

# **Varieties of Police Behavior**

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**THE MANAGEMENT OF LAW AND  
ORDER IN EIGHT COMMUNITIES**

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## Five The Watchman Style

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In some communities, the police in dealing with situations that do not involve "serious" crime act as if order maintenance rather than law enforcement were their principal function. What is the defining characteristic of the patrolman's role thus becomes the style or strategy of the department as a whole because it is reinforced by the attitudes and policies of the police administrator. I shall call this the "watchman" style, employing here for analytical purposes a term that was once — in the early nineteenth century — descriptive generally of the mission of the American municipal police.<sup>1</sup>

In every city, of course, all patrolmen display a watchman style, that is, a concern for the order maintenance aspect of their function, some of the time, but in a few places this style becomes the operating code of the department. To the extent the administrator can influence the discretion of his men, he does so by allowing them to ignore many common minor violations, especially traffic and juvenile offenses, to tolerate, though gradually less so, a certain amount of vice and gambling, to use the law more as a means of maintaining order than of regulating conduct, and to judge the requirements of order differently depending on the character of the group in which the infraction occurs. Juveniles are "expected" to misbehave, and

1. A social scientist reading this and the next two chapters will understand that any typology is an abstraction from reality that is employed, not to describe a particular phenomenon, but to communicate its essential or "ideal" form — in this case, the "flavor" or "style" of the organization. The lay reader should bear this in mind and guard against assuming that because two or three police departments are grouped together they are identical in all respects. They are not. Furthermore, a typology can only suggest, it cannot prove, that a particular operating style is associated with certain organizational characteristics. Finally, merely because it was found convenient in this study to group these departments together into three styles, no one should assume that these are the only police styles or that every police department in the country displays one or the other of them. I assume if enough departments were studied that one would probably learn of other styles in addition to these and that one would certainly learn that many, if not most, departments display a combination of two or more styles.

thus infractions among this group — unless they are serious or committed by a "wise guy" — are best ignored or treated informally. Negroes are thought to want, and to deserve, less law enforcement because to the police their conduct suggests a low level of public and private morality, an unwillingness to cooperate with the police or offer information, and widespread criminality. Serious crimes, of course, should be dealt with seriously; further, when Negroes offend whites, who, in the eyes of the police, have a different standard of public order, then an arrest must be made. Motorists, unless a departmental administrator wants to "make a record" by giving a few men the job of writing tickets, will often be left alone if their driving does not endanger or annoy others and if they do not resist or insult police authority. Vice and gambling are crimes only because the law says they are; they become problems only when the currently accepted standards of public order are violated (how accurately the political process measures those standards is another question). Private disputes — assaults among friends or family — are treated informally or ignored, unless the circumstances (a serious infraction, a violent person, a flouting of police authority) require an arrest. And disputes that are a normal business risk, such as getting a bad check, should be handled by civil procedures if possible. With exceptions to be noted, the watchman style is displayed in Albany, Amsterdam, and Newburgh.

The police are watchman-like not simply in emphasizing order over law enforcement but also in judging the seriousness of infractions less by what the law says about them than by their immediate and personal consequences, which will differ in importance depending on the standards of the relevant group — teenagers, Negroes, prostitutes, motorists, families, and so forth. In all cases, circumstances of person and condition are taken seriously into account — community notables are excused because they have influence and, perhaps, because their conduct is self-regulating; Negroes are either ignored or arrested, depending on the seriousness of the matter, because they have no influence and their conduct, except within broad limits, is not thought to be self-regulating. But no matter what his race, if a man's actions are "private" (gambling, for

instance, or driving while intoxicated) or if they involve only another person with whom he has a dispute (an assault or a petty larceny), then, unless the offense is a "serious" one, the police tend to overlook the violation, to handle it informally (by a reprimand, for example), or to allow the two aggrieved parties to resolve it between themselves as if it were a private matter (a storekeeper getting restitution from a shoplifter or an assault victim bringing a civil action). If, on the other hand, the public peace has been breached — creating a disturbance in a restaurant, bothering passers-by on a sidewalk, insulting an officer, causing a crowd to collect, endangering others, or publicly offending current standards of propriety, then the officer is expected to restore order. If order cannot be restored or respect for authority elicited in any other way, an arrest is appropriate.

