OUR ENEMIES IN BLUE

Kristian Williams

"[A] very fine book, a well-researched, historically grounded and mordant critique of American policing past and present."
The difficulties of crowd control have shown the need for police to balance their reliance on force against the possibility of containment, negotiation, and the co-optation of leadership. Over-reliance on either approach is likely to lead to disaster: Naked repression can create or escalate resistance and discredit authorities, while resting on the framework of institutionalized dissent can leave the state's forces unprepared for tactical innovations or renewed militancy among protesters. The challenge for police is to chart a middle course between the WTO protests in Seattle and the massacre at Kent State.

Though drawn from their experiences with protests and riots, these lessons have come to shape the development of police strategy overall. They have thus given rise to the seemingly incongruous but in fact complementary trends of militarization and community policing.

BRINGING THE WAR HOME

"Militarization" is a buzz-word, popular chiefly among critics of the police. The term is in some sense pejorative, as military incursions into the domestic sphere are taboo in liberal democracies. But militarization is rarely defined, and the use of the word is often superficial. This is true in two senses: First, the term is sometimes chosen more for its sinister connotations than for any literal meaning; second, it is used to describe the most obvious aspects of policing—the equipment, uniforms, and weaponry. By implication, armored cars, riot gear, and assault rifles evidence militarization; the friendly cop on the beat does not.

This dichotomy is false, and dangerous. It misconstrues the nature of militarization and underestimates its impact. Militarization affects not only police paraphernalia, but the police mission, the roles of violence and intelligence, police ideology, rhetoric, training, and organization. A leading scholar of militarization, Peter Kraska, offers this definition:

*Militarization* . . . can be defined in its broadest terms as the social process in which society organizes itself for the production of violence or the threat thereof.
He goes on to list the following “tangible indices of this sort of high-modern militarization:"

1. A blurring of external and internal security functions leading to a targeting of civilian populations, internal “security” threats, and a focus on aggregate populations as potential internal “insurgents”

2. An avoidance of overt or lethal violence, with a greater emphasis placed on information gathering and processing, surveillance work, and less-than-lethal technologies

3. An ideology and theoretical framework of militarism that stresses that effective problem solving requires state force, technology, armament, intelligence gathering, aggressive suppression efforts, and other assorted activities commensurate with modern military thinking and operations

4. Criminal justice practices guided by the ideological framework of militarism, such as the use of special-operations paramilitary teams in policing and corrections, policing activities that emphasize military tactics such as drug, gun, and gang suppression, and punishment models based on the military boot camp

5. The purchasing, loaning, donation, and use of actual material products that can be characterized as militaristic, including a range of military armaments, transportation devices, surveillance equipment, and military-style garb

6. A rapidly developing collaboration, at the highest level of the governmental and corporate worlds, between the defense industry and the crime control industry

7. The use of military language within political and popular culture, to characterize the social problems of drugs, crime, and social disorder

By these standards, the contemporary American police department is highly militarized in ways that its nineteenth-century counterpart was not.

Developments in crowd control and intelligence have each placed the police on this course, as have police ideology and the institution’s rapidly advancing mode of organization. Of course, the rhetoric of policing and of police reform has long made use of a military analogy, though in practice this amounted to little more than institutionalizing ranks and requiring firearms training. But following the crises of the 1960s, this analogy was suddenly taken far more seriously. The rhetoric, of course, never really went out of style, but it gained a more literal reading than had been possible before. Radicals were calling on America to “Bring the war home,” and policymakers very quietly decided to do just that.
borhood before the raid or during the stand-off. Nearby homes were damaged in the fire, and several houses were riddled with bullets.19

The LAPD SWAT team was deployed 200 times in its first two years. Since then, paramilitary police units have become a nationwide phenomenon, and their rate of use has sharply increased. In 1980, PPUs were deployed 2,884 times across the country. Fifteen years later, in 1995, that number had risen to 29,962.20

In part, PPUs are deployed more often simply because there are more of them to deploy. Many small departments have formed their own paramilitary units, whereas before they relied on those of larger cities or the state police in the rare event of an emergency. After all, how often do the campus police at the University of Central Florida face sniper fire, a barricaded suspect, or a hostage situation? Yet they have their own SWAT team.21

Many factors promoted the spread of paramilitary units, including the existence of a ready-to-use model, the availability of equipment24 and training,25 and the professional prestige attached to the highly specialized teams. The nationwide craze for SWAT teams marks an advance in the militarization of the police, but as importantly, the factors sustaining this trend also indicate militarization.

