

Country report: American Policing ¹

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Note: This report lacks the section on legal constraints in the use of force, promised by my colleagues here in the United States and a discussion of the impact of national media-events on the use of force.

Introduction

While the United States follows the Anglo-American pattern of democratic policing, it also manifests some distinctive features. The United States is more flexible than Western Europe in developing and facilitating a wide range of federal specialized agencies, state, county, townships and local police agencies. It facilitates and encourages private policing. It is, however, less flexible than Western European nations in nurturing variations in municipal policing e.g., the community support officers (CSOs) seen in the UK and the Netherlands. This perhaps reflects the premise that in Western Europe the viability and survival of the state supersedes the value of the capitalistic economy and in the United States the opposite is true. This pattern perhaps accounts for the sustained growth in private security organizations and specialized federal agencies that are a product of the interpretation of the commerce clause in the U.S. Constitution and related legislation (Richman, 2002).

American police organizations as a formal organizational resemble police organizations in all industrialized nations. That is, they are bureaucratically structured, punishment oriented to sustain discipline, serve the state and its interests as well as their own, are violent and "bottom-heavy." Given this frame, an analytic definition of police remains elusive, in spite of abundant published research. Particular modes of policing have been confused with the police as an organization (Reiner, 2004), policing with law enforcement rather than as a rule-enforcing agency with a variety of sanctions, strategies and tactics (Black, 1976).

Policing responds to normative violations using a variety of sanction to order. It can be formal or informal, vocational or Avocational (Klockars, 1974). It can require enforcing a civil or criminal sanction, and may not involve carrying a gun. The concern here is American policing that is formal, vocational, paid and full time and designed to react to rule-violations.

¹ **04/14/2006 10:48 AM.** Some of these ideas were developed for T.Jones and T. Newburn editors, Plural Policing London: Routledge: 2006 (now published- April, 2006).

Features of the American Policing System

The expectations of the police of themselves combined with and in some tension with public expectations, yield a mandate (Hughes, 1960). A number of features of American policing as a type are notable.

Consider these features of American policing as an ideal type (See Manning, 2003: 43-52). The public preference for a decentralized system is indicated by the large number of local agencies and the disproportionate number of local and state agents when compared to the number of federal agents (Bayley, 1992): American policing is local policing. The people sustain local policing, rooted in local funding and traditions, over a powerful centralized set of federal agencies. The number of federal agencies and agents with arrest powers was ratcheted up only in the last part of the twentieth Century (Richman, 2000).

American police defy any easy or simple description. They are by design and preference the product of an anti-authoritarian, quasi-revolutionary country. It is possible to make some generalizations, especially about local police, consistent with this characterization of American policing. With the exception of federal specialized policing, policing in the United States is constituted by organizations of diverse, uneven size; with uneven training and local standards for such; located in the executive branch of government; locally accountable; grounded in the politics of the city, state and region; responding to (and using) overlapping, contradictory, and abundant legal standards; bottom-heavy, demand-oriented (responding to phone calls via 911); reactive by impulse and practice; staffed by officers who are heavily armed and dangerous; dependant on citizens for information and compliance; and shaped by information technologies. Most importantly, American police organizations are quite small on average and while the average size varies by state (Reiss, 1992: 61), the majority of American police officers work in organizations of less than 30 officers.

Public policing agencies are diverse in size. One of the most striking things about American policing is that the numbers of officers, the numbers of agencies, and the division between part time and full time employees is still being debated (Bayley, 1994, Maguire, et. al. 1998). This is because definitions of part time, reserve, full time, and sworn officers are inconsistent, as is the number of agencies sampled (Maguire, et. al., 1998). In addition, policing functions are elastic. For example, some lists of police agencies omit agricultural inspectors, OHSEA and EPA inspectors, but include investigative officers within the armed forces; others define police as those who carry a gun and can enforce the law (Morris and Geller, 1992).