This "privatization" of the law defining misdemeanors and offenses and the emphasis on keeping order in public places is squarely within the nineteenth-century tradition of American law enforcement. As Lane notes in his history of the Boston police, the present-day force grew out of men appointed as part-time watchmen to keep the streets clear of obstructions, human and material, and to supervise a number of ordinances pertaining to health, lighting, and animals running loose. Vagabondage, raucous behavior, public lewdness, and street fights were the "criminal" matters handled by the watchmen and later by the police. *Real* crime — theft, robbery, murder, a private assault — was not in their province at all; detecting the perpetrators was essentially a private matter. If the victim could learn the identity of the thief or assailant, he applied for a warrant, which was then served, for a fee, by a constable. Later, detectives added to the force aided in the apprehension of criminals, but still on a fee-for-service basis: they were paid with a share of the recovered loot. The object of the process was not so much punishment as restitution.<sup>2</sup> Prostitution flourished, as did ille-

2. Roger Lane, *Policing the City: Boston, 1822-1885* (Cambridge, Mass.: Harvard University Press, 1967), pp. 7, 56, 57, 150. See also Seldon D. Bacon, "The Early Development of American Municipal Police," unpublished PhD. dissertation, Yale University (1939), p. 784. Professor Herbert Jacob suggests another way in which the law may become privatized. In his study of bankruptcy and wage garnishment

gal drinking establishments; when they became too noxious — that is to say, when their toleration became impolitic — a "descent" (in modern terms, a raid) was carried out, never to eliminate the nuisance but to contain it.<sup>3</sup> As late as 1863, a Boston alderman, the aristocratic Thomas Coffin Amory, objected to proposals that the police play a more aggressive role in enforcing laws, especially those against drinking, and proclaimed: "It is the duty of the police officer to serve . . . warrants, when directed to him. It is nowhere made his duty to initiate prosecutions."<sup>4</sup> A few years later, Alderman Jonas Fitch rejected complaints against detective procedures and argued instead for a return to purely private enterprise.<sup>5</sup> When a visitor to Albany or Newburgh remarks that the city appears to be still in the nineteenth century, he is making a more significant observation than he may realize.

Cities where the police follow a watchman style will not thereby have identical standards of public order and morality. The quality of law enforcement depends not simply on how the police make judgments, but also on the socioeconomic composition of the community, the law enforcement standards set, implicitly or explicitly, by the political systems, and the special interests and concerns of the police chief. A city like Amsterdam with almost no Negroes and few derelict drunks obviously cannot ignore petty Negro crime or chronic alcoholics. Whether or not a city is "wide open" with respect to vice and gambling depends as much on what the political leadership will allow as on what the police are willing to ignore. And although the police in all three cities tend to make very few misdemeanor or juvenile arrests and issue very few traffic tickets, there are exceptions — the Albany police arrest drunks in large numbers, the Newburgh police issue many more speeding tickets.

proceedings in four Wisconsin cities, he found that in some, such as Green Bay, there is relatively little inclination to invoke the legal processes to handle debts, while in others, such as Madison, there is a strong inclination. Green Bay prefers to settle such matters privately, Madison to settle them formally and publicly. Herbert Jacob, "Wage Garnishment and Bankruptcy Proceedings in Four Cities," in James Q. Wilson, ed., *City Politics and Public Policy* (New York: John Wiley & Sons, 1968).

3. Lane, *Policing the City*, pp. 115-116.

4. Quoted in *ibid.*, p. 130.

5. Quoted in *ibid.*, p. 154.

The police style in these cities is watchman-like because, with certain exceptions dictated by the chief's policies or the city's expectations, the patrolman is allowed — and even encouraged — to follow the path of least resistance in carrying out his daily, routine assignments. His desire "to keep his nose clean" is reinforced by the department's desire "not to rock the boat." The police handle the problem of an adversary relationship with the public by withdrawing from as many such relationships as possible. As in all cities, these departments are highly sensitive to complaints from the public, though they differ in their handling of them. There is no formal complaint procedure nor any internal review or inspection system; instead, the chief handles such matters personally. Depending on the kind of political system of which he is a part, he may defend the department vocally, or hush the matter up quietly, or, if an influential person or segment of opinion has been offended, "throw the man to the wolves" by suspending or discharging him. (There were cases of officers dismissed in all three cities.) The chief tries to avoid such difficulties, however, by tightly restricting the discretionary authority of his patrolmen ("don't stick your neck out" unless you can make a "good pinch") and by having them refer all doubtful matters to the sergeants, the lieutenant, or even the chief himself.

In none of the three cities did even the critics of the police allege that serious crime was overlooked, nor did anyone deny that police tolerance of vice and gambling had declined somewhat over the years. All three communities were once a good deal gaudier and there is still a lot of life left in Albany and Newburgh. But all have become, at least publicly, more decorous, and this was accomplished without any significant change in the police — it was simply understood that the politicians and the community and church leaders wanted things a bit quieter, a process aided in Albany by the fact that the governor tore down the wooliest part of the city. (As in all land clearance programs, a large proportion of small businessmen, illegitimate as well as legitimate, never survive the relocation process.)