Perhaps more troubling than the replication of the SWAT model is the expansion of the SWAT mission. Since 1994, Fresno California has used its PPU, the Violent Crime Suppression Unit (VCSU), to patrol its southwest ghettos. Wearing black fatigues, combat boots, and body armor, the officers routinely patrol with MP-54 submachine guns, helicopters, and dogs. First deployed after a wave of gang violence, including attacks on police officers, the VCSU quickly went from raiding houses to stopping cars, interrogating “suspicious persons,” and clearing people off of street corners. These street corner sweeps represent an impressive display of force, beginning with a pyrotechnic flash-bang grenade. Police then move in with their guns drawn, sometimes supported by a canine unit. Everyone in the area is forced to the ground, and civilian dogs are shot on sight. The “suspects” in the area are photographed, interrogated, checked for warrants, and entered into a computerized database.26 One Fresno cop explains the intended scope of these files: “If you’re twenty-one, male, living in one of these neighborhoods, been in Fresno for ten years and you’re not in our computer—then there’s definitely a problem.”27

The VCSU produces impressive figures marking its activity. Since it started patrolling Fresno’s streets, misdemeanor arrests have increased 48.3 percent. Meanwhile, the unit averages one shooting every three months.28

Fresno is not alone in its use of paramilitary police for routine patrol. By 1999, there were 94 departments across the country similarly deploying their SWAT teams.29 One commander described his department’s approach:

We’re into saturation patrols in hot spots. We do a lot of work With [sic] the SWAT unit because we have bigger guns. We send out two, two-to-four-men cars, we look for minor violations and do jump-outs, either on people on the street or automobiles. After we jump-out the second car provides periphery cover with an ostentatious display of weaponry. We’re sending a clear message: if the shootings don’t stop, we’ll shoot someone. . . .30

The application of paramilitary techniques in routine, non-emergency law enforcement situations has been termed the “normalization” of paramilitary units.31 This process works in two complementary directions. First, the scope of activity considered appropriate for specialized units becomes ever wider. In military jargon, this is referred to as “mission creep,” a suitably unpleasant sounding term.32 Second, the increased use of the specialized team promotes the view that their military organization, skills, and equipment are well suited to general police work; the regular police then come to resemble the paramilitary units.33 Both tendencies advance the militarization of the police, and both have been encouraged by the current efforts at drug prohibition.

THE DRUG WAR AND OTHER DANGEROUS HABITS

The tendency for mission creep, the temptation to use specialized forces for a widening range of activities, is surely understandable. The reasoning, from a managerial perspective, is pretty clear. Where such units exist, commanders are loath to “waste” their capabilities. To justify their continued existence, in particular their continued funding, they must be used. Inactivity is bureaucratic suicide. So the mission of these units expands. As it expands, their operations become normalized.

Because riots and hostage-taking are relatively rare, SSU [Denver’s Special Service Unit] has had a lot of time on its hands, notwithstanding its demanding training requirements. So in its spare time, which has amounted to 90 percent, it has been doing saturation patrolling.34

Saturation patrolling offers one solution for the need to keep the paramilitary teams busy between emergencies. Likewise, mundane police duties can be framed as “emergencies,” or alternately, the cops may actually create emergencies. This, in essence, is what the police do when they use paramilitary units to perform “warrant work.” “Warrant work” is actually something of a misnomer, since many departments claim that they don’t need a warrant when they fear that evidence would be destroyed during the time it takes to contact a judge.35 The searches at issue are usually drug-related. One commander describes the procedure: “[O]ur unit storms the
residence with a full display of weaponry so we can get the drugs before they’re flushed.” Paramilitary units usually specialize in “no-knock” or “dynamic” entries, meaning they avoid announcing their presence until they’ve knocked down the door and are charging into the house. The LAPD, in its characteristic style, gave its SWAT team an armored car with a battering ram attached; rather than breaking down the door, the cops drive the vehicle straight through the wall.  

No-knock entries are dangerous for everyone involved—cops, suspects, bystanders. The raids usually occur before dawn; the residents are usually asleep, and are disoriented by the sudden intrusion. There is no warning, and sleepy residents may not always understand that the men breaking down their door are police.

