

THE AIMS AND CHALLENGES OF POLICING IN CONTEMPORARY SOCIETY

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INTRODUCTION AND OUTLINE

This paper is intended to initiate a rather unique, multipart, collaborative strategic planning initiative by the Town Board and the Orchard Park Police Department. It is following upon the heels of the *State of the Orchard Park Police Department Address* given by Police Chief Mark Pacholec, and will itself be followed, in succession, by a second paper authored by the Chief, and then two public input sessions as well as an online survey. These preliminaries will, in turn, inform and guide a strategic planning process for our police department.¹ Accordingly, the purpose of the papers, with their broad strokes, is not to proffer the kinds of recommendations and/or solutions that a strategic plan should afford. They are, rather, intended to begin and further – especially in tandem with the input sessions – a mutual awareness and conversation between our community, the town board and our police department so that the latter two can better serve the first.²

To this end it is important, we think, for the community to appreciate the policing function, both in general and as particular to our community. This paper will introduce the former,³ while the second paper will address the latter. I begin by situating contemporary policing within its historical context. This will be followed by a consideration of the aims and challenges of policing.

HISTORICAL CONTEXT

The first four decades of the 20th century were characterized by **politically-oriented policing**. True to its name, this involved police departments that were organized around and serving at the whim of specific political jurisdictions and officials. In this kind of environment police forces were politically controlled and frequently served as enforcers, mere tools for the interests of whatever political group was in power at any given time. Needless to say, policing in this era was characterized by corruption and practices which violated basic Constitutional rights, engendering massive public mistrust.

The emergence of **professional-oriented policing** was an outgrowth of a number of national studies in reaction to police practices at the time. It brought about a much needed reform of the political model. Civil service laws were enacted to prevent or at least limit political patronage and corruption, thereby allowing police agencies to operate independent of political control. Detailed sets of principles, standards, policies and procedures, as well as improved and increased supervision, education and training, use of technologies, and evaluation systems were implemented as the basis of effective

¹ The grounds for the approach to this initiative may be found in the Police Strategic Planning Process link on the Town's web page.

² Consequently the papers, which are intended only to get the dialogue going, will amount to no more than very brief surveys of their respective subject matters. Among others, the two primary sources for this paper are: [1] Gaines, Larry and Victor Kappler. *Policing in America*, 7th ed. Waltham, MA: Anderson Publishing, 2011. [2] Buerger, Michael E., Carl Jensen, Bernard Levin, Richard Myers, and Joseph Schafer. *The Future of Policing: A Practical Guide for Police Managers and Leaders*. Bacon Raton, FL: CRS Press, 2012.

³ After a twenty-five year career on the Orchard Park Police Department, I retired from my managerial role to go on staff at Christ the King Seminary, a graduate school of theology, in both a faculty and administrative capacity.

and professional police performance. Police departments adopted practices that guided operations within factories during the industrial revolution and were restructured in accord with the military model in order to facilitate tighter control. In other words, they became bureaucratic.

A key tactic for suppressing crime, seen as the primary mission for police, involves maximizing police presence, visibility and rapid response to calls through the use of uniformed officers in marked cars engaged in random patrols. Citizens alert the police who respond and intervene. This tactic is reflective of a predominantly reactive style of policing which, by and large, has had the unfortunate effect of isolating officers from the communities they patrol.

In the 1980s and 90s a new model began to emerge – **community-oriented policing**. It is a model which values and emphasizes partnerships, problem-solving, accountability, and service to citizens. Collaboration and shared responsibility are its key principles – police partnering with other agencies, private and public organizations, and especially neighborhoods. Citizens and police identify crime and other problems that impact quality of life, and then jointly determine the best strategies and resources for addressing them. This model represents a new view of the police function, one that goes beyond “cracking down on crime.” As a philosophy policing is seen not so much as something that is done to and/or for people and the community, but something that is done with them. As promising as this new model may be, in our post-9/11 society the monies and personnel devoted to it have dropped considerably.