To a watchman-like department, the penal law is a device

empowering the police to maintain order and protect others when a serious infraction has occurred; the exact charge brought against the person is not so important — or rather, it is important mostly in terms of the extent to which that particular section of the law facilitates the uncomplicated exercise of police power and increases the probability of the court sustaining the action. The charges of public intoxication and disorderly conduct are useful, and thus frequently used, in this regard — they are general, they are difficult to dispute, they carry relatively light penalties and thus are not likely to be resisted, and they are not technically, in New York, "crimes" that might hurt a man's record.

✓ In these cities, the patrolman is expected to ignore the "little stuff" but to "be tough" where it is important. For example, the police have essentially a "familial" rather than law enforcement view of juvenile offenders. Their policy is to ignore most infractions ("kid's will be kids") and to act *in local parentis* with respect to those that cannot be ignored: administer a swift kick or a verbal rebuke, have the boy do some chores ("Tom Sawyer justice"), or turn him over to his parents for discipline. An Albany probation officer who handles many young people told an interviewer that "sometimes a cop has to do things that aren't strictly legal, like taking a kid into the back room . . . The parents should do it, but don't."

The Amsterdam police recall fondly the days when such elaborate procedures were not necessary. The officer who caught the window smasher or bicycle thief meted out curbstone justice that would instill, if not the fear of God, then at least the fear of cops. "You used to be able to take care of the whole thing yourself," one officer told an interviewer, "but if you hit a kid today, you would really get clobbered." Whatever was once the case, it is clear that the police still rely largely on informal means for controlling juveniles — lecturing them on the street corner, taking them home to their parents, or telling them to "break it up" or "move along." Such informal methods have even been institutionalized in what one department calls "Saturday morning probation." Juveniles who commit more serious, or more frequent, offenses are told to come to

police headquarters every Saturday morning for a few weeks or months to report on their behavior. The parents are informed and told the alternative could be an arrest. The chief conceded to an interviewer that "It's probably not kosher," but the family court judge is aware of the system and cooperates. If the offense is not, in the eyes of the police, a "real" crime at all — as, for example, drinking under age — nothing is done. If it is a "real" crime — such as auto theft or a burglary — then an arrest is made.

Informal settlements are also the rule with minor adult offenses. In Amsterdam, for example, in cases where disorder occurs or is likely, the police commonly tell the aggrieved party to "see the judge" and the abusive party to "go home" or, if he has no home, to "get out of town." All nontraffic incidents recorded by the Amsterdam police during June 1967 were examined; there were twenty-nine. About half — fourteen — involved a fight, dispute, disturbance, or drunkenness. In three cases the persons were taken home, in five they were told to see the judge, and in four they were pacified on the scene. Only two persons were arrested; they were charged with resisting or abusing the police.

There appear to be two exceptions to the watchman style in these three cities. First, the Newburgh police issue many more traffic tickets than Albany or Amsterdam. Second, the Albany department arrests many more drunks than not only other watchman-like departments but more than almost any kind of department. Traffic, however, is that police function most easily brought under the control of the administrator — as explained in Chapter 4, his interest in ticketing, and almost nothing else, determines how many shall be issued. And in Newburgh, it was not even the chief, but his deputy who, together with the city manager, put on the pressure for ticketing. But that pressure was limited to the men assigned to traffic and never became a department-wide policy.

The high drunk arrest rate in Albany has a somewhat different explanation. There appear to be simply more drunks — especially derelicts — on the streets: Albany is a major transportation center for people moving up and down the Hudson River, east and west between Boston and Buffalo, Cleveland, and Chicago, and to and

from the summer resorts in northern New York State. In the past, the city was a place where people went looking for a good time. When the famous "Gut" was flourishing, a large number of arrests for intoxication were required to maintain some semblance of order and, more important, keep the carousers from leaving the area to annoy the "decent people" elsewhere in the city. What the detectives condoned the patrol force had to cope with. Though much of the Gut is gone, the city still attracts derelicts from all over the state. Thus, part of the high arrest rate can be explained by the fact that there are not simply more drunks, there are more homeless drunks in Albany than in most other cities. The tendency of a watchman-style police force to go easy on local drunks cannot, obviously, operate if the drunks are not locals — not only will out-of-towners not be bound by local norms, they may become a burden on local charity. Albany, accordingly, makes proportionally seven times as many arrests for vagrancy as does Oakland. As a high law enforcement official in Albany told an interviewer:

We're pretty tough on vagrants here. We give them summary justice and send them to jail. There, the police rough 'em up a bit and then we send them out of town. These people could work if they wanted to. There's plenty of jobs here, what with all the construction going on . . . The only reason these men don't work is that they don't want to work.

