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ETHICAL ISSUES IN COMMUNITY POLICING

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ABSTRACT

Community policing requires fundamental changes to the philosophy and organization of police work. Among these changes will be substantial reduction in the political and social isolation of police departments and police officers as well as the granting of more autonomy and discretion to individual police officers. Just as the traditional, professional model of police work presents ethical challenges to police departments and officers, so will community policing. Reduction of the political and social isolation of the police may increase the risk of corruption and favoritism and greater autonomy and discretion for police officers increases the risk of police officers being beyond the effective control of their departments. By anticipating these unintended consequences of police reform steps may be taken to avoid them.

INTRODUCTION

Modern American policing is facing its most fundamental challenge in decades. Not only is policing beset by chronic questions about its effectiveness in reducing high crime rates and about its success in the “drug war,” now the fundamental operating philosophy and organizational approach to the traditional, professional model of policing is being questioned.

Borrowing a term from Kuhn (1962), advocates of community policing are calling for a shift in the “paradigm” of policing as it exists in the late twentieth century (e.g. Sykes, 1991). Such a shift is designed to re-integrate the police and the citizenry in an effort to define and solve specific problems mutually identified within the community. Far from methodologically straightforward, these approaches are non-traditional and require officers and agencies to change their basic philosophies of work. To the extent that officers are to become all things to all people, some degree of role conflict and confusion is inevitable. For example, are police agencies to merge the traditional models of law enforcement and social work or are they to focus on entirely different roles such as those found in public...
housing, transportation, and education? Such a shift will challenge sacred assumptions about efficient and effective police organizations. Traditional indicators such as response times, miles driven, arrests made, and cases cleared are irrelevant measures of productivity in community policing models.

At the same time that American police are being asked to adopt a new paradigm, there has been a growing interest in police ethics. During the past decade, a vigorous academic literature on the subject has developed (e.g. Cohen, 1986; Elliston & Feldberg, 1985; Heffernan & Stroup, 1985; Sherman, 1982). Courses on ethics or those including the topic have become routine in criminal justice programs. Criminal Justice Ethics has become a significant journal, and the public has become concerned with selected aspects of police behavior. Indeed, as this paper is being written, the U.S. Department of Justice is launching a nationwide review of police brutality complaints, prompted by public shock over the videotaped beating of a black motorist by white officers of the Los Angeles Police Department. Although no recent police corruption scandals approach those investigated in the New York City Police Department by the Knapp Commission in the early 1970s, news stories about police corruption, especially among narcotics officers, are routine.

Calls for the radical reorganization of police work, along with the increased interest in police ethics, raise important issues. Since it is well established that police deviance is best understood not as an individual pathology, but as a product of the social organization of police work (Bracey, 1976; Stoddard, 1968), it follows that if police work is fundamentally reorganized, patterns of police misconduct also are likely to change. If the traditional, professional model of police work produces one set of ethical challenges, will not community policing present other, or additional, challenges? This paper will present informed speculation on ethical issues that will arise regarding the adoption of the community policing model. To begin, the basic outlines of both the traditional, professional policing model and the community policing model will be discussed.

THE TRADITIONAL, PROFESSIONAL MODEL OF POLICING

It is one of the ironies of criminal justice practice that the “emergence” of community policing is actually its re-emergence. Early policing, both in England and the United States, was community policing. It was only in the mid-decades of the twentieth century that policing in the U.S. was rationalized, bureaucratized, “professionalized,” and centralized such that it lost important elements of its community orientation. Indeed, escaping the ethical consequences of certain kinds of close ties with the community was a principal goal of police reformers.

Kelling and Moore (1987, cited in Trojanowicz and Bucquouex, 1990) describe the model of policing that emerged out of the reform efforts of August Vollmer and O.W. Wilson by emphasizing a narrow professionalism, crime control, centralization, aloofness from community ties, preventive motor patrol rather than foot patrol, rapid response to calls for service, and effectiveness measured by
control of crime. In particular, reformers attempted to remove police work and police executives from the corrupting influences of local politics. Police efficiency was to be maximized and police misconduct was to be minimized by hierarchial, centralized administration with clear lines of authority, specific procedures, accountability, and close supervision.

While such reforms may have been, in some respects, "successful," critics charge that it was at great cost (Trojanowicz and Bucqueroux, 1990). Police executives became preoccupied with internal matters of management, efficiency, and control. Police work was conceptualized primarily as law enforcement, which meant a one-at-a-time response to criminal acts. Police organizations, police executives, and individual police officers intentionally became isolated from their communities. At best, communities responded with apathy and abdicated their responsibility for the crime problem. At worst, they came to view police as an alien, occupying force.

