COMMUNITY POLICING IN INDIGENOUS COMMUNITIES

-Germany-

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1. Background

The Federal Republic of Germany is located in the heart of Europe, linking the west with the east, the north with the south. The most densely-populated country in Europe, Germany has been flanked by nine neighbouring states since the unification of the two German states in 1990. Germany covers an area of 357,022 square kilometres.

For most of its history, Germany was not a unified state but a loose association of territorial states that together made up the "Holy Roman Empire of the German Nation". In 1871, the "German Reich was founded. Nowadays, the Federal Republic of Germany is divided into 16 federal states (Laender), each responsible for the government of its own state (see chart). The states that exist today were established after 1945 but have in part retained their old ethnic traditions and characteristics as well as their historical boundaries.

There are some 82.6 million people living in Germany currently, about 15 million people with migrant background, mainly from Turkey, but also from former USSR.

After the Second World War (1945), the German police was under the supervision of the military regional governments of the Allies. With the new German constitution of 1949 and the foundation of 11 states in the early 50ies in West Germany, these states got the power to establish their own police forces. In East Germany resp. the German Democratic Republic (under Russian government), one central police force was established. Each of the 16 German states has its own police law and its own police force. Furthermore, there are the Federal Police, the Federal Criminal Police Office (BKA), and the federal customs. The police laws of the 16 states deal with the prevention of crime, the preservation of public security and order and the warding off impending danger. This is the main reason why there is no single strategy or philosophy for community policing in Germany: Each state and even each local community can decide on their own way on whether and how to implement Community Policing. Both patrol police (uniformed) and detectives (plain clothes) are working together in the same force. The uniformed or patrol police deals mainly with general public security functions, with traffic problems and accidents and with minor crimes. Detectives or criminal investigation police is responsible for all other crimes. The total number of police officers on duty is 265.000 (2010), resulting in one officer for 330 inhabitants. In fact, if one calculates looses

due to the shift system, illness, training, administrative tasks in ministries etc., the "real" number is somewhat between one officer, really available for 8.000 and 10.000 inhabitants at a given moment.

It is difficult to decide what "indigenous people" or "indigenous communities" in Germany are and whether such a differentiation makes sense in terms of policing the community. If we define "indigenous" for Germany as being German (coming from the Germanik peoples and tribes), nobody can say what the influence of the emigration of nations over the centuries has been. Nowadays many people have a German passport, but have a non-"German" background: Overall, some 20% of the population, but if we look at given ages groups and special parts of Germany, e.g. bigger cities, this percentage goes up to 50% and more.

The Migration Period, also called the Barbarian Invasions (*Völkerwanderung,* "migration of peoples"), was a period of intensified human migration in Europe that occurred from c. 400 to 800 CE. The migrants at that time came from parts of Europe, nowadays know as France, Italy, Scandinavia, but also from Eastern Europe. Later migrants came e.g. from Poland during the 18st century. During the transformation of Germany from an agrarian to an industrial society, many Poles migrated to the rapidly transforming areas around the Ruhr River, because the expansion of the coal mining industry of the area required manpower which could not be supplied from the nearby regions. From the 1870s, a large migration wave of the aforementioned groups started to settle in the Ruhr area. Nowadays about 2 mio. People with polish background live in Germany. Later on, in the 1960ies, a large-scale of immigration of Turkish workers occurred, due to the demand for labour in Germany. Nowadays about 4 Mio. People with Turkish background are living in Germany.

The question, whether something like the Urheimat ('homeland') of Germans really exists, is still unsolved. Profound changes in culture (and language) occured over centuries, resulting in the fact, that a indigenous population in Germany only exist in the minds of some Germans, which is a result from discussions about the "foreign infiltration" during the 1990ies, when Germany had high numbers of asylum seekers. The resulting xenophobia and aversion against non-Germany peaked in 2010, when a very controversial book with the title *"Germany Does Away With Itself"* or *"Germany Abolishes Itself"* by Thilo Sarrazin was published, saying that people with Turkish background are less intelligent than (biological) Germans and sparking a nation-wide controversy about the costs and benefits of the ideology of multiculturalism.

Another issue is the loss of cultural identity to modernism with the younger generation, especially young people with Turkish background. They are now the "Third Generation", after their grand-parents came to Germany in die 1960ies as "Gastarbeiter". By law, every German citizen (indigenous and minorities included) has the unrestricted right to form political parties, stand for office and vote in federal, regional and local elections. Some states also allow people with EU-citizenship to vote for local governments. Members of migrant minorities, as well as Jews and Roma/Gypsies, have faced considerable racist violence in Germany in recent years. One estimates, that nearly 150 people have been killed by right extremists since 1990 (unification). After a series of killings by a group of right extremists, discovered in 2011, which remained unsolved for years, the cooperation between German police and secret services was discussed. The three members of the so-called Zwickau cell murdered nine people from a non-German background and one policewoman, despite being watched by police and intelligence agents for years. It became obvious that the authorities had failed, but also that many fellow citizen and even neighbors looked away during this period of 10 years, while to three lived underground. Besides that, the German majority see immigration as a threat to high wages, employment, the welfare state, and ethnic and religious homogeneity. Tough policies on immigration and security against terrorism have been vote-catchers in recent elections.