At the same time, police procedures allow terrible little room for error. Stan Goff, a retired Special Forces sergeant and SWAT trainer, says that he teaches cops to “Look at hands. If there’s a weapon in their hands during a dynamic entry, it does not matter what that weapon is doing. If there’s a weapon in their hands, that person dies. It’s automatic.”  

Predictably, these raids sometimes end in disaster. When the Visalia, California, SWAT team raided Alfonso Hernandez’s apartment in 1998, the teenager opened fire, injuring one officer. The police fired back without restraint, hitting Hernandez 39 times and killing him on the spot. Some of their bullets traveled through walls into neighboring apartments. In addition to Hernandez, another man in the apartment, Emilio Trevino, was killed. Trevino was seeking refuge in a corner when he was shot five times.

No-knock raids are inherently dangerous but, in most cases, altogether avoidable. That is because there is usually no emergency before the raid begins. Even if we take current drug laws for granted, it is clear that this approach places citizens and police alike at unnecessary risk. The fact that such risks are considered normal, and thought to represent an acceptable price for maintaining current policy, says a great deal about the prevalence of militarized thinking. As Peter Kraska remarks:  

Only an intensive ideology of militarism could drive much of the police institution into believing that forced invasions of people’s private residences using police units designed around the Navy Seals model for the purpose of conducting a crude investigation into minor drug infractions are a reasonable and beneficial crime control tactic.  

For their part, police sometimes complain that the “war” metaphor—against crime or against drugs—is not taken literally enough. Never one for understatement, former LAPD Chief Daryl Gates once told the Senate Judiciary Committee: “The casual drug user should be taken out and shot.” When Los Angeles Times reporter Ron Ostrow asked him if he meant that, the Chief was glad to explain:

Yeah, Ron, I did. . . . if we have people who smoke a little pot or snort a little coke, who simply want to go out and party and use drugs, I think they ought to be taken out and shot, because if this is a war on drugs, they are giving aid and comfort to the enemy.

Self-righteousness and self-interest often lean on each other suspiciously. Behind their moral platitudes and somber denunciations, the police have always been major beneficiaries of vice—drugs, gambling, prostitution. In the nineteenth century, selective enforcement of vice laws stood to profit the individual cops, their commanders, and their political masters. The police stood at the center of a multifaceted protection racket. The threat of raids kept the owners of illegal saloons, gambling houses, brothels, and opium dens obedient and willing to pay the going rate; or, the promise of protection might be withheld for either political or commercial reasons, to eliminate a source of income for a rival political faction, or to give the competitive edge to a loyal client. And the thing that made all this corruption possible was the puritanical obsession with other people’s recreation.

At the end of the twentieth century, things looked a little different. At the lowest levels of the law enforcement ladder, the police still sometimes sold protection to street-level drug dealers, pimps, and prostitutes; or, conversely, they offered them the opposite of protection, robbing them of guns, drugs, and money, assaulting them, and making no arrest. As bad as this was, it was only a small-time, illegal version of official policy. On a much wider scale, and with much lower risk, entire departments were involved in exactly the same sort of extortion, under the guise of asset forfeiture.

First introduced by a 1970 anti-racketeering law (the irony here is sickening), the practice of seizing drug money and other property has been expanded repeatedly, most notably by the 1984 Comprehensive Crime Control Act. The 1984 law allowed local and state authorities to seize the assets of suspected drug dealers, try the cases in federal court, and keep up to 90 percent of the loot for departmental use. Forfeiture cases are not considered criminal proceedings—in fact, no one need be charged with a crime at all—and so the hearings carry a lower standard of proof. Cases involving assets under $100,000 are handled in administrative hearings, not even reaching civil court. More questionable still, prosecutors sometimes reduce charges when defendants agree to surrender their assets without a fight.

Racial profiling innovator and Volusia County (Florida) Sheriff Bob Vogel, used these laws quite adeptly. Between 1989 and 1992, he confiscated $6 million in property based on searches conducted during motor vehicle stops. Of those who “forfeited” their property, 85 percent were Black and 75 percent were never charged with a crime.