There may be other explanations as well, but they must remain conjectural.<sup>6</sup> What is clear is that in Albany there is not, as in Oakland, a concern for the law enforcement implications of drunkenness — its relation to strong-man robberies, for example. Drunkenness in Albany is a matter of public order; it so happens that for various reasons, drunks are more likely in that city (than in, say, Newburgh) to be seen by the police as a threat to order.

In a watchman system, little emphasis is placed on a "correct"

6. A former Albany police officer to whom this manuscript was shown offered in a letter to me an additional explanation for the high drunk arrest rate: "Many times a person will go to a police station to make a complaint. This could be anything from an auto accident, an argument, or of being rolled. The policeman on the desk will inform the person that he will look into the matter and then ask the person if they have been drinking. No matter how many or how few beers he may have had, he will be booked for public intox."

appearance or manner. Since the task of the police is to be ready for a serious crime or to restore order, neatness or courtesy are not especially important, though by the same token one does not wish to do anything that will needlessly antagonize the "respectable" element in the city, for that could cause "trouble." A watchman-like department is as interested in avoiding trouble as in minding its own business.

It would be a mistake to assume that a watchman-like department is necessarily a corrupt one, though there may be a little corruption in all such departments and a great deal in a few. The predisposition to avoid involvement — to control (not eliminate) public disorder rather than to enforce the law — depends not on corrupt motives, but on the inclinations of the men recruited into police work and the norms of the organization to which they belong. In a small town, the police may tolerate illicit businesses because no one with any influence wishes to have it otherwise; if tolerance rests on community indifference rather than police forbearance, then the police have nothing to sell and, except for small gifts, nothing to gain. Of course, if such enterprises operate on a scale larger than what public opinion would tolerate, then the police can sell their ability to "keep things quiet." In a larger city, with an organized political opposition and formal institutions (newspapers, churches, civic groups) that might wish to act as keepers of the community's conscience, tolerance is more valuable because more precarious. It may, therefore, be sold, though not necessarily by the police. A strong political party may sell "licenses" to run illegal businesses and simply order the police to respect the licenses; if there is no strong party to which they are beholden, the police may sell the licenses themselves. The Amsterdam police, for example, are not bribed to be tolerant of gambling; rather, they believe that the community expects them (and pays them) to behave as mere night watchmen, and they do.

Even in Albany, a police officer, himself very critical of the department's leadership, denied that there were large payoffs. He told an interviewer:

body wants to make any arrests in that area unless they absolutely have to, and particularly not make any arrests when it spoils their chances for having a little fun over in the colored parts. We don't want to make them mad at us.

Because they have a watchman style, it does not follow that all three departments are identical in all respects. From the patrolmen's point of view, perhaps the most important differences are in the extent to which they feel the police chief is "on their side" and willing to "back them up." In Amsterdam, a city with little crime, almost no Negroes, and not much police zeal, a policeman rarely gets in trouble. The chief could not remember the last time somebody was dismissed, though minor penalties are imposed from time to time. One reason may be that, were a man dismissed, nobody could be found to replace him. The police in Albany and Newburgh, on the other hand, have been "on the spot" several times. The few patrolmen willing to discuss the matter seemed to feel that in Albany the chief backed up his men and in Newburgh he did not.

Newburgh officers were outspoken in their dislike of the chief. They alleged that he publicly criticized them, never praised them, and did not "stand up" for them in several fights with the city administration. The chief was seen as "close" to the city manager (and, of course, by law he is supposed to be); the difficulty was that a recent city manager had been bent on making some radical changes in the department, and the men — rightly or wrongly — saw the chief as the agent of this unwanted change. Some patrolmen had been criticized by Negroes; the chief, in the view of some, did not stand behind them as solidly as he should have.

In Albany, the chief — perhaps because his position was more secure and the local political system more congenial to his law enforcement style — was thought by many officers to be behind them. During one visit to Albany, a racial disturbance broke out in a nearby city and two officers accused of mistreating Negroes were suspended pending an investigation. An Albany detective told an interviewer that this would never happen in his city:

We feel they're behind us here. It's not like in X where the chief

knuckled under and suspended two officers just to please the mob. You're either right or wrong; there's no compromise with it. And no compromise with a mob. People argue about whether politics is a good or bad thing in a police department. Well, of course, it's both. But the good side is that [here] they back you up 100 per cent. We're not afraid to do our jobs.