2. Origin of Community Policing in Germany

In contrary to theoretical and political discussion on police and police function and to lots of studies in foreign countries, empirical police research was very rare in Germany until the beginning of this century. Police in Germany is - like in other countries - an unspecified agency, used by citizens for various purposes which exceed by far the much specified duties named in the German Law. Unlike other Police Forces, German police doesn't have any discretionary power in criminal cases. Every offense noticed by or brought to the notice of a police officer must be registered and prosecuted. The state attorney only may dismiss cases and use discretionary power. Nevertheless, in neighborhood disputes, family conflicts and minor offenses, police officers have possibilities of discretionary decisions in everyday conflicts. They use techniques like immediate conflict solution, and take immediate actions to help people in everyday conflicts. Further on, police plays an important role in the settlement of conflicts and in the redress of various molestations (disturbances, brawls). In these fields their work is relatively effective and efficient. But these services have only partly to do with their legal task. In the field of prosecution, however, police work is rather ineffective. Citizens call the police to solve very different problems more often than in earlier times. Victims call the police in order to find an institution and people in this institution who are able to help them and to support them emotionally (mostly) and (sometimes) financially. Just to put a few more police officers on the street has no impact on both the crime rate and the clearance rate, which is determined by a lot of different factors, not to be influenced by the police itself. The police is less and lesser able to cope with the very different and difficult task of policing a modern, complex society. Community policing as a solution for the problems mentioned and as a reaction to the increase of registered crimes in the 1970ies and 1980ies was discussed in Germany since the beginning of the 1990ies (Dölling/Feltes 1993). Since then, more and more communities have implemented some kind of "community policing", although there is no nationwide understanding of what that really means and whether C.P. is a new strategy, philosophy or just new wine on old barrels (Feltes 1995 a). C.P. in Germany is largely an outgrowth of a community concept of crime prevention. German concepts of community policing emerged from the new crime prevention philosophy, both social and situational. German states have tried out various policing theories or working philosophies over the past two decades, including what can be called "citizen-friendly policing", which evolved into today's Community Crime Prevention. Thus, Community Policing in Germany is not a single organizational feature of German police forces, but rather an applied philosophy that can be used in specific neighborhoods, in specific instances and for achieving clearly defined results. In most states, police either take the initiative in organizing Community Policing boards or councils in their town or city, or cooperate with the mayor or city council by participating on a local Crime Prevention Council (Jones/Wiseman 2006, Pütter 1999). Indigenious, minorties and especially communities with a high percentage of migrants are until now not a target for C.P., although some states now try to increase the very low percentage of police officers with migrant background (between 1.0 and 2.0% in most of the states, and 9% in Berlin) (Hunold et al. 2010). Some police education institutions focus on policing minority of migrant communities, but until today nearly 30% of people with Turkish migrant background have the feeling of discrimination by police (Sauer 2011).

3. How does community policing work?

Community policing is in Germany also known as district policing, aiming to gratify the citizens' needs for a visible police that is openly present at their surrounding and among the people living there. The officer should talk to the people, be a direct partner for their requests, and have knowledge of their concerns and emergencies. The district police officers should provide close and trustful contacts. In doing so they should increase the overall feeling of se-

curity, enhance the understanding of police actions and influence the relation of police and citizens in a positive way. In particular, the officers shall initiate and keep up contacts in their district. This applies to official bodies to businesspersons, institutions and organisations but specifically contacts with citizens are volitional. The district police officers' scope of duties is vast. They deal with aspects of traffic, crime prevention and tracking. The officers' specific knowledge of a place and its people can furthermore add to crime investigation.