The forfeiture law provided the local cops with a major incentive for prioritizing drug busts. As the money came in, many departments reinvested it in the drug
war, upping their arsenals with military hardware. But in addition to the financial gains, drug raids promised political and bureaucratic benefits as well. Asset forfeiture opened another major source of funding for local departments, making the police less reliant on their local governments' budget processes, and therefore also less subject to the control of mayors and city councils.

It is hard to overstate the impact drug policy has had on policing. The national obsession with controlling drug use has provided a rationale for racial profiling, legitimized prison expansion and draconian sentencing laws, eroded constitutional protections against warrantless searches, promoted federal intervention and military involvement in local law enforcement, and helped enormously to militarize the police. It has also provided a convenient justification for widening the scope of police activity.

COMMUNITY POLICING: THE RETURN OF OFFICER FRIENDLY

If the aggressive, armored paramilitary unit represents one face of contemporary policing, the other is that of the smiling, chatty, cop on the beat. One is the image of militarization; the other is that of community policing.

"Community policing," like "militarization," is a jargon term. It is loosely defined and sometimes used to mean only "something desirable." "Community policing" is thrown around quite a lot by both critics of the police and by the cops' policy-level allies, but the term is mostly used by those who advocate its programs. What, precisely, they advocate is the matter of quite some controversy.

Community policing largely grew out of innovations developed during the 1970s. The seventies and eighties were periods of extreme experimentation in law enforcement, as departments across the country struggled to recover from the defeats of the 1960s. As the years progressed, the new ideas were either refined or abandoned, and those remaining gradually coalesced under the rubric of community policing. This legacy, plus the community policing premise that law enforcement strategies should be adapted to local conditions and local needs, has resulted in a baffling variety of programs operating under the same label, and has made generalizing about them very difficult.

Community policing largely evolved from the earlier notion of "team policing," under which a group of officers shared responsibility for a particular area. From this base, community policing slowly came to incorporate novelties like decentralized command, storefront mini-stations, directed (rather than random) patrol, neighborhood watch groups, permanent assignments, neighborhood liaisons, door-to-door surveys, public forums, crime prevention trainings, citizen advisory boards, meetings with religious and civic leaders, foot patrols, bike patrols, police-sponsored community activities and social functions, a focus on minor offenses, educational and recreational programs for young people, citizen volunteer opportunities, and community organizing projects.

Common features seemed to connect many of the more successful programs, and these slowly formed the basis for the community policing perspective. Sociologist Gary Cordner groups the elements of community policing into philosophical, strategic, tactical, and organizational dimensions. Philosophically, community policing is characterized by the solicitation of citizen input, the broadening of the police function, and the attempt to find solutions based on the values of the local community. Organizationally, community policing requires that departments be restructured such as to decentralize command, flatten hierarchies, reduce specialization, civilize staff positions, and encourage teamwork. Strategically, community policing efforts reorient operations away from random patrols and responding to 911 calls, towards more directed, proactive, and preventive activities. This reorientation requires a geographic focus, and encourages cops to pay attention to the sources of disorder as well as to the crimes themselves. Tactics that sustain community policing efforts are those that encourage positive citizen interactions, partnerships, and problem solving.

A 1994 report written by the Community Policing Consortium, representing the International Association of Chiefs of Police, the National Sheriff's Association, the Police Executive Research Forum, and the Police Foundation, and published by the Department of Justice, identifies the two "core components" of community policing as "community partnership and problem solving." "Sociologists Jerome Skolnick and David Bayley concluded, based on a study of six police departments renowned as innovators and trend-setters, that the governing premise of community policing was "that the police and the public are co-producers of crime prevention."

By the early 1990s "Community Policing" was the official religion of police nationwide, even if nobody knew exactly what it meant. Even Daryl Gates, the embattled and abrasive former Chief of Police in Los Angeles, explicitly advocated community policing in his 1992 memoir, which only underscores questions about the term's use. If the notorious LAPD has, as Gates insists, been practicing community policing since the 1970s, then what doesn't count as community policing? If the term covers everything, then does it mean anything?

Perhaps I'm being unfair. After all, the LAPD did invent some of the paradigmatic community policing programs, including DARE (Drug Abuse Resistance Education) and the neighborhood watch. But the clash between the LAPD's uncivil image and that of the personable neighborhood beat cop gets to the heart of the confusion about what is and is not community policing. There is a difference between adopting stand-alone programs and taking on community policing as an
The Los Angeles police may have recognized early on the need for community partnerships, but it, like most departments, has pursued these partnerships unevenly, haphazardly, and without changing the basic orientation of the police force.

