitudes toward everyone. In light of police concentration on the fight against crime and their lack of contact with the public in less traumatic circumstances, it is not surprising that the police have acquired a distorted and negative image of the people whom they serve. As William H. Parker, once Chief of the Los Angeles Police Department and a leading police spokesman, reflected, "I look back over almost . . . thirty-five years of dealing with the worst that humanity has to offer. I meet the failures of humanity daily, and I meet them in the worst possible context . . . I think I have to conclude that this civilization will destroy itself, as others have before it."⁵⁶ This pessimism about the future of society and the progress of mankind is a natural product of numerous encounters with the criminal public, but it has an unfavorable effect on the performance of many police duties. Conditioned by the belief that men are fundamentally immoral or depraved, policemen may find it difficult to grant people the respect that is necessary to establish a relationship of mutual trust and cooperation with the public.

IV

POLICE DISCRETION AND BEHAVIOR

A. Encounters with the Public

The principal police response to disturbing and distasteful tasks is to adopt a posture of cautious suspicion. In fact, suspicion probably has become the trade

⁵⁵ Black & Reiss, *Patterns of Behavior in Police and Citizen Transactions* in 2 *STUDIES IN CRIME AND LAW ENFORCEMENT IN MAJOR METROPOLITAN AREAS* 29-51 undated.

⁵⁶ Interview by Donald McDonald with William H. Parker, in Santa Barbara, Center for the Study of Democratic Institutions, 1962, p. 25.

mark of the police officer in his relations with other people. An article in a leading law enforcement magazine advised policemen to investigate and question persons in twenty common circumstances such as situations in which people were either casual, nervous, or evasive when approached by an officer.⁵⁷ A literal interpretation of that list would bring almost all members of the public under police surveillance. The responsibilities of the police mission require officers to place great emphasis on conventional public conduct, and the uncertainties of their work cause them to regard even a slight departure from what they regard as normal behavior as a matter of potentially grave concern.

Yet the police do not stop all persons who appear suspicious or unusual; the reason for this is their discretionary authority. The use of the wide latitude granted police officers, coupled with their general suspicion and defensiveness, has created some major problems regarding the law enforcement practices that affect the public. In many encounters, police officers take actions primarily to preserve and protect their authority rather than to secure compliance with the law or to promote respect for law enforcement. While the discretion allowed policemen may be necessary to provide flexibility sufficient to deal effectively with individual problems and circumstances, it may be abused. Public fear that police discretion might be administered in an arbitrary or overly restrictive manner are aroused by the generally cynical attitude of the police toward the public.

Police encounters with the public are instigated basically in three ways. Most contacts between policemen and private citizens are so-called "dispatched mobilizations" launched by the initiative of citizens seeking police assistance by telephone or by personal visits to a station. Occasionally police officers on the beat or in patrol cars are summoned directly by citizens in "field complaints or mobilizations." On the other hand, when policemen take the initiative the incident is termed an "on-view mobilization." Significantly, policemen enjoy the greatest freedom of action in "on-view" situations which seldom are monitored by police supervisors or witnessed by complainants and bystanders. The absence of citizen requests for aid and the ability of people to undermine police authority in "on-view" incidents has made them most likely to produce conflict.⁵⁸

Most contacts between policemen and suspects or persons who were arrested have occurred in on-view mobilizations. A study in Washington, Boston, and Chicago revealed that although the largest number of police-citizen interactions were produced by citizen complaints, one out of every three transactions with suspects or offenders resulted from the initiative of police officers.⁵⁹ Policemen tend to exercise their legal powers largely in isolated circumstances of their own choosing where they are least susceptible to the scrutiny of police administrators.

⁵⁷ Adams, *Field Interrogation*, POLICE, March-April, 1963, at 28.

⁵⁸ Black & Reiss, *supra* note 55, at 4-13.

⁵⁹ *Id.* at 74-80.

B. Discretion and Internal Control

The structure and organization of urban police departments exhibit important characteristics that distinguish them from other social or political institutions. Unlike most groups, in which the range of available actions is constricted as status decreases and subordinates work primarily to fulfill the directives of upper echelon executives, police departments have developed the relatively unique feature of allowing discretion to increase "as one moves *down* the hierarchy."⁶⁰

Police solidarity also has had a major impact on attempts to limit police discretion. In one New York study, less than one-third of the police officers agreed with statements that "each patrolman is not given enough latitude by his supervisors to handle the police problems in his area" and that they "often fail to take necessary police action due to a feeling that supervisors will disapprove of their actions." On the other hand, most of them felt that "supervisors almost never instruct a patrolman to reverse his plans when he has planned to make an arrest or to issue a summons."⁶¹ Department supervisors are relatively ineffective agents for curbing the vast discretion of the average patrolmen. The bonds of occupational loyalty and friendship that prevail in law enforcement agencies, as well as the natural propensity of all officers to stress and perceive antagonism between the department and the outside community, probably impedes the ability of supervisors to discipline the activities of their subordinates.

The alternatives for controlling discretion provided the heads of police departments are limited somewhat by political and legal pressures; but the more important limitation results from the inability of leaders to effectuate internal controls. Except in a few areas such as traffic regulation, where ticket quotas and the technological resources of data processing equipment provide methods of comprehensive surveillance, police chiefs encounter imposing obstacles in their efforts to alter or even to gain needed information about the activities of their forces. Thus, the usual processes of formulating organizational standards are greatly complicated in police departments. In many communities, police administrators have responded to this difficulty by failing to adopt explicit policies regarding critical law enforcement practices, but inaction has the principal effect of expanding the discretion of the cop on the beat. By neglecting the policy-making aspects of police work, law enforcement agencies exacerbate rather than overcome the problems created by the broad latitude available to officers at the lowest levels of police organization.