Usually only few officers perform such a task, a ratio of one officer per 15000 inhabitants is nut unusual. Officers responsible for the city centre usually work on their own responsibility, however, often co-operations are built with other persons or organisations. The district officer generally is on foot patrol sometimes he uses public transport. Police cars are only used in exceptional cases. Usually the officer is on early shift, starting at 7 am. Regularly, however, also late shifts have to be carried out. For financial reasons the number of district officers is more and more reduced in many cities. Naturally, district policing should be without any operational specifications so that the officers can merely concentrate on their district, de facto, however, each officer has to fulfil a number of orders every day. The task are summarised as:

- foot patrols, making contact with the citizens and business people, keeping informed about the happenings, areas of problems and conflict

- taking youngsters to court, to the youth welfare office, or the prison

- investigations of wanted persons for other services (other police services or the office of public prosecutor)

- taking young men to the recruiting office, in case they don't appear voluntarily (this is due to the liability to a military service in Germany)

- victim support after break-ins, robberies and thefts

- giving statements for requests

- cooperation with the crime prevention unit

- working with kindergartens and primary schools (e.g. information, pedestrian training, bicycle training, checking child safety seats of parents who take their children to school by car, etc.)

- investigating motorists with radar photos

- check of persons with regard to the law on firearms

- small investigations supporting the emergency patrol unit

- research on false alarms caused by private systems

- everything that occurs on the spot or what the officers observes

While on duty, the district officer is connected to the overall radio traffic of the main police station and is able to react when he or she is close to an incident. Direct orders from the radio communicator to the district officers are rare, and only occur when all patrols are engaged elsewhere. The district officers have the same information technology and databases at their display as their colleagues from the emergency patrol. Other cooperation concerns municipal and public organisations. An official partnership between police and the city government, for example considers regular joint patrols of district officers and officials from the municipal department for public order. These are occasionally accompanied by the security service of the public transport company, who are responsible for safety and order around the central station and the bus and tram stops. Information exchange between these parties is regularly initiated.

Most police forces have some kind of Community Beat Patrol (CBP). In a recent study, we observed incidents in which two patrol police and community beat patrols were involved. Police officer in city A deal with 1.3 and their CBP-colleagues with 2.1 incidents per hour. Calls per hour were 0.8 for emergency patrol and 0.2 for community policing. However, the numbers do not include incidents that involved answering questions from the public or chatting with citizens, which accounted for high numbers of incidents, see below. With regard to the total numbers, traffic seems to be an issue of emergency patrol rather than community policing. For the total observations, the highest numbers related to 'maintaining the law'. However, the community police work in one of the cities differs substantially from the other: 21.9% compared to 34.0%. Accordingly, very few incidents relating to serious crimes were observed by CBP. Also internal tasks seem to play a relatively minor role for community policing. The CBP work is largely concerned with 'networking' and 'giving assistance', particularly answering questions from the public. As table 1 and 2 show, there are significant differences between the two cities, which make clear, that local and regional decisions vary and result in a kind of "local police culture", equivalent to the already described local legal culture (Church 1985). In city A, on the other hand, figures for 'Giving assistance' differ significantly from the average with regard to the work of the emergency patrol. Officers here were for the most part engaged in recording accident data, assisting persons requiring help (see example below) or helping out during riots, e.g. at psychiatric departments. Particularly during night shifts, the officers assisted in cases of disturbance of the peace.

Table 1: Patrol work subdivided into main categories (%)

	N	Maintaining the law	Maintaining public order	Giving assistance	Networking	Internal job	Other
				Emergency Patrol			
A	129	47.3	3.9	** 38.8	1.6	1.6	7.0
B	167	61.1	8.4	22.2	3.0	0.6	4.8
				Community Beat Patrol			
A	162	34.0	9.3	17.3	22.2	14.2	3.1
B	196	** 21.9	4.6	** 32.7	* 31.6	** 1.5	7.7

$* p<0.01$; $** p<0.001$

Table 2: Patrol work subdivided into subjects (%)

	Traffic				Law		Order/ Assistance					Other		
	Collision	Violence	Check	Other	Serious crime	Other	Social problem	Questions from	Trouble-some	Public order	Other	Network-ing	Internal job	Else
							Emergency Patrol							
A	** 17.8	25.6	5.4	3.1	10.1	3.1	13.2	3.1	0.0	0.8	10.1	1.6	1.6	5.4
B	* 12.0	28.1	13.2	4.2	14.4	3.6	4.2	1.2	0.6	4.2	7.8	3.0	0.6	3.0
							Community Beat Policing							
A	0.6	15.4	** 9.9	4.9	5.6	1.2	1.9	13.0	0.6	6.8	3.7	22.2	14.2	0.0
B	1.5	15.8	3.6	3.6	** 1.0	0.5	2.0	** 27.6	0.0	4.6	4.1	** 31.6	** 1.5	2.6

$* p<0.01$; $** p<0.001$ (with respect to Total PSE).

