

The Limits of Professional Crime-Fighting

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Two days before Rodney King was savagely beaten by four Los Angeles Police Officers while a dozen others watched, I toasted Darryl Gates as an outstanding police leader. I honored him for his determination and success in holding his officers to his own exacting standards of professionalism.

A week later, Gates is not a different person, nor a less able manager and leader. His department is not radically changed. I still admire them both.

Yet, I cannot help but be troubled by my toast. Whether that savage beating was a rare event or not, it must be witnessed and acknowledged. What lessons should be drawn from the fact that such an event could occur in what is surely one of the most professionalized police departments in the country?

My conclusion is that the beating of Rodney King gives powerful evidence of the ultimate limitations of a particular ideal of policing that Darryl Gates and the Los Angeles Police Department have long exemplified, and that has inspired police executives and guided police practices throughout the country. Elsewhere, I have referred to this ideal as the strategy of "professional crime-fighting." At the core of this ideal are two powerful values.

One is the ideal of professionalism. In the world of policing, professionalism is primarily concerned with creating a disciplined, law-abiding and technically competent force. In this conception, if police officers are carefully recruited, extensively trained, indoctrinated in the rule of law, closely supervised, and handsomely rewarded, then they could reasonably be expected to rise above society's engrained bigotries, and resist the passions and fears of the chase.

Professionalism has also meant keeping the police effectively insulated from improper political influences. In the past, the police were made into adjuncts of local political machines. To prevent those days from ever returning, the police had to put themselves beyond the reach of politics. Nothing else was consistent with their commitment to the rule of law.

Finally, professionalism has been pursued through the development of increasing sophisticated means for controlling crime. This drive for technical proficiency been expressed in investments in such technologies as computerized crime analysis or automated fingerprint identification systems, and the development of specialized units ranging from SWAT teams to narcotics task forces.

All this is fine as far as it goes. But there is another part of the Los Angeles ideal: the focus on "crime-fighting" as the principal objective and dominant justification for the existence of the police force. Of course, the focus on crime fighting is, in some important ways, simply an extension of the logic of professionalism. Everyone agrees that the core objective of the police is to control crime. To make the most effective use of limited resources, it is important that the police concentrate their efforts on the most serious crimes. To attack those crimes effectively, it is valuable to deploy a force that patrolled the streets, and is capable of responding immediately to calls for assistance. With such a force, the police would always be near to hand when the emergencies came, but sufficiently distant to preserve privacy, and guard against the favoritism or prejudice that would come from familiarity. Thus, in the pursuit of professionalism, the police have become a force whose dominant mission is to react to serious crimes.

Beneath this straightforward logic, however, is a commitment to "crime fighting" that has a nastier edge. It is a world in which Dirty Harry becomes the hero of the law enforcement community rather than the frontier marshall holding off the lynch mob alone in the jailhouse door. It is a world in which the end of controlling crime comes to dominate the legal means which the police are allowed to use. It is a world in which the criminals whom the police fight are transformed from the sad and desperate people who get into fights, or prey upon equally hopeless people for small economic rewards into well armed dangerous offenders. It is a world in which the crime problem is always getting worse, and the community ever more dangerous.

To a degree, the police are encouraged to think in these terms by a political rhetoric that has been common among some chiefs of police, but also reflects the views of the officers themselves. In this rhetoric, the police are a "thin blue line" that protects the good people from the bad. If crime is rising, it is because the recidivists the police arrested were allowed to walk. The criminal justice system exacted no real accountability nor exercised any real control. The police were handcuffed by arbitrary procedural rules that sacrificed substantive justice for a kind of formal, procedural justice that was just too weak-kneed to really get the job done. Such themes worked well in external

politics as well as internally in developing and sustaining the morale of the police. They may even have some truth in them.

The problem is that, in the end, there is a profound tension between the ideal of professionalism on the one hand, and the nasty edge of crime-fighting on the other. The effect of this tension is to create a hidden culture in police departments. Beneath the shiny surface of even the most professionalized police department is an undercurrent of cynicism. Street level officers are routinely given mixed messages by their superiors: they are told to do whatever is necessary to get the job done, but not to get caught in any form of misconduct. They know that if they do get caught, their supervisors will not back them. Thus, they band together to protect themselves not only from the criminal offenders, but from the arbitrary demands and betrayals of management.