On the other hand, community policing is not at all incompatible with the hard-nosed, militarized tactics for which Gates’ department became famous, or infamous. Of the two major strands of community policing programs, “peace corps policing” and “order maintenance policing,” the latter seems to actually promote just the sort of excess that Gates favored. Peace corps policing “emphasized community empowerment, cultivating constructive relationships with disenfranchised minority groups, and establishing partnerships between the public and the police.” The “order-maintenance” model “seeks to ‘clean up’ a community proactively, thereby reducing the potential for crime and diminishing citizens’ fears.” Linking the two is an emphasis on problem solving and a sense that police business extends beyond the most basic matters of law enforcement. Hence, both approaches are proactive, prevention-oriented, concerned with the fear of crime as well as with crime itself, and they generally fit within the framework of community policing as it is laid out above. Where differences exist, they tend to be matters of emphasis rather than principle. In fact, peace corps and order maintenance approaches are sometimes employed in tandem, and, together or separately, they dovetail with militarization to form a coherent, strategic whole. To resolve this seeming paradox, we should consider what the police hope to accomplish with community policing, and what advantages they take from their community partnerships.

COMMUNITY POLICING AND POLICY COMMUNITIES

The first thing to notice about community policing is the degree to which it seeks to undo the reforms of the Progressive and professional eras. These earlier reformers sought to centralize command, introduce bureaucratic management practices, close neighborhood precincts, do away with foot patrols, narrowly focus on crime control, increase specialization within the departments, and generally sever the connections between the police and the public. These efforts were never fully successful, but that is hardly the point. The point is that they move in exactly the opposite direction from many of the recommendations made by community policing advocates.

To make sense of this reversal, we need to recognize that community policing seeks to address a different set of problems than those faced by the Progressives or the professionals. There is no longer any need for capitalists to wrest city government away from Tammany-style political machines, and police unionization has done more to improve the typical patrol officer’s standard of living than the move toward professionalization ever did. More subtly, the police have largely established their institutional autonomy, and have developed extensive means to defend it. In fact, since the late sixties, they have moved beyond their quest for independence and have begun to pursue political power.

Here, perhaps, we can discern a pattern. Historically, the means of social control have adapted in response to crises, to challenges faced by the existing authorities. Slave patrols evolved gradually in response to slave revolts. The rise of capitalism produced new class tensions and higher demands for order; one result was the modern police. Is it a coincidence, then, that the three most pronounced trends in contemporary policing—unionization, militarization, and community policing—gained their momentum during a period of profound social tension and overt political conflict?

This puts it dramatically, but it’s no secret that community policing arose as a response to the crises of the 1960s. Society was in a state of upheaval and elites were wracked with panic, at One Police Plaza and Parker Center no less than in the White House and the Pentagon. The immediate clash was resolved through a combination of concessions and repression, but before the fight was even over, the authorities were in training for a rematch.

The shortcomings of social control in the Civil Rights and anti-war periods are not difficult to discern. Misplaced intelligence efforts meant that the security forces were often caught unawares by rebellions, and heavy-handed crowd control tactics exacerbated disorder where it arose. Meanwhile, government lawlessness, both domestically and in the field of foreign policy, eroded the citizens’ faith in the system. The continuation of such conditions threatened to render the country ungovernable. The authorities had to reassess their approach to social control.

The fact that police actions triggered many of the riots and then could not control them revealed to everyone the price of having a police department backed only by the power of the law, but not by the consent, much less active support, of those being policed.

The resulting police experiments, which eventually blended into the community policing approach, were born of the desire to correct for the shortcomings of the earlier bureaucratic-professional model. They sought to build a bond between the police and the public in hopes that this would increase police legitimacy, give them better access to information, intensify their penetration of community life, and expand police mission. All of this, in theory, should make the populace easier to police and heighten the level of police control.
The first task of any community policing strategist is to make police authority legitimate in the eyes of the community. Herman Goldstein, a community policing advocate, identifies “the ultimate potential in community policing” as the development of a reservoir of respect and support that could greatly increase the capacity of police officers to deal with problems with less need to resort to the criminal process or to the coercive force that officers derive from their uniform, their weapon, their badge, or the knowledge that they can summon reinforcements.64