The problem of estimating the number of police officers and agencies begins with the failure of the government to monitor their numbers. There is a difference of 90, 000 officers between the U.S. Census and LEMAS (a mailed survey sample of police agencies) estimates (Reeves and Goldberg, 1998). The Census counts

560,799 officers and LEMAS shows 649, 037. In 1997, according to LEMAS, there were some 18,769 local, 49 state agencies, and an unknown number of federal agencies that “police.” LEMAS shows some 90,000 federal employees carrying out some law enforcement function. It defines a police agency as any agency employing more than one full time officer. LEMAS said in 1997 that there were over 650,000 full-time public police officers, some 8.2% (53300) of which are federal employees, and another 250,000 part time officers (Reaves, and Goldberg 1998). This would mean a total of some 800,000. Civilians constitute 27% of police employees and have increased by 161% as a ratio to the population (O’Brien, 1996a: 197). A 1998 article (Maguire, et. al. 1998) compares LEMAS, Census and a sample drawn by the COPS agency and presents a more systematic critique of the samples and biases of each and tabularized the several estimates. Maguire et. al. conclude by adding omitted data (1998: 109-110) that there are in total 21,143 agencies in the US: 14,628 local, 49 state, 3,156 Sheriff headed, 3,280 special agencies. They conclude that “there may be as many as” 681,012 “sworn” officers as a result of combing the estimates: 383,873 in local agencies; 53,336 in state agencies; 137,985 in Sheriff-headed agencies; and 58,689 in special agencies. The local agencies vary in size from a handful in departments serving small towns and villages to the over 38,000 officers in the NYPD. Two county forces, Cook County and Los Angeles County, range from 3 to 5 thousand.

The salary structure (level and variation in pay by rank) varies in relation to the size of the organization. In 2000, the salary of an officer in the smallest force (less than 2500) ranged from \$20,900 to \$22,900, while officers in the largest ranged from \$35,900 to \$51, 300 and a similar pattern characterizes Sheriff’s departments (USBJS, 2003 Local Police Departments and 2003, Sheriff’s Offices). Federal pay mimics the pay in the largest departments and includes better benefits and retirement packages. In all three cases, the difference between the top ranks and the lowest are remarkably small.

In part to protect police operations from overt political commands, public policing historically stands in the executive branch of government. Policing powers, *de facto*, are quite wide-spread, and shared amongst individual citizens, private investigators, citizen self-help groups, private policing agencies and occasionally, the military (national guard, reserves, and regular forces). Territorial limits or jurisdictional boundaries, once binding in Anglo-American policing, now are largely irrelevant at the federal level, since American law is extended and applied within foreign nations with startling impunity, and global and task-force based transnational policing is growing.

The American police exist in a network of telecommunication links. Information technologies (IT) are now shaping policing in many perhaps unanticipated ways (see the summary in Manning, 2003). IT capacity is rather closely correlated with the size and location of the agency, as is their own accessibility to the media via media information offices (Mawby, 1999). The practice of policing is affected

only marginally by use of the WWW; the paperless office; the fully-automated police car; crime mapping and crime analysis and the 800 MHz radio capacity. The future influence of compstat-type meetings on current known crime and disorder, crime mapping and crime analysis, while promising, is yet unproven.

American police are demand-led. Since the 1920s have presented themselves as ready and available. They encourage demand by advertising- "call 911" is emblazoned on the side of nearly every vehicle. They are available and visible, bottom-heavy and reactive, and mount periodic tactical crackdowns. Police allocate some 63+% per cent of their sworn personnel "on the ground" in shifts of day and hours on 8/5 or 10/4 (with other days off) through the year. This allocation of personnel means, given holiday, overtime and comp time, as well as disability and sickness, that roughly 4-5 times the number of officers on duty at a given shift are required to sustain fully staff shifts over a 24 hour period. The police react to calls for service, investigate further some of those that are crime-related, and manifest minimal formal specialization. Some 5-8% are in detective work and other specialized units. The police are divided into staff and line, with patrol as "line" and staff performed by administration, internal affairs, detectives, and the service division. The top command and support is a very small part of the personnel, around 12%. Most officers prefer to remain in patrol, and city budgets constrain the available slots.

The public police carry arms, some of which are visible. Policing combines a visible and distinctive uniform with an astounding array of tools, including high powered semi-automatic weapons, and burgeoning information technology (Manning 1997: 102-106). Police hold unique powers, even though fatal force is not restricted to the police in law or by practice, and stand ready to intervene variously in an infinite, open ended, range of social situations. Their failure to uniformly apply violence in moderation, although it is clearly the general case, is often a public issue and the basis for a media spectacle when the rare public and known shooting occurs.