To a great degree, most of the time, the public colludes in this deal. When I was a member of a task force reviewing the Philadelphia Police Department, for example, the Task Force was surprised to discover from a survey of Philadelphia citizens that most thought their police department was performing well, despite the fact that they also thought that the officers slept on the job, were often rude, took bribes often, and used unnecessary force!

The only explanation we could give was that the public seemed to think that, if the police were going to do the hard job of dealing with crime and offenders, they had to be allowed to behave badly. This view was later explicitly articulated by one police officer who explained to me: "If you're going to have to shovel society's shit, you ought to be indulged a little bit."

The most tragic feature of this situation, however, is that the police eventually discover that this tacit deal with the community is as unreliable as their deal with management. When an incident occurs, as it inevitably will, and as it did in the case of Rodney King, the public will suddenly turn on the police. Or, more accurately, the views of one group that have long been discredited by the power of the tacit deal, will suddenly gain credibility. The previous supporters of the police will fall silent. The reason is that their deal is a crummy one; it cannot stand the sunlight. When it is exposed, scapegoats must be found, and the cleansing power of improved training and discipline once again applied. Thus, the police are reinforced in their cynicism, and sense of isolation.

An alternative way to respond to instances like those involving Rodney King is for the police and the citizens to come to the conclusion that the ideal of

professional crime-fighting is the wrong one to have of the police. It embodies the wrong values. It has insulated the police from effective accountability, and fostered contempt for citizens.

By setting the police apart from any regular, continuing oversight by citizens, the police have been effectively insulated from any accountability for the daily performance of their jobs. Their sergeants and supervisors must stand for the interests of the community and the values of the law. But without any daily pressure on them to advance these purposes and hold to these standards, they eventually yield to the longings and values of their troops.

By focusing on the instrumental goals of controlling serious crime, the police have become too narrow in their objectives, and too ruthless in their operational methods. They see only the worst parts of the community, and form a view of human nature based on what they see. The laws against crimes by citizens are taken seriously, but the laws that are meant to protect citizens from police misconduct are seen as obstacles to getting the job done. Law and democratic values become constraints on effective action rather than important ends in themselves.

By relying on motorized patrol and rapid response to calls for service, and by denigrating the importance of non-

crime calls for service, the police have limited their contacts with, and their value to the communities they police. They have also lost their ability to sense the strengths of even the poorest communities, and to distinguish those who deserve their respect and admiration.

So, what seems to me to be important in responding to the beating of Rodney King is not for more effective investigations of misconduct, or improved training, or closer supervision, though all those things may play a role. Instead, it is for the Los Angeles community and its Police Department to return to a path the Los Angeles Police Department once pioneered as a new and more effective way to police the nation's cities.

In the 1970's, the Los Angeles Police Department experimented with a kind of policing known then as "team policing". It was a vision of a police department broken down into small teams, each with a strong sense of responsibility and accountability to the people living within the small geographic area for which they were responsible. The aim was to develop greater closeness with the community, and a wider concern for the overall well-being of an area. It was also a vision in which the police department acknowledged its accountability to the citizens of local communities for the use of force as well as the other resources of the department. And it was a vision in

which the officers knew that they should not break the law to enforce the law. In short, the solution to the problem posed by the King beating lies in increased community accountability and the encouragement of democratic values in the police department rather than in continued isolation and more controls.

The nation as well as Los Angeles has long benefitted from Darryl Gates' leadership. In his demands for discipline, for competence, for effectiveness, he has been extremely valuable not only to his own city and his own department, but also to others. But he has also become an icon for those who love the ideal of professional crime-fighting. What we now need, is for Gates to become an educator rather than an icon, and to show us a path forward. My hunch is that will require him to bridge the gulf that now separates the professional, crime-fighting police department from the community it serves and protects. It can do so by widening its contacts with the community, becoming broadly accountable to them, and by articulating the values of mutual respect, restraint, and civility that must be the ultimate goals of those who guard a diverse, democratic society.