The means by which this legitimacy is established are sometimes subtle. Even the mechanisms through which the community is supposed to voice its concerns often become forums for the police to promote their own agenda. The most common of these is the citizen survey. Under the guise of collecting information about neighborhood problems and community attitudes, the surveys carefully frame questions to reinforce the fear of crime and present the police as problem solvers. They also suggest a conservative view concerning the causes of crime (drugs, a tolerance for disorder), the people who commit crimes (young people, gang members, strangers), and the solutions to the crime problem (law enforcement).65 The surveys function twice in this regard—first, in the collection of the data, and then, in the presentation of the results.66 Community meetings work the same way, turning an atmosphere of inclusiveness and participation to propagandistic ends:

Although the meetings are supposedly held to deal with the community’s concerns, these concerns are defined by police within the framework of how best to reduce crime. The “communication” is frequently a one-way lobby for the police and their concerns.67

Other features of community policing, like foot patrols and storefront offices, serve to increase friendly contact between police and the residents in the neighborhoods they patrol. All of these practices, it is hoped, can reduce the friction between the cops and the community, encourage communication, build trust, and humanize the individual officers in the eyes of the neighborhood residents.

When legitimacy is established, the police can rely more on the cooperation of the citizenry, rather than resorting to coercive force. Citizen participation can run the gamut from watching neighbors’ homes, to reporting drug dealers, to patrolling the streets. It can involve participation in problem identification and problem solving efforts, in crime prevention programs, in neighborhood revitalization, and in youth-oriented educational and recreational programs. Citizens may act individually or in groups, they may collaborate with the police and they may even join the police department by donating their time as police department volunteers, reserves, or auxiliaries.68

Moreover, the police are not just encouraged to mobilize individuals, but to draw existing civic groups into their efforts and, where necessary, to set up new organizations to provide the support they need. Hence, the new-found trust would give the police access to, and influence over, community resources that may have otherwise had their law enforcement potential overlooked—or that may have served as centers for resistance. It also provides the police department with additional leverage with which to further its agenda with the rest of the government.

Goldstein, for one, specifically encourages police to act as organizers and advocates in the community. He writes:

After analyzing the problem, officers involved in these projects conduct an uninhibited search for alternative responses. They may settle on one of the responses identified above as commonly used in community policing, or they may go a step further, perhaps pressuring municipal agencies to carry out existing responsibilities or to invest new resources in an area. They may push for changes in the policies of other government agencies or advocate legislation that would enable police to deal more effectively with a problem that clearly warrants arrest and prosecution.69

Hence, community policing advances the autonomy of the institution and encourages police interference with the functions of the rest of the government. It provides an incentive to political action, and threatens to blur the separation of powers and invert the principles of civilian control.

The aim is to turn an ever-widening range of institutions into tools for law enforcement. This goal is made explicit in the tactics of “third-party policing.” Third-party policing occurs when the authorities convince or require an uninvolved individual or organization to take actions designed to minimize disorder or prevent crime.70 Popularized by the “problem-oriented” perspective, third-party policing often involves the use or threat of civil or administrative sanctions to force bar owners, landlords, social service agencies, and others in contact with criminal suspects or disorderly persons to apply pressure such as to control their behavior. A bar owner, under threat of losing his liquor license, may agree to hire bouncers or eschew certain types of entertainment (e.g., nude dancers or hip-hop music). Landlords may be urged to install better lighting, report suspicious activity, and evict tenants whom the police deem to be problems.71 Social service agencies may be asked to exercise additional control over their clients. The police may also move further up the social ladder. If a social service agency proves uncooperative, its landlord or funding sources may also be asked to bring their influence to bear.
Third-party policing, like many of the tactics that fall within the scope of community policing, operates by co-opting community resources and existing sources of power. The Community Policing Consortium report puts it politely:

Community policing does not imply that police are no longer in authority or that the primary duty of preserving law and order is subordinated. However, tapping into the expertise and resources that exist within communities will relieve police of some of their burdens. Local government officials, social agencies, schools, church groups, business people—all those who work and live in the community and have a stake in its development—will share responsibility for finding workable solutions to problems that detract from the safety and security of the community.

In other words, community policing is a strategy for making the community's total "expertise and resources" available to the police. The ultimate goals of policing—"the primary duty of preserving law and order"—are unchanged, and police authority is not diminished. But community policing does allow some parts of the community to share in police power, acting as adjuncts to the police institution.