The public police both seek and avoid violence, both symbolic and 'real.' They differentially distribute violence to groups within the state, eschew its role in their work, conceal and deny its emotional satisfactions and attractions. There are patterned police tactics for managing citizen encounters (Bayley, 1986, Bayley and Garofalo, 1989, Mastrofski, Reisig and McCluskey, 2002). These patterns suggest conditions under which events may escalate, or require force, although official reports suggest that violent episodes constitute less than 5% of police encounters (Alpert and Smith, 1994:482). The use of violence, ultimately sanctioned by the state, varies empirically rather than being, as Bittner (1972) claims, an "essential feature of the role."

As Bittner (1972: 39) correctly argues, the U.S. public police are a mechanism for the situational distribution of force. They stand ready to intervene when the risk to the social order is such that it might get worse, escalate, and require force to

produce a solution. This is a local (defined by local conventions, assumptions and traditions) and situated (subject to the judgment of the officer at the scene or in the event).

The number of counted public police agents has increased in the last 40 years. Public police have increased in number and per capita (Walker and Katz, 2002: 90). This growth is in part stimulated by direct block grant-type funding from COPS and in recent years since 2001, Homeland Security funds. The size of the police organization in America varies widely (See Walker and Katz, 2000: 64). As the range in size would suggest, the ratio of police per 1,000 people also varies from the national average of 1.5 per thousand. This ratio is radically skewed by the vast numbers of small agencies. The most densely policed city is Washington D.C. with 6.7 per thousand, while at the other end of large cities, San Diego is policed with 1.7 per thousand. Expenditures at all levels for "security" in the form of public police likewise have increased both absolutely and per capita.

Maguire's study (2000:3) reveals that the variety of functions due to the size of police organizations is astonishing: ranks vary from 4-5 to 12; some have centralized headquarters, others many precinct houses; tasks range widely (specialized units are a function of size, but not entirely. Even small departments have special units such a water police, SWAT teams, and traffic units. Some departments give supervisors great leeway while others are very strict and controlling. Some have highly informal and unwritten policies, while others have written policies covering "almost every imaginable contingency" (p.3); some invest great resources on the street, other not, and finally, they are variously staffed by civilians (or non-sworn officers). Patrol functions and modes vary widely, too with some using motorcycles, horses, bicycles and walking officers extensively, and others confined almost entirely to motorized units (LEMAS, 1997).

The percentage of civilians has increased from 11% in 1960, to 18.4 % in 1980 to the 1997 figure of 28.6%. In general, they are employed in larger departments with greater specialization of function. Because of specialization and differentiation by size, costs of retirements, salaries, and union contract that protect officers, the number and percentage of civilians will continue to rise, regardless of variation in growth in sworn officers.

The consequence of these political preferences for weak, local, non-federal, small police forces are clear -77% of American public police are employed by localities (Reiss, 1992). It should be emphasized that in contrast to other Anglo-American forms of policing, the American, small, local force is rarely consolidated (as has happened in England in particular over the last thirty years). A close examination of any large city will show a patchwork of amazing overlap and competitive agencies (from Walker and Katz, 2002:73).

Recall that the figures for total number of local public police are not agreed upon, and range from 660,000 to 8000, 000 depending on the source. Estimates of the

number of private police range from 1.5 to 2.0 million. This means that the ratio between public and private is approximately 2.4 in favor of privately employed agents. If one adds state, sheriffs, and federal agencies, it does not alter the ratio very much. If further, it is assumed that these agents work primarily in large cities and near suburbs serving businesses, corporations, or middle class or above housing estates or homes, it is clear that the concentration of security officers is heavily skewed to the suburbs and small cities, and inversely related to the prevalence and incidence of crime.

Accountability

Three trends have affected local police accountability. As Walker (2004) has shown, public modes of regulating police by citizens (complaints, citizen review boards, advisory boards, eternally staffed and funded agencies), or in general some efforts at “civilian oversight” have a brief, unsavory and weak history in the United States. No national effort has been made to alter this except through *ad hoc* court orders. A second influence has been court orders dealing with fabricated official statistics, failures in hiring in line with affirmative action rules, race profiling, jail conditions and services, and individual and collective-organizational liability to civil suits. The third influence is rather indirect and tenuous. This is the “managerialism” evidenced in policing by objectives, mission statements, value commitments and public pledges. This is often combined with the rhetoric of community policing, problem-solving, joint partnerships, and the “co-production of order.” As Bittner (1972) and Klockars (1990) have pointed out, the courts in their wisdom have left the definition of violence, brutality, excessive force and coercion to local standards, much like those that govern physicians’ and lawyers’ liabilities and the remedies offered by the civil courts. Thus, while the law is a dramatic point of justice, its standards in this and other matters are flexible, local, and subject to the politics of the day (Lawrence, 2000). The growth in per capita policing is in middle sized towns, suburban departments rural areas with typically weak governments, low taxation and low services in general. With the exception of a few large cities such as Washington D.C. and New York City, policing in large cities shows low growth in the number of police per capita.