AIMS

Policing is not, nor does it generate, a product. It is, rather, like much of contemporary society, focused upon the provisioning of service. More specifically, deriving its “just powers from the consent of the governed,” service priorities are that of [i] lessening crime through law enforcement, that is, through arrests and crime prevention efforts, [ii] maintaining public order, [iii] reducing community and citizen fear, and [iv] other diverse forms of assistance to citizens. These service priorities constitute the *raison d’etre* and, consequently, mission of policing in that they correlate to our citizens’ unalienable rights “to life, liberty and the pursuit of happiness.”

CHALLENGES⁴

The biggest challenges, generally speaking, facing all police departments are those related to [1] change and complexity, [2] staffing and structure, [3] politics and budgets, and [4] supervision and management. We shall, ever so briefly, consider each of these four couplets.

[1] Change and complexity. Local jurisdiction is premised upon our nation’s federalist system of government⁵ and physical boundaries. In contemporary society, however, crime is no longer restricted to physical space. It has become more and more cross-jurisdictional. The internet, for example, is used

⁴ The ensuing identification of challenges should not be viewed pejoratively, that is, as negative criticisms. Being a firm believer in continuous improvement, they are suggested as areas within which opportunities for positive development may be found.

⁵ Authority and power is distributed among levels of government, that is, between the nation and its united States.

to commit crimes that are not only more complex, but which transcend jurisdictions, straining and even exceeding the capabilities of local police agencies. In fact, “what ‘community’ means is undergoing a fundamental transformation in the United State due to technologies that are modifying where, when, how, and with whom people interact” (Buerger et al, 117). Additionally, laws and the manner of their application and enforcement are constantly changing, new and cumbersome government mandates (federal and state) – predictably unfunded, therein literally taxing local jurisdictions further – are proliferating, technologies are advancing exponentially, and citizen needs and expectations are constantly evolving.

[2] Staffing and structure. The explosion of change and complexity in society in general and policing more specifically requires more and more personnel and materiel if the aims and priorities of this profession are to be reasonably, i.e., effectively and efficiently achieved. This is a matter not only of outputs and outcomes (cf. policing aims/priorities), but of cost, that is, the value received for tax dollars. All government agencies and services, including police agencies, must be intentionally and continuously assessed so as to strategically improve service value received. In the past police agencies have been largely general practitioners, to use an analogy. But in the face of contemporary society, and the explosion of specializations that are possible and necessary to achieve the best policing results at reasonable and sustainable costs to citizens, can or should this model be maintained?⁶

Police organizations today remain hierarchical, that is, locked into the managerial structure of the nineteenth century factory which sought to maximize profits by regulating employees and processes so as to ensure consistency and efficiency of performance. Augmenting this structure was the adoption of military titles and insignia, a nomenclature and symbolism which give expression to and effect command, control and authority, and which further distinguish, if not semi-detach, a police agency from the community it serves. It is not surprising, therefore, that police culture, in general, is oriented to maintaining its military-like tradition and customs of operation. Although it may be a colloquialism, it is nevertheless true that one cannot drive into the future while looking into the rearview mirror.

[3] Politics and budgets. Undermining, in part, one of the principle objectives behind the professional model, police executives must continue to work with politicians whose visions are often shaped by election cycles, who may have uninformed and unrealistic understandings and expectations of the police function and operations, and who have control over the police budget. Local agencies are

⁶ As a citizen in need of policing services, and as a retired local policing practitioner, allow me to suggest that in many of the same ways that there is a need for and advantages in having a general physician, there is a need for and advantages in having a local police department. My question concerns only the matter of assessing and (re)aligning the structure of the broader policing profession – which consists of federal, state and local agencies – so as to achieve the best service and outcomes in the most efficient manner (process and cost). Given that the locus and authority for our federalist form of government resides, from the inception of our country, with the national and state governments, assessment and (re)alignment must occur in these levels. Given the need, role, impact, and cost that policing has on our rights and quality of life, the best practitioners from a number of fields – academia, business, finance, legal, social services and law enforcement – should be engaged. With respect to the last, in that the average size police department numbers around 25 officers and serves a mid-sized to small community, it would be a gross oversight not to include present or past managers from such agencies. A final observation, although I am advocating for the assessing and (re)aligning of the policing profession in general through state and national efforts, local agencies must also examine their own structure and operations so as to achieve the best outcomes in the most efficient manner for their communities. Even systems that have and are working well can be strategically improved.