Police power is extended further into the community, but the balance of power between the police and the community remains heavily weighted, always, in favor of the police. Former LAPD Chief William Parker complained, "I'm a policeman, not a social worker." Under community-police cooperation schemes, social workers, as well as teachers, public health officials, bus drivers, bartenders, landlords, could register the corresponding complaint: "I'm not a cop." Community policing, especially in the form of third-party policing, is less a matter of policing-as-social-work than social-work-as-policing, without the need for any Foucauldian camouflage.

The overall result of these efforts is to increase the police role in the community, meaning that the coercive apparatus of the state will be more involved with daily life. The state, and the police in particular, will have more opportunities for surveillance, and can exercise control in a variety of ways besides arrests, citations, or physical force. This shift can be made to sound like demilitarization, liberalization, or democratization, but it is instead just a smarter approach to repression. The goal of community policing is to reduce resistance before force is required.

What we've traced out here is the path from legitimacy to hegemony. The ultimate goal of community policing is to increase the power of police, and this represents the most stable limit on the community's role as "co-producers" of crime control. The police and the community may form a "partnership," but the police always remain the senior partner.

The demands of community policing may sound contradictory: the police are to rely on community's support, but remain in control; community input should shape police priorities, but without granting the community power. The corporatist model again becomes useful in understanding the police-community partnership. Santa Ana (California) police Lieutenant Hugh Mooney tells of his role in the neighborhood:

This is my area. . . . I am their spokesman. . . . I support them 100 percent. If I have to argue with them, I do it here, and we work things out. Then, when I go before my peers and superiors I tell them exactly what my people feel. . . . I represent them.

Of course, this is only half the equation. The other half is that Lt. Mooney also represents the Santa Ana Police Department to the residents of the neighborhood where he serves; he presents the organization's perspective, promotes its agenda, and couches its demands in acceptable terms.

Where the police succeed in establishing such relationships, and in using them to increase their power, they create what Martin J. Smith calls a "policy community.

Policy communities increase state autonomy by establishing the means through which state actors can intervene in society without using force. By integrating state and society actors, they increase the capabilities of the state to make and implement policy. They create state powers that would not otherwise exist and, more importantly, they increase the autonomy of actors in a policy area by excluding other actors from the policy process. . . . It is state actors who determine the rules of the game, the parameters of policy and the actors who will have access to the policy community.

Hence, what may be presented in terms of democratic engagement and greater inclusion tends overall to favor the state's interests and reinforce state power. Negotiation and co-optation provide the means for the state to extend its influence. Thus potential sources of resistance can be neutralized—or even turned to the state's advantage—by their incorporation into a policy community, in this case one centered around and dominated by the police department. In some sense, the client groups become incorporated into the state itself. It makes little difference whether the client organization is a police union, a social service agency, a church, a school, another governmental body, or a neighborhood watch group. By organizing on a sufficient scale the police can greatly enhance their own power, not only over these agencies, but through them, while acquiring relatively few additional burdens for themselves. So long as the police maintain control over the network as a whole, no one component of it is likely to make demands that cannot be easily accommodated or safely ignored.

This is the secret to a friendly police state: As the police more fully penetrate civil society, and as they gain the cooperation of the citizenry and its various organizations, they become less reliant on their own access to violence.
The effect is to criminalize an ever-wider range of public order offenses and minor nuisances, some of which might not even really be illegal. Hence, standard features of urban life that may previously have been considered mere irritations, inconveniences, annoyances, or eccentricities, suddenly become matters for police attention.

Worst of all, the new intolerance sometimes make crimes of the most human, humanizing, and humane parts of city life, the aspects that make it tolerable, or for some people, possible. Skateboarding, graffiti, loud parties, and other signs of "disorder" make cities more interesting than they would otherwise be. More importantly, though, the focus on public order can shut down soup kitchens and make the streets altogether uninhabitable for those who have nowhere else to live.

In 1993, San Francisco mayor and former police chief Frank Jordan introduced the Matrix program, which deliberately targeted the homeless for aggressive enforcement of quality-of-life laws. For two years, pre-dawn police raids broke up homeless camps in Golden Gate Park. Elsewhere in the city, shanty towns were leveled with bulldozers, and activists with Food Not Bombs were repeatedly arrested for the crime of serving free food. Such efforts can push those already at the margins of society—the young, the poor, people of color—out of public spaces altogether, making room (it is hoped) for posh restaurants and trendy boutiques.