Incidents involving marginalised persons, such as alcoholics, drug addicts or homeless people are more likely to occur in non-traffic situations. Of these, most incidents are dealt with by the officers working on community beat patrols. The district officer seemed to have a very good knowledge of the marginalised persons in his district. When patrolling, he pro-actively approached and talked to marginalised groups or individuals. The encounters were always friendly, even when the officer had to ask them to leave certain places. He knew the people by name and was known to them and accepted by them, as his orders were generally complied with. On several occasions the observer noted that the CBP officer went up to persons he did not know, introduced him and his job and asked for the person's name. Nearly all incidents that involve marginalised persons were initiated by the officer. The outcomes of incidents have been measured in terms of measures taken by the officers (see table 3), divided into warnings, summons or tickets issued to citizens, and arrests. Considering the overall numbers, German emergency policing looks rather repressive, as many summons are issued.

Table 3: Proportion of incidents in which officers took oppressive measures – all incidents

	N	Warning	Summons	Arrest	One of these
	Emergency Patrol				
A	129	22.5	** 20.9	3.1	46.5
B	167	21.6	** 22.8	4.8	** 49.1
	Community Beat Patrol				
A	162	** 6.2	1.9	0.6	** 8.6
B	196	18.4	1.5	1.0	20.9

* $p<0.01$; ** $p<0.001$

Besides that, special Community Policing projects focus mainly on crime prevention: local or regional councils with representatives from social institutions, churches, public administration, business etc. analyse the local situation (usually by using victim surveys) and develop strategies for prevention (Dölling et al. 2003, Feltes 1995). Very few of these activities are evaluated.

4. Relationship to criminal justice system

The police laws of the 16 states deal with the prevention of crime, the preservation of public security and order and the warding off impending danger. Further police tasks arise out of the criminal procedure code, which deals with prosecution of crimes as well as laws arising out of or existing next to it. The criminal justice code applies to the whole Federal Republic. The authorities and officials of the police force must investigate crimes and take all measures necessary to prevent a crime from being covered. This principle of legality is the most unique regulation: The police as an institution nor the police officer himself is allowed to dismiss a case. This is only possible by the office of the public prosecutor, where every case has to be reported. According to the criminal justice code the police are assistant public officials to the state attorney's office. The public prosecutor is solely responsible for prosecution of crimes. However, individual measures (arrests, searches, impoundments) can be authorised by the police if there is no time to contact a public prosecutor or a judge. The attorney of state also may give orders to the police. But in most investigations (especially concerning minor and medium crime) the necessary measures are taken without the co-operation of the state attorney, the case is merely sent to the state attorney office, once the police investigations are completed. The state attorney takes the decision on whether or not to prosecute the case.

5. Effectiveness of Community Policing

Community Policing is rather a philosophy than a new strategy. As a consequence, the training and the management of police needs to be adjusted to this new approach (Greene/Mastrofski 1998, Feltes 2002).

The cooperation of the various actors in the field of community crime prevention is the most crucial point. Local crime prevention through community policing needs a cross-departmental collaboration and networking to the particular agencies and those who have the local expertise and the environment knowledge within police, law enforcement, social services and other stakeholders in the community. They have to exchange and compare their individual and institutional resources and expertise and need to concentrate on bureaucratic obstacles in the control and prevention of crime. This happens for example in community prevention bodies, where communication has a key role in coordination and cooperation between the actors. The question, whether the programs implemented have in fact the desired effects in the local situation is difficult to decide, because too many variables influence the result (changes over time and space). The prevention discourse sometime gets (too) close to "law and order" concepts (such as "broken windows" or "zero tolerance", see Dreher/Feltes 1998), sometimes tries to implement solutions that really focus on the local rotes of crimes. It very often also misses the necessary broader public impact, especially due to the fact, that the crime rate in Germany is decreasing since the late 1990ies. The ministries of interior and justice document the prevention programs in the Internet and in brochures. In North Rhine-Westphalia (the biggest of the German states), over 900 partnerships between police and the public have been started since 1999, addressing situations of public fear and disorder in the communities. Nationwide, one estimates that 2.000 municipal bodies do at least some kind of prevention work, but very few are evaluated in a sense, that the situation before the starting of such a project is compared with the situation afterwards.

6. Conclusions

Community policing is based upon the idea that the activities of the police have to be extended in the communities to become an institution that cares and coordinates efforts to improve social cohesion (Weitekamp/Kerner/Meier 2003). But in Germany, crime control in general and the idea that fighting crime is the core task of police remain is still prevalent. As community policing has its main focus on keeping the public peaceful, on mediating conflicts, on coordinating efforts to improve the whole quality of life in the community, and on crime prevention (Feltes/Gramckow 1994), it still lives a quiet life within the German police and tended to be sidelined. Community policing in Germany is mainly regarded as district policing or as a tool for prevention, working with joint crime prevention bodies in cities. The evaluation of such activities is very rare, and because of the decreasing crime rate, most activities are volatilizing.

7. Further information

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