dependent upon local taxes. More recently, in the wake of the hits our economy has taken, economic constrictions in many communities has resulted in decreased funding for government services at the very time when public expectations and state and federal mandates continue to increase. Understandably, the political will to maintain police budgets wanes in the face of difficult economic times. Consequently many police agencies have been downsized, consolidated, or simply eliminated.

Whereas competition is often healthy and of benefit to citizens, police organizations, like most government agencies, are virtual monopolies within their fields and jurisdictions. On the one hand, attendant to all monopolies are the risks of higher consumer costs, employee complacency and a lack of organizational innovation (i.e., the status quo). On the other hand, monopolies tend to be concerned with either expanding or guarding their turf. This, in turn, can result in an unhealthy form of competition wherein cooperation and communication between agencies may not be appropriately valued and encouraged, resulting in diminished police effectiveness and efficiency.

[4] Supervision and management. As described above, industrial and military bureaucracies were developed in order to monitor personnel and measure outputs and outcomes, that is, performance, in a routine, orderly and predictable environment and fashion. In their respective environs, the proximity of supervision made such monitoring and measuring possible. But in the diverse and mobile contemporary policing environment – which is rarely routine, orderly and predictable – supervisory monitoring and measuring are less tangible. Officers, of necessity, must exercise considerable discretion, often having to make decisions in a split second which may affect the lives of others as well as themselves. This means that unlike the factory or battle field, officers have and must continue to exercise considerable discretion. Thus excellence in hiring, training and supervising remain *sine qua nons*, that is, indispensable elements for the police agency.

Being highly formalized and authoritarian, police agencies often place more emphasis upon organizational control than upon organization effectiveness. Control, in turn, can stifle communication, adaptability and transparency, attributes necessary for success and demanded by contemporary society. Management structures and procedures should be such as to empower department members with discretion, responsibility and accountability. Although lagging behind other professions and businesses, some police agencies are seeking ways to transition to a more participative form of management, one which engages the diverse knowledge and aptitudes of their employees, resulting not only in better solutions and greater employee buy-in, but in improved organizational performance.⁷

Related to the possibility of a more participative form of management, where unions are found the pattern and manner of labor-management relations should be assessed. Traditionally, the relationship between management and unions may be characterized as adversarial and competitive, each jealously guarding and fighting for its perceived rights. But recent studies and developments suggest that a more cooperative relationship, that is, one that is service-driven (vs. “rights”-driven), collaborative and participatory, yields not only a more positive relationship, but higher quality services, greater cost-effectiveness, and more enjoyable and satisfying work for both groups. A vision for greater

⁷ “Participative management refers to developing formalized organizational arrangements whereby officers at the lower levels of the organization can have input into departmental matters, especially those that directly affect them. The idea behind participative management is that it improves the quality of decisions by allowing maximum information to be considered, and it will increase the commitment of the officers who are affected by the decision since they had input toward them” (Gaines & Kappeler:154)

labor-management cooperation, therefore, should not be dismissed out of hand, especially at a time when citizens and the State are pressing local governments to contain costs (cf. the tax cap and, now, the tax freeze which requires a reduction in local tax levies) while demanding improved services that grow ever more difficult and complex. Buerger et al (281) suggests that

Successful police leaders will ensure that employees in advocacy positions such as union leaders are fully engaged in the analysis of the employing agency's fiscal realities and have a voice in the prioritization of resources... (and) Visibly demonstrating a willingness to work with management will help labor associations sustain a level of public support in the future.