Community policing is intimately connected with urban renewal, neighborhood revitalization, and ultimately, gentrification. "Places abandoned by the government and the police for decades—inner cities, railroad yards, and river-front properties are being reclaimed because they are now seen as valuable locations for capital investment." Consider the response of two academic advocates of community policing, Jerome Skolnick and David Bayley, to Santa Ana Police Chief Raymond Davis' efforts to make the destitute unwelcome in the downtown area. Davis formed an alliance with local business owners, who pressured judges to issue stiffer sentences for public order violations. Skolnick and Bayley don't pause to worry about the separation of powers, or about private businesses interfering with the judiciary, or about the human rights implications of targeting one class of people for prosecution to benefit another class, always targeting the poor, for the benefit of the rich. Instead, our astute academicians consider removal of poor people as part and parcel of restoring order. And rather than addressing the social and economic causes of poverty, they go so far as to blame the poor for causing economic decline:

Drunks loiter and sleep in front of stores, urinate in alleys, panhandle, and otherwise annoy the sort of person who might be interested in purchasing a meal, a pair of shoes, or a floor lamp in downtown Santa Ana. The more the downtown area became a haven for habitual drunks and transient street criminals, the more precipitous its decline.
Despite all the happy talk about “community involvement” and “shared problem solving,” in practice certain populations generally get counted among the problems to be solved rather than the community to be involved. Priorities identified by the “community” may suspiciously coincide with the interests of business owners and real estate developers.

FIXATING ON BROKEN WINDOWS

The theoretical justification for the sudden focus on minor offenses is what is known as the “Broken Windows” doctrine. Though actually quite old, the Broken Windows idea owes its name and current popularity to March 1982 Atlantic Monthly article by James Q. Wilson and George L. Kelling. They argue that if minor disorder is allowed to persist, it leads to both public fear and to serious crime, because it establishes the sense that the area is uncared for.

We suggest that “untended” behavior also leads to the breakdown of community controls. A stable neighborhood of families who care for their homes, mind each other’s children, and confidently frown on unwanted intruders can change, in a few years or even a few months to an inhospitable and frightening jungle. A piece of property is abandoned, weeds grow up, a window is smashed. Adults stop scolding rowdy children; the children, emboldened, become more rowdy. Families move out, unattached adults move in. Teenagers gather in front of the corner store. The merchant asks them to move; they refuse. Fights occur. Litter accumulates. People start drinking in front of the grocery; in time, an inebriate slumps to the sidewalk and is allowed to sleep it off. Pedestrians are approached by panhandlers... Such an area is vulnerable to criminal invasion. Though it is not inevitable, it is more likely that here, rather than in places where people are confident they can regulate public behavior by informal controls, drugs will change hands, prostitutes will solicit, and cars will be stripped... muggings will occur.

By this reasoning, it is not just crime and the fear of crime that demand police attention but the entire range of factors affecting the “quality of life.” The Broken Windows theory seems to assign inordinate importance to keeping one’s lawn tidy. It seems frankly implausible that litter and abandoned cars lead to rape and murder in the vague but direct way Wilson and Kelling suggest. Their thesis assumes that once we enter the continuum of disorder, we will naturally drift toward the hellish extreme. Moreover, the zero-tolerance conclusion does not necessarily follow from the Broken Windows premise. If panhandlers and dilapidated buildings serve as indicators of disorder, and thus promote crime, then public safety should be better advanced by the state’s welfare functions rather than its policing functions, and there is no reason to subordinate the one to the other. Rather than investing resources in law enforcement, government funds would be better used to reduce poverty, provide housing, and help lower-income families to keep up their homes, efforts that do not require any involvement on the part of the police.

But even if we accept the Broken Windows theory as Wilson and Kelling present it, there are still good reasons not to make the police responsible for the maintenance of order. For one thing, many aspects of “order” are not reflected in the law. Charging the police with maintaining order without the pretense of law comes uncomfortably close to outright bullying. Second, where “order” is distinct from “law,” it would seem to invest in the police the power to determine for themselves what counts as proper behavior. This is a dangerous