Even the limited number of specific guidelines provided by statutes and legal codes are liberally interpreted by police forces, and there is little effort to communicate their meaning to rank-and-file policemen. The growing complexity of legal regulations makes it almost impossible for any person without extensive

⁶⁰ J. WILSON, *VARIETIES OF POLICE BEHAVIOR* 7 (1968).

⁶¹ McNamara, *supra* note 1, at 210-11.

training to become familiar with all forms of conduct that have been declared criminal. In addition, many of the offenses that produce a large proportion of all arrests are so vaguely written as to provide policemen with virtually unlimited opportunities for selective enforcement of the laws. However, the discretion granted the police by loosely drafted and inadequately understood legislation does not necessarily promote repressive or stringent law enforcement. In fact, the normal tendency of the police is to underenforce the law. The investigation of police-citizen encounters in three cities found that a majority of persons who made confessions of illegal behavior were not taken into custody.⁶² The hesitancy of police officers to invoke the power of arrest apparently increases with length of service. A survey of 220 policemen showed that, while only six to thirteen percent of newly appointed recruits believed that arrests were made because "the officer could not avoid it without getting into trouble," twenty-one to twenty-four per cent of the patrolmen who had served for more than two years and eighteen per cent of the superior officers chose this reason.⁶³ However, a "good arrest," or the apprehension of a serious crime, is highly valued by most policemen; they seldom arouse intense criticism by producing an excessively large volume of arrests or by adopting harsh enforcement policies. Police decisions often are based upon popular concepts of morality rather than legalistic rules and upon a reluctance to impose seemingly unfair hardships upon others. Many policemen have developed an approach that views man as a corrupt being but that nonetheless attempts to maintain an understanding tolerance of his weaknesses.

Rules governing the exercise of authority often are reinterpreted by police officers to provide them with increased latitude and status. Perhaps the ultimate means of demonstrating police power is the use of physical force or violence. In a classic study, Westley found that the reason most frequently mentioned by policemen for the use of force was "disrespect for the police;" this reason was cited by thirty-seven per cent of the officers interviewed as opposed to twenty-three per cent who viewed violence as appropriate only when it was impossible to avoid, nineteen per cent who would employ force to obtain information, ten per cent who would use it to make an arrest or when they knew a suspect was guilty.⁶⁴ Although "disrespect for the police" never has been recognized by the law as a legitimate justification for the use of force or violence, many policemen adopt the attitude that force can be applied to gain deference, to impose punishment, and for other reasons that exceed the bounds of legality. The instruments of force, symbolized by the gun and the nightstick provided by the state, frequently are used by police officers to enhance their own authority. Since policemen wield a great deal of discretion in low-visibility situations, it is difficult to impose effective control over the exercise of power. In addition, the cohesion developed by police forces regarding rights that are regarded as

⁶² Black & Reiss, *supra* note 55, at 111-12.

⁶³ NIEDERHOFER, *supra* note 1, at 200.

⁶⁴ Westley, *Violence and the Police*, 59 *Am. J. Soc.* 34 (1953).

necessary to the performance of their duties has intensified the problem of limiting police authority.

CONCLUSION

Although generalizations about the police are fraught with numerous hazards as well as countless exceptions, the personality profile of the average policeman drawn from many studies suggests that he may possess several attributes that differentiate him from both the general public and other occupational groups. Not only do policemen reflect more conservative and defensive sentiments than other segments of the population, but they also seem to approach human nature with cynicism, suspicion, aggressiveness, and pessimism. The identification of some of those characteristics is probably based as much on popular stereotypes as on careful research, but close observers of police behavior frequently comment on the unusual personality attributes that seem to prevail among policemen. Even among the general public the mention of policemen may bring to mind memories of high school classmates, more renowned for their roughness or athletic prowess than for their intellectual acumen or sensitivity, who have joined the police force. There are difficult and important empirical problems in the identification of the personality attributes of policemen and in the determination of casual patterns among such characteristics. Perhaps the police force is an especially attractive source of employment to persons possessing particular attributes, or perhaps the nature of police work is primarily responsible for producing these characteristics. The resolution of this dilemma clearly has important implications for the evaluation of police conduct.

For many policemen growing indications of disapproval or resentment merely reinforce their basic perceptions of public animosity. Conditioned by their regular contacts with criminal segments of the population, the police have developed relatively low expectations regarding human behavior; given the nature of their work, many of them have not been disappointed. Furthermore, the unique solidarity that exists among police officers tends to make their judgment about the public both a self-fulfilling and a self-sustaining prophecy. Suspicion and distrust are perpetuated not only by the personal experiences of policemen but also by the attitudes and beliefs that prevail in most police departments.

Police perceptions of antagonism and estrangement from the public probably are primarily responsible for many other aspects of their conduct. The attributes that many observers identify as major features of police forces likely have developed as a result of their origins, experience, and response to the views of the community. Major difficulties are encountered in attempts to reduce or eliminate the undesirable aspects of police interaction with the public. Therefore, the outcome of efforts to improve the quality of law enforcement personnel and to regulate the exercise of police discretion may exert a crucial impact on the delicate relationship between law and society.