A Note on Private Police

The number of private police is difficult to estimate (Nalla and Newman, 19XX Johnston, 2000). The estimates range from 1.5. to 2 million in some 60,000 firms. Both the number of agents and agencies has grown since 1970 (Kalakik and Wildhorn; 1971, Cummins and Taylor, 1990). Given the flexibility in these estimates and the heavily ideological character of the arguments (primarily negative with some exceptions e.g. Brian Forst, 2000), one should be cautious in advancing explanations for future growth. This is in part because computers and information systems have been substituted for some officers and “de-skilling” and “civilianization” has occurred shifting some security type jobs to non-uniformed

clerks.² However, even among Anglo-American democratic states the comparisons between private and public police numbers seen in ratio terms are suggestive of other factors at work. Button (2002: 98) reports from several sources that the ratio of private to public (excluding non-home office officers) officers is 1.4 in UK; 2.6. in favor of private officers in the U.S.; 2.0 in Canada and 1.5. in Australia.

Federal Agencies

The 1997 LEMAS survey indicated that there were 53,300 federal officers. Maguire et. al. (1998) argued based on several samples that there were some 30 federal law enforcement agencies that employed some 47,129 agents. This is probably the most accurate survey, but clearly the definition of “agency” is elastic. Geller and Morris (1992) argue there are 50 federal agencies that carry guns and make arrests. This is a partial list of federal agents and their policing functions. Geller and Morris (1992: 231 abstract) wrote concerning federal agencies and their integration some 13 years ago, “.....there remains a vast ambit of overlapping federal and nonfederal criminal jurisdiction guided primarily by political fashions.” It would appear that there are 43 agencies with broad obligations. The variable definition of federal agency and their duties makes counting agents and agencies difficult (Richman, 2000).

Federal specialized agencies are divided in the origin of their authority. The Executive Branch has 38 policing agencies under its control, and within the executive branch, State has 1 policing agency; Agriculture 2, Treasury 11, and Justice 7. The other policing agencies rest are distributed between Interior (5), Defense (9), Commerce (1), and Transportation (2). The Legislative Branch has three police agencies while the Judicial branch has one. There are two independent specialized federal policing agencies- the TVA (Tennessee Valley Authority which is a semi-privatized public development agency in the Mid-South) police (and fire) and the AMTRAK (public rail system) police.

Methodology

The scenario was draft two of the scenario and ended when one of the young men pointed a gun at the officers. The youths were described a young men, not African Americans/or black. I used standard probes, usually, just to keep things moving and ask for clarification after each first response e.g., in response to officers' demands.....what would you do? What did you think about that? The sequence would be clarified e.g., I might think- do I need assistance before making

² Structural features affect the ratio of public to private police (DeWaard, 1998, Newburn and Jones, 1996, Button, 2002). It is likely that centralized state authority and the traditional acceptance of high policing in civil law countries reduce the growth of non-public policing.

the stop. Tell me more- it depends on whether it was one or two person vehicle. I tell them it is a two person unit.

I did one focus group of 8 officers, two sergeants and the rest unranked officers on Dec 14, 2004 in Holden Massachusetts. They came from several small police departments in the vicinity of Holden. The meeting was held in a senior recreation center, party of the city complex and not adjoining the police department.

I did the scenario with one of my students assisting. He knew the sgt who organized the group. The atmosphere was "jokey" and casual and punctuated by a lot of teasing and joking amongst the officers. They did not seem anxious and were not hostile. They remarked at the commonality of the experience and seemed at easy answering and following up on their first responses.

I copied the scenario and gave it to them; I then proceed by asking them each stage of the scenario. They did not seem to bother to read, but sort of followed along and looked as I asked the next question. (This may have been a violation of the prescribed method, but I thought it might reduce tension and had forgotten that the vignette ought to unfold one point at a time). I presented it verbally, and recorded my notes by hand. I did not tape the proceedings as I thought t the time this would be one of several and thought of this as a "pre-test." The written notes run to about 19 pages and I have some 10 pages of "reflections" that I wrote down that day and following one.