THE COMMUNITY POLICING MODEL

Goldstein (1990) traces the major impetus for community policing to the turmoil and crises of the 1960s. As both insiders and outsiders subjected police work to more scrutiny, its complexity began to be more appreciated and the narrowness of the traditional model to be more clearly understood. Enhanced police-community relations efforts were one response to crises, but these were limited and often cosmetic. The 1970s gave rise to team policing efforts in several U.S. cities. From the early sites in Cincinnati, as well as in the Seven Case Studies (Sherman, et al., 1973), the drive to dramatically change traditional police methodologies continued. Problem-oriented policing (e.g. Goldstein, 1977a, 1977b, 1979, 1990) was the next step in moving the police closer to the community. Trojanowicz and Bucqueroux (1990), however, suggest that problem-oriented policing did not go far enough in "...restructuring departments to promote continuous community involvement" (p.8). They propose ten principles of community policing (p.xiii-xv), the essence of which may be summarized as follows.

Rather than focusing on specific crimes and criminals, community policing as a philosophy and as an organizational strategy enjoins all police personnel, but especially the community police officer, to form a new partnership with the community to identify and address a range of problems that are the causes and consequences of crime. In order to enter this partnership, the community police officer forsakes the isolation of the patrol car in favor of "...daily, direct, face to face, contact with the people they serve in a clearly defined beat area." (p.xiii) In carrying out their new roles, line officers, particularly community police officers will have the autonomy and discretion of true professionals.

In summary, community policing, as described by Trojanowicz and Bucqueroux, abandons two of the principal elements of police reform of the traditional model.
relevant to police ethics and misconduct, the benefits of a significant amount of social isolation and of strict supervision of lower level officers.

**ETHICAL CHALLENGES IN COMMUNITY POLICING**

With the outlines of the traditional model and the community policing models in mind, we may now proceed to discussion of likely ethical challenges accompanying community policing. We see these challenges arising out of two of the principal elements of community policing: (1) reduction of the political and social isolation of the police department and individual police officers, and (2) lower levels of control and more autonomy for lower-level individual officers.

While it certainly cannot be argued that police departments in the United States were ever insulated from political influence, the traditional model regards the intrusion of politics into policing as an inevitable evil. Police executives must be somewhat responsive to local political power as they pursue their professional task of law enforcement. In any case, there is likely to be little disagreement between the members of the local business and social elite and the police chief over what should be the tasks of the police department.

Community policing, on the other hand, recognizes that in many communities the hegemony of the traditional local elite has weakened, and that diverse groups seek to wield influence and to pursue their own agendas. They may have quite different ideas of the nature of social problems in general and the crime problems in particular. Community policing advocates thrust police departments into the thick of the political fray by inviting the police to abandon the narrow but safe emphasis on “law enforcement,” and seek to broaden the police role to include addressing broader social problems. Unless community policing is narrow, cosmetic, and co-optive, as it undoubtedly will be in some communities, police departments will hardly be able to avoid becoming partners in the political and social projects of particular community factions, perhaps bringing the department into conflict with other community segments. If the principal goal of community policing is to bring order to the community, and if different segments of the community have different views of “order,” whose “order” will prevail? What if one segment’s preferred “order” compromises the legal rights of another segment? Indeed, influence with or control of the police department may increasingly become the big prize in segmented communities.

How is a police department to navigate these uncharted waters? Does the department unabashedly ally itself with some factions at the expense of others? Does it endorse candidates for office or perhaps put up its own? How does it respond to political factionalization within its own ranks which mirrors the divisions within the community? Is it able to resist the unethical use of its vast manpower, investigative resources, or secret, sensitive information in local political fights? If history is any indicator, we think not. Reports of police corruption and abuse of power in political matters continue to appear in the popular media. Even those who
advocate the involvement of the police in local elections (Muir, 1985), acknowledge the potential abuse of police power.

Similar questions emerge about the political role of the individual community police officer. If the community policing model works as intended, individual community police officers should become the most knowledgeable, trusted, and popular individuals in their community. Who else will be able to spend paid work hours in close contact with community residents and merchants discussing problems, arranging for police or other public services, getting involved in community organizations, and receiving and dispensing favors? Can it be long before the community police officer becomes a significant political force? Will it be long before the ranks of those seeking local political office are swelled by community police officers? What are the implications of this for the American tradition of civilian control of the police?