Such perceptions may well influence police behavior and may — there is no evidence — explain why the Albany police appear to be somewhat more willing to make arrests, especially Negro arrests, than the Newburgh police. But the differences appear to be marginal (to a particular person, of course, a marginal difference in police behavior may be all the difference in the world) and do not alter the pattern that is common to all three cities — few traffic tickets, except for those produced by the Newburgh radar car, relatively few misdemeanor arrests, except for Albany drunk arrests, informal handling of juveniles, and tolerance of discreet immorality.

### *The Organizational Context*

Associated with these behavioral similarities are certain aspects of departmental organization and personnel. Patrolmen are locally recruited, paid low salaries, expected to have second jobs, given the very minimum in initial training and almost no in-service training, and not rewarded for having or getting higher education. As late as 1964, the chief of police in Albany was paid only \$7,399; in 1967 he got \$9,800. The beginning salary for patrolmen in 1966-67 was \$4,800 in Albany, \$5,100 in Newburgh, and \$5,110 in Amsterdam.

Low pay helps make recruitment difficult. In 1964 only two candidates signed up to take the state civil service examination for policemen in all of Zone 5, which includes not only the city of Amsterdam but the six surrounding counties as well; as a result, the test was cancelled. In 1965 no one even bothered to schedule an examination. Because of a high turnover rate in the department,

## Six      The Legalistic Style

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In some departments, the police administrator uses such control as he has over the patrolmen's behavior to induce them to handle commonplace situations as if they were matters of law enforcement rather than order maintenance. He realizes, of course, that the officer cannot always act as if his duty were merely to compare observed behavior with a legal standard and make an arrest if that standard has been violated — the law itself, especially that governing misdemeanor arrests, does not always permit the application of its sanctions. But whenever he acts on his own initiative or to the extent he can influence the outcome of disorderly situations in which he acts on the initiative of the citizen, the patrolman is expected to take a law enforcement view of his role. Such a police style will be called "legalistic," and it can be found in varying degrees in Oakland and Highland Park and to a growing extent in Syracuse.

A legalistic department will issue traffic tickets at a high rate, detain and arrest a high proportion of juvenile offenders, act vigorously against illicit enterprises, and make a large number of misdemeanor arrests even when, as with petty larceny, the public order has not been breached. The police will act, on the whole, as if there were a single standard of community conduct — that which the law prescribes — rather than different standards for juveniles, Negroes, drunks, and the like. Indeed, because such persons are more likely than certain others to commit crimes, the law will fall heavily on them and be experienced as "harassment."

The Oakland and Highland Park police departments began functioning this way in about the mid-1950's; Oakland continues to do so, and Highland Park has modified its policies only slightly since the appointment of a new chief in 1965. Syracuse began moving in this direction in 1963, with the arrival of a "reform" police chief and deputy chief; it is too early to tell how far it will proceed. For now,

police professionalism. It is not clear that the "reform" caused a significant change in police treatment of juveniles — the available data are too skimpy and the officers involved deny it — but such data as exist are not inconsistent with that possibility.

The police in these cities, however, do not arrest because they like making arrests, or hate teenagers and Negroes, or love the penal code. Almost every officer interviewed in these departments said in one way or another, "We're not out to make arrests" or "We don't believe an arrest is always the answer." Such statements are quite sincere and not at all inconsistent with the fact that these men *do* make arrests and issue tickets at rates much higher than those found in other departments.

One reason the statement and the behavior can coexist is that the officers know that they see many offenses, usually minor, that they "let go" without an arrest or ticket; they are not especially aware — there is no way that they could be — that the police in other cities let many more go. Moreover, the average patrolman knows that most of his time is spent on things he does not regard as "real police work," much less on things that result in arrests. If anyone should suggest that he is "zealous" about making arrests, he would deny and perhaps resent it.

The fact that so many arrests are made, and that they are made as much as possible on the basis of a fixed, not a variable standard of behavior, is primarily the result of departmental policies. It is the administrators who devise these policies, manipulate the rewards and sanctions that get them carried out, and reflect on their justification. The patrolmen are primarily "doing their job" — making runs, stopping cars, filling out forms, and putting up with citizen behavior that is tedious, bizarre, or even dangerous. When he thinks of his role, it is usually with a mixture of irritation that the "brass" in the offices "don't know what it's like out here on the street," disgust that the so-called "good citizens" and the courts are not supporting the police, and anger that the people who misbehave show so little respect for the police and provide so little cooperation. These views are about the same whether one is in a legalistic or a

watchman department. The police administrators effect the difference between these police styles in part intentionally and in part unintentionally.

To some degree they demand that their officers enforce the laws because they believe it is right that all laws be enforced. In November 1966 the Highland Park chief sent out a letter to local businessmen expressing concern that some were allowing persons under the age of eighteen to buy cigarettes and also "openly smoke them in their place of business." The chief reminded them that this was a violation of an Illinois law that the police intended to enforce. The Oakland Police Department announced in January 1967 that because of the number of stolen bicycles and the difficulty in tracing and recovering unlicensed bicycles, it would intensify the enforcement of bicycle licensing ordinances by issuing juvenile citations to owners of unlicensed bikes. Parents were warned that disregarding this citation could result in a juvenile court appearance. Such policies would be followed in a watchman department only if they were required by a public hue and cry, and that would be most unlikely. Moreover, the police in a legalistic city obey the law themselves. In Oakland, the police parking lot is across the street from headquarters. The direct route to take to and from the building is to cross in the middle of the block. Routinely, interviewers watching the shifts change saw officers leave the building, walk to the corner, wait for the light, cross, and walk back to their cars. "Once or twice, maybe, I'll dash across the street," a patrolman told an interviewer, "but you get used to not jaywalking, and that's the way it is all the time."

The administrators of these departments want high arrest and ticketing rates not only because it is right but also to reduce the prospect (or the suspicion) of corruption, to protect themselves against criticism that they are not doing their job or are deciding for themselves what laws are good or bad, and to achieve, by means of the law, certain larger social objectives. Almost invariably a legalistic department was once a corrupt or favor-doing department. In Oakland, the police had been accused of tolerating gambling, conniving with insurance companies, and rolling drunks in the city jail. In

Syracuse they had been accused of consorting with and accepting favors from gamblers and the political friends of gamblers. In Highland Park, they had been regarded as "sloppy," "ineffective," and interested in "looking out for themselves and their friends." Because police chiefs are broken by scandal, not crime, a new chief, hired to put an end to scandal, will seek to put an end to the officers' discretion concerning what laws will and will not be enforced. *All laws will be enforced. Discretion, except under carefully defined circumstances, creates opportunities for officers to use that discretion out of improper or corrupt motives or, what is almost as bad, to appear to do so out of such motives.* Police departments are judged by the public to a great extent in terms of appearances and rumors; the best way to stifle rumors of corruption or favoritism is to make sure that everybody gets a traffic ticket, every bookie is put out of business, and every glue-sniffing teenager is hauled in for questioning.

A police chief may also, for reasons to be developed in a later chapter, want to take the police "out of politics," at least formally. The most obvious way to achieve this is to assert that there is a clear difference between law-givers and law-enforcers or, more generally, between policy and administration. Every police officer likes to remark, "We don't make the laws"; in dealing with an angry housewife who has received a ticket or whose son has been arrested, it is a conventional observation intended, obviously, to reduce interpersonal conflict by representing the police officer as the impersonal, and slightly sympathetic, agent of a remote "Law." In a legalistic department, that view becomes the position of the chief as well as the patrolman, and partly for the same reason — to dissociate the department from the law-making process, which is essentially a political process, thereby making it clear that so long as the department "does its job" the responsibility is on others to decide what it shall do and thus no one can accuse the department of being "political" by making its own decisions as to what laws to enforce. It is harder to keep the department out of politics if it appears to be making political judgments, and it may appear in just that light if it does less than enforce all the laws all the time.

The chief also knows that the law is a device to achieve certain social objectives — order, peace, security, certainty, and liberty. He is aware that by enforcing certain laws he can achieve the purposes of other laws, and this gives him and his department a reason to enforce laws that otherwise might appear trivial and thus be ignored. Enforcing traffic laws is desirable not simply because it is their duty but because such enforcement is one way to prevent automobile accidents. (The police know it is not the only way, and agree that it is hard to prove conclusively that it is even one way, but it is, in their view, the only way open to them and they feel they must do something.) Furthermore, stopping cars for traffic infractions affords an opportunity to check the identity of the driver and the registration of the car; from time to time, the police discover fugitives, stolen merchandise, illegal weapons, and stolen cars this way. This, in turn, leads to even more arrests. This screening process is a kind of positive feedback system that helps explain why high-arrest departments are so *much* higher than low-arrest departments: the more traffic tickets you issue, the better the chance of catching a real criminal; if you catch a real criminal, you make yourself look good; thus rewarded, you have even greater incentive to make more car stops.

The same instrumental view of the law extends into other areas where the police act on their own initiative. A drunk becomes the victim of a strong-arm robber; arrest him and you prevent a robbery. Juvenile vandalism can, the police believe, lead to a career in crime; better to investigate now, and take it seriously now. Teenagers loitering on a street corner late at night might cause mischief later on; thus, in Oakland and Highland Park, the police enforce an anti-loitering or curfew law. Besides being illegal, vice also leads to muggings and the rolling of drunks; arrest prostitutes and you reduce the number of rollings.

In watchman-like departments account is also taken of the consequences of a law violation, but the consequences considered are limited, for the most part, to those which are immediate, personal, and direct. Will *this* drunk hurt *himself* or some nearby person *soon* if I let him go? Is *this* car driving so recklessly as to endanger others

on *this road*? Are *these* kids getting into mischief *right now*? Legalistic departments, by contrast, additionally take into account consequences that are general, remote, and impersonal. For the patrolman from a working-class background, the pattern found in watchman-style departments may be in some sense “natural.” In the management of violence generally, working-class persons are likely to take into account primarily the immediate consequences of actions, while middle-class persons are more inclined to take into account motives and long-term consequences. For example, working-class parents are apt to resort to physical punishment “when the direct and immediate consequences of their children’s disobedient acts are most extreme, and to refrain from punishing when this might provoke an even greater disturbance.” Middle-class parents, on the other hand, seem “to punish or refrain from punishing on the basis of their interpretation of the child’s *intent* in acting as he does”; thus, a furious outburst will be punished if it represents a “loss of self-control” but not if it is merely an “emotional release.”<sup>5</sup>

### *The Organizational Context*

The legalistic style may result partly from administrative actions taken with other ends in view. A “reform” chief must get hold of his department. To break through the governing pattern of personal relations, loyalties, and feuds to which he, as an outsider, is alien, he seeks to centralize control, formalize authority, and require written accounts of everything that transpires. When the new chief arrived in Highland Park in the mid-1950’s, each officer was required to keep a detailed daily account of his activities, to make complete reports of all investigations no matter how minor, and to submit all such documents to superior officers for review. When, at about the same time, a reform chief took over the Oakland Police Department, he promptly abolished the precinct stations and centralized the

5. Melvin L. Kohn, “Social Class and Parent-Child Relationships: An Interpretation,” *American Journal of Sociology*, 67 (1963), p. 478 (italics added). See also Kohn, “Social Class and the Exercise of Parental Authority,” *American Sociological Review*, 24 (1959), pp. 312-366.

## Seven The Service Style

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In some communities, the police take seriously all requests for either law enforcement or order maintenance (unlike police with a watchman style) but are less likely to respond by making an arrest or otherwise imposing formal sanctions (unlike police with a legalistic style). The police intervene frequently but not formally. This style is often found in homogeneous, middle-class communities in which there is a high level of apparent agreement among citizens on the need for and definition of public order but in which there is no administrative demand for a legalistic style. In these places, the police see their chief responsibility as protecting a common definition of public order against the minor and occasional threats posed by unruly teenagers and “outsiders” (tramps, derelicts, visiting college boys). Though there will be family quarrels, they will be few in number, private in nature, and constrained by general understandings requiring seemly conduct. The middle-class character of such communities makes the suppression of illegal enterprises both easy (they are more visible) and necessary (public opinion will not tolerate them) and reduces the rate of serious crime committed by residents; thus, the police will be freer to concentrate on managing traffic, regulating juveniles, and providing services.

Such a police policy will be called the “service” style, and it can be found especially in Brighton and Nassau County. In such communities, which are not deeply divided along class or racial lines, the police can act as if their task were to estimate the “market” for police services and to produce a “product” that meets the demand. For patrolmen especially, the pace of police work is more leisurely

1. During the first week of June 1965, the Brighton police sent 124 nonadministrative radio messages to patrol cars and the Newburgh police sent 173; the towns are approximately equal in population, but the median income in Brighton is twice that in Newburgh. Furthermore, a substantially higher fraction of the Newburgh

(there are fewer radio messages per tour of duty than in a community with a substantial lower class)<sup>1</sup> and the community is normally peaceful, thus apparent threats to order are more easily detected. Furthermore, the citizenry expects its police officers to display the same qualities as its department store salesmen, local merchants, and public officials — courtesy, a neat appearance, and a deferential manner. Serious matters — burglaries, robberies, assaults — are of course taken seriously and thus “suspicious” persons are carefully watched or questioned. But with regard to minor infractions of the law, arrests are avoided when possible (the rates at which traffic tickets are issued and juveniles referred to Family Court will be much lower than in legalistic departments) but there will be frequent use of informal, nonarrest sanctions (warnings issued to motorists, juveniles taken to headquarters or visited in their homes for lectures).