I went back over the notes several times, underlining themes and noting observations, and then addressed some questions that our analysis might consider. (These will be written up separately to this report). I have also written a long memo on violence (I called it "Viola 2").

The focus group went for 1 hour and 45 minutes; pizza and soft drinks were delivered around 12, but I persisted in walking thru the scenario. The Chief of Police of the town of Holden had ordered and paid for the food. I did not know about this until it appeared. I tried to pay, but failed.

Unusual concerns. One sgt. was dominant and I think "overstating" the case for chasing, and shooting. Others disagreed. This sgt combined legalistic views with remarks about how good it was to chase, hoped the men would crash, and would like a shooting.....This was an odd contrast.

Incident of note. Yes. 11 years ago (1993) in winter, A chief of police, Chief Martell, of this city (Holden) had been shot while pursuing a burglar through a nearby woods. He rushed in without back up, bullet proof vest, was surprised, ambushed by three men, and shot dead. A Citizen called the police, 911. An announcement of a shooting was sent out by radio, but the officers did not know it was the chief. "A cluster fuck" [resulted] (meaning a disorganized running around without aim or purpose or supervision) Officers said "A cop death changes the

department...” I did not follow up as this was at the end of the session. I should have. The officers did not reflect on 9.11, changes in “homeland security” or other events that might have been relevant.

Note on the text. I used no quotes for what they said. If I made comment on the non-verbals –a laugh, joke, general response of laughter, I put these in parentheses (). If I added an actual comment by me after the session while typing up this text I put this in brackets [].

Analysis

I am not using quotes for most comments but they are direct. For any unusual quote I added quotes as I typed this up).

1. It is early evening....

Perceptions. I’d drive by (laugh); depends on the age of the officer; time on the job; might ‘eye-ball’ them; joint or cigarette? Start a conversation with them, especially if they are known (if you know them).

Thoughts/reflections. Do I need assistance? Do you know the people? are you tolerant of them ? Do they hate anybody? (perhaps a reference to latest concerns in US about “hate crimes” against minorities or people of color).

Actions. Might ask them to move on. Tell them to get out of my sector or “turf”, go to someone else’s. Might ask or say “I hope you are not planning a crime in my sector.” I’d be concerned (about coverage) ; Holden has only one patrol car on duty at night.

2. You have reasons to believe....

Perceptions...Reason to believe, or actual fact? Is this a two man car?

Thoughts. If this is a stolen car they might run. (laughter) How I approach this car? Is this a threshold for a proper search? Do I have doubts? Can I search the people or the car? The specific circumstances have to be weighed up. At least I can take ‘em in.

Actions. Check for driving license; i.d.s (identification of some sort); If they are black, all hell could break loose. It could be Rev. Al Sharpton or Jesse Jackson (famous black politicians and civil rights activists). They are parked on a public way; therefore the driver needs a license to drive. Hope they both have ids, especially the second person. (this refers to the fact that the police can use that to run the information and check on warrants or previous stops or criminal record). Need to think about what to ask them – where are you going? Where have you been? What are you doing here? Who are you? How you ask is important. You use your ‘line’ (for approaching people) every cop has one. Always use a greeting. At this point, your senses are heightened...

You assume this is not an 80 year old lady in the car (laugh). You have a violation up front.....(not stated what, I failed to ask). Look at their movements as you approach the car. What are they doing? Look in the mirror, see what is happening in the car. Is it stolen? (They ask me again). If so, I may call for back up, may draw my gun, ready for action. If it is a felony arrest, there is a set routine that must be followed. If I am going to stop at this point, turn on the blue lights (on top of the car). Use the spot light, blind 'em, fix it on the mirror. Create a funnel two officers, one on each side of the car approached. First officer out is the contact officer. The other officer approaches on the other side. Junior officer would be sent back after the encounter to 'do the paperwork.' Unless it is a "good arrest" or means a day off for the officer, a senior officer will take the case to court.

3 The Young men ignore... I tell them GET OUT. (laughter)

Thoughts/reflections. Is this a heavily populated area or thinly populated? This is not going to go well (if it is thickly populated). I have probable cause if they drive away a stolen car. The second guy, I also have probable cause on. How am I going to 'reel' them in (like fish). Do I need back-up? May need more units.....Everybody now gets out cameras, cell phones with cameras; neighbors come out to look. Polaroids come out (instant cameras that can produce printed pictures quickly). If one jumps out, he may be killed. There is an imaginary line - around 21 feet- that you want people distant from you. If your partner is afraid of the dark, it could lead to some more anxiety.