Reduction of the social isolation of individual police officers poses additional ethical challenges. The social isolation of police officers in their cars responding to calls for service retarded the establishment of individual relationships between community members and police officers. Community policing mandates a return to the “beat cop” model and the building of close relationships with community members. The community police officer will be assigned to a community or neighborhood for as long as possible, and will not be routinely reassigned. The payoff, according to community policing advocates, will be more trust, less apathy, better understanding of problems, and better information. However, as relationships develop, the community police officer will experience increased pressure to accept gratuities and gifts. Kania (1988) argues that acceptance of gratuities is key to building positive relationships and that declining them damages relationships. However, it is also true that a fundamental component of human relationships is reciprocity (Homans, 1950). As the community police officer becomes more socially integrated into the community, there will be increased pressure to reciprocate with selective enforcement, special police services, or other benefits that police good will may confer. The compromising relationships that vice officers often have with informants (Skolnick, 1966) may also become more prevalent within the department.

Community policing will also present the police officer with other ethical challenges in the exercise of discretion. One goal of the community policing model is to make police officers intimately aware of all of the various activities, legal, semilegal, or illegal, in their communities. There has to be a proactive stance rather than mere reaction to citizen complaints. Community police officers run the risk of information overload. If they become intimately knowledgeable about their communities, they will discover more serious and petty crimes, and annoying behavior than ever was broadcast over the police radio. They will face questions of what incidents to process in the criminal justice system, what to handle informally, and what to ignore. Just as intensive supervision probation may provide probation officers with too much information about their clients, community policing may
provide too much information to police officers about their communities. Officers will have to make more decisions, many of them with significant ethical implications, in a more politically and socially complex environment.

In addition to the ethical implications of reduced political and social isolation for police departments and individual police officers, lower levels of control and more autonomy for individual officers will raise ethical issues. The literature on this issue is complex and ambiguous. On the one hand, some commentators (e.g. Kornblum, 1976) view strict discipline as a cause of ethical problems in police work. Unable to follow all the departmental rules and policies and still get police work done, officers in traditional organizations must cut corners and, as a result, compromise themselves. The collective solution to this dilemma, and the general alienating consequences of rule by fear, is the “code of silence,” which allows police officers to run amok with relative impunity. On the other hand, some commentators (e.g. U.S. Task Force on the Police, 1967) regard strict discipline and supervision as a necessity for good police conduct. If the former view is correct, the greater discretion and autonomy that accompanies community policing may reduce police misconduct. Hierarchical control will be replaced by a true sense of professionalism which fosters self-control and collegial control.

If the latter view is correct, community policing runs the risk of producing, within police departments, a new class of “princes of the city” (Daley, 1981) who are loosely supervised at best and who are largely unaccountable for their activities. This, along with the tendency for community police officers to become popular and to gain the loyalty and support of their communities, may put them effectively beyond the reach of departmental discipline.

Related to the issue of supervision and accountability is the question of police misconduct induced by organizational and individual goals. To the extent that the traditional model of policing emphasizes solving crimes and making arrests, police misconduct often involves taking improper shortcuts to these goals through illegal searches, coerced confessions, and perjury. When police departments shift emphasis to broader goals and measure the performance of police officers in relation to achievement of these goals, new shortcuts will emerge and new systems of accountability will be required.

CONCLUSION

Community policing requires a necessary and important reform. The recognition of the close relationship of crime to other community problems is long overdue. In addition, reducing the isolation of police departments and police officers from the community is a positive step. However, the implementation of community policing is fraught with difficulties. Community policing appears to be a concept in vogue! As Skolnick and Bayley (1988) write, “community oriented policing represents what is progressive and forward-looking”. Unfortunately, every new police technique or strategy is being incorporated into the concept of
community policing; and within some professional circles, those agencies not involved in the movement are labelled “backward.”

As a result, some now fear (Findley and Taylor, 1990; Kenney and Taylor, 1991) that the concept of community policing may be expanding too rapidly and that the agencies and officers rushing to join may not understand or be prepared for the proposed changes. This, in turn, undoubtedly will lead to partial implementation, notable failures, and permanent damage to an otherwise valuable concept. By anticipating some of the ethical challenges likely to accompany the community policing model, perhaps some of these negative consequences may be avoided.

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