Because the two departments which most clearly — and, to some extent, by their own admission — display the “service” style are Nassau and Brighton, one might suppose that they are merely watchman-style police departments with a different, less divided, or more demanding clientele: prosperous suburbanites want to be left alone with respect to their own minor indiscretions, to have “undesirables” kept away, and the peace maintained. To some extent this is true, but it is not the whole story. The Albany Police Department, if transplanted to Nassau, probably would not — and certainly without major internal changes, could not — begin to serve this new and different constituency in accordance with its demands. Those matters about which the Nassau police believe, no doubt rightly, that Nassau residents feel strongly — residential burglaries, teenage narcotics, juvenile misconduct, personal and courteous “service” — are best dealt with by specialized police units and a certain type of officer. Creating these units and recruiting and training these officers would alter fundamentally the character of the Albany force in ways described below.

calls (8.9 per cent) were for “crimes in progress” than of the Brighton calls (3.2 per cent).

### *The Organizational Context*

It is more relevant to ask why or in what ways the Nassau and Brighton departments, which are composed of honest and well-trained men, do not behave like their counterparts in Oakland and Highland Park. With respect to some matters — maintaining good records, insisting on good police behavior — they do, but for them to have the same style as their western counterparts they would have to intensify traffic enforcement, use more formal and, from the point of view of the young person, more punitive means in handling juveniles, arrest drunks on sight, and neglect no laws on grounds that they are too trivial to be enforced. This would not require, as would the Albany to Nassau transplantation, a change in manpower — the Brighton officers could easily function in the Highland Park department and the Nassau officers in the Oakland department. It would require, however, a change in administrative policies. And, if the Nassau police had to face the Oakland problems — very high crime rates, a large lower-class population, conflict with organized Negroes — they might very likely adopt many, if not all, of the latter department's policies. The important point is that the Nassau department could adopt many of those policies now, especially with respect to traffic and juveniles, but it does not.

The fact that Nassau maintains a service style is all the more striking considering its size. With 3,200 members, one might expect that it would necessarily have many bureaucratic characteristics and that the administrative policies necessary to manage a large bureaucracy — a multiplication of reports, well-defined chains of command, the development of statistical measures of performance — would lead to emphasis at the patrol level on producing large numbers of whatever can be measured (arrests, tickets, and so on), “looking good on paper,” handling situations uniformly “by the book,” and keeping costs down. Though this sort of thing exists, it is less than one might expect.

The reason is that the Nassau department, especially in recent years, has deliberately adopted many practices that would institu-

tionalize the service rather than the legalistic style. The ultimate motivation for this is political, not in the partisan sense, but in the sense of having regard for the opinion of the community. More immediately, however, these practices aim at keeping the department “small” and close to the people, emphasizing community and public relations, maintaining the best and the shiniest of buildings and equipment, and developing various control procedures that make service a major concern to officers at every rank. And community concerns over some specific law enforcement problem are met, and often anticipated, by the department by creating a specialized unit to deal with it.

Nassau's patrol force, and all its detectives except those in specialized squads, operate out of eight precinct stations scattered about the county. Specialized investigative units, plus all staff services, operate in the main headquarters building at the county seat. The eight precincts are not simply administrative conveniences, however; they are designed in part to keep the patrol force “local.” When a citizen calls for police services, he calls his precinct; if a patrol car is required, the precinct calls the central radio dispatcher at headquarters. If the citizen calls headquarters directly by mistake, he is referred back to his precinct. Patrolmen work out of their precinct stations and, although the county is heavily residential, consisting mostly of low-density buildings, nearly 40 per cent of the precinct posts are manned by patrolmen walking foot beats. “Professional” police doctrine — and certainly the doctrine operative in Oakland — calls for motor patrols in all but the most congested areas, such as business centers and large apartment projects. When asked about the reliance on foot patrols, a senior officer explained that “the villages expect these foot posts . . . The villages would complain if we removed the foot men.”<sup>2</sup>

Nearly every precinct station is of recent construction and all are immaculately maintained. A citizen entering is confronted by a desk where a lieutenant, sergeant, and patrolman are on duty (when a citizen enters the Oakland or Syracuse police headquarters, he faces a bank of automatic elevators). The room is air conditioned;

2. Some foot patrolmen are being shifted to scooters.