Actions. Show reasonableness in requests. Don't come toward me get back in the car. If they are not listening... no question now of needing back-up (do need it). If they are not following orders, think. How big are they? Bigger than 6' 5 ? Make sure you feed in the drivers' license if you have it.

Rationales/justifications. Use of force is always ambiguous. A 5 ft female officer would shoot sooner. If they are small, go in, make my mark. There is no law here, it is all subjective. It could change, spiral up. [The use of force] depends on the department and their rules and regulations.

3. Driver starts the Car

Actions. (They do not reflect at this point. The first things said are actions). I reach in, shut off the engine, grab the keys. If they are out of the car, get back inside. If it is stolen 99% will run at this point. Take the keys. Shut the car [engine] off. If you don't get out, I'll lock you up. I would say two or three times, "you are under arrest." Block the car off, make sure they cannot drive off.

Justifications.... If they escalate to more violent actions, I will escalate, too.

4. Driver speeds away.

Actions (no reflections offered). Advise dispatcher of car leaving scene. The purist is on. Turn on siren and lights. Shoot out the tires. Use your bow and arrows. (this remark may have been a joke). Get the 'canon' (joke). You may not want to pursue if it is during the day; around a school (children present); if there is heavy traffic; if you have liability (I did not follow up here; I should have). Get the plate number.

Reflections. If he is arrested he will be treated with 'kid gloves' (gently); given a warm bed; three squares (meals a day); a lawyer (these were all jokes and the officers smiled or laughed). What is there in the trunk? Is it a kilo [of drugs] in the trunk? Why are they running? We do not know. In big cities, Cambridge, Boston, people (officers) do not want to chase, or people do not want them to chase.....We still have no idea why [we should pursue]. One thing you have to do if they run is chase. Otherwise, stay home [do not be a police officer].

Justifications. We are better drivers than those we chase. We have training in pursuit driving – Fort Devons, NJ. People chasing add to the possibility of hurting someone.

5. Officers give chase

Reflections. Time of day, near a school; children present; is school out? Day or night- evening? Make sure supervisors know of the chase; have the license plate number entered; think about the town boundaries [if the chase extends into another town- laws, rules, understandings between departments vary]. Radios do not connect across departments (they cannot speak to other town's officers via their car radios). You can get 13 cars chasing someone, all from different cities and even the State Patrol. Helicopters can follow a car if you can get one (State Patrol has 3 or 4). They have 22 helicopters in the LAPD (Los Angeles California police department). What towns might you cross during the chase? You could have a "Rodney King scenario" if you have a bunch of cops chasing. Those who beat him [if there were a beating] would leave. Keep on the radio, call dispatch. Third party communication in a chase is confusing [dispatchers forwarding messages from other departments via the radio]. It's a cluster fuck. You want to ask how thick is the traffic? How fast is it moving? We have a new GPS system that tells the speed, position of our vehicles. If you pull into "16 ridge road" it shows you there. That sucks [that is very negative]. Cops want to be independent, on their own. That has been taken away from us. You have to consider the driver; could hurt self or others. He could drive on the sidewalk (laughter). We have big cars, faster cars. Big V8s. People are running as much as they used. Cops love a pursuit.

Justifications. You are on your own if you violate rules. School superintendent says cut it off- it could be a child in the back. This is a public safety issue; you

have to make decision but you really don't know.....Sometimes, chases go miles, all the way to Worcester [nearby large town]. I would back off. I want to bastard. Now all you have is a 16 year old unlicensed driver.....he may kill three people.

Comments by officers. Traffic stops are good- Terry McNichols Federal Court bomber in Oklahoma was caught that way. Higher price speeding tickets mean people run more. You have to be nice. I bet a million dollars that if Whitey Bulger [notorious local criminal] or some business man in a three piece suit, was rude, you'd kiss their ass.

6. Car comes to a halt, crash

Reflections. Who cares? Usually, they [the young men] would get pummeled after a long chase. They could endanger you (if a burning car, people with injuries), they have tunnel vision after a crash. The adrenalin is flowing. They did not stop for you, they are still not complying. You don't know still if he'll run. Who cares? A crash is a beautiful thing. The car could roll over, people [passenger, driver] could be crushed, be squashed. Justice is served in many ways. Recall that chase [a previous one they all knew about]? Nobody cared when they crashed died. Nobody felt bad.

7. Young Men run away.

Reflections. This requires informing dispatch that you are engaged in a pursuit. No, you don't necessarily do that. Not really (several others say). You know mutiple cruisers will arrive now. We could have a 12 car collision (said half in jest).

Actions . [I'd] Tell the junior guy, "go get 'em" (laughter). [long story of a chase is told, with all joining in, laughing about the chaos that results]. Maybe this will lead to a mano a mano (a hand to hand fight) or real confrontation! (officer likes that idea, smiles). [officer retells the story of Chief Martell being shot, adds that the hand held radio was dead because it was so cold]. History of shooting in a department is important. This may happen again. Could be me (people laugh). You don't want to work with someone who is afraid of the dark [this is second time this has been mentioned – is there a known person in the department?]. Don't want to work with a partner you do not trust.

Comments on informal rules. We [Holden, Mass. Dept] only have one guy on the road and one at the desk at night. We have few personnel. Inexperienced young cops want to chase, think they can prevent all crimes. People do not know the job. That's the culture of the department – people do not learn the job. Its our fault. [one officer asks another] Would you complain? Not me....? Even traffic wardens get complaints. [the implication of this is that wardens do nothing, keep their heads down, and cops always get complaints]. Cops are

adaptable- they can go to a handicap spot [parking reserved for handicapped drivers] and write traffic tickets all day.

8. One man appears to have a handgun

Reflection- is it a real weapon?

Actions. Draw down on 'em. Give a verbal warning? Yeah, when I catch you I will.....(laugh). Be sure to turn your head away when you draw ...so citizens can't see your face...If they are running, you could shoot somebody else. Accident could happen. It is still not clear what this incident is about. What is his [young man's] intent?

Informal concerns – you could harm innocent people here by shooting. You do not want to shoot a bystander. Don't need to shoot him. Probe- what do you look for is you think the person has a gun? Assume it is real, treat it as such. Go closer, look at his hands, see what he is doing. You want to see two hands. At this time, all are fatigued. Could be the flight/fight syndrome kicking in [whether to run or fight]. It could be sheer ecstasy to shoot someone. I went to AR 15 training recently- to stand in one position is tiring [pointing a gun at someone].

9. The young man points the gun.

Shoot. Wing 'em. Shoot as many holes in him as possible. Shoot at 'em. Shoot 'em. 80% accuracy at 5 feet. Verbalizing would not happen at this point. "in the real world, you just would not do it [verbal warning]." You are at gun point.

De-briefing of a sort.

The end of the session seemed awkward because of the unannounced pizza. The officers they continued to joke with each other around the table. They said: The answers really depend on age, experience, and training. Some people here only have GED [high school equivalent for those who drop out of high school-refers to people thought of as dumb] (a joke). It is important that you articulate your work- be able to write it up. The credibility of the officer in court is very important. (Jokes went on about requesting jumper cables for a motorist, asking if he would like them attached to his nuts, the officer saying that "I asked him if he had an asshole, not if he was one"). Later one officer said people do not want to be sgts. here; refuse promotion; do not want the responsibility. There are several well educated people on the force- near phd in psychology, MA in Criminal justice, law degree.

I did talk on the way out of the building with one sgt. who had sponsored me- he said it went well and he offered to organize additional groups if I wanted to do them. I said I did (none has been done yet as of April 2006).

Comments by PKM

There are several points worthy of making in re comparative analysis of responses to this scenario. There is almost no reference in the text to actual formal departmental rules, laws, or actual constraints. They rarely justified any action; they just assumed that these expressed actions were to be done, at that time. There was not much weighing of what not to do, except at the point of the chase and later at the point of the gun being present. There was a kind of mixture of “textbook” answers and “tough talk.” But I do think they were speaking for themselves, what they would do (or have done). There was a lot of joking and nervous laughter in this group, but that was also my experience in Venezuela, and at the Netherlands Police Academy group I observed. Responses to the scenario seemed to be punctuated by stories of previous chases, those that went wrong or right, and interpersonal or local jokes. A lot of irony was present- mentioning things slightly off kilter or unusual that they think might go wrong. I take it that this is the best aspect of “police mentality,” a kind of sensitivity to anomalous occurrences. I am not that they were taking the role of “any” American officer, because much of the talk was about small town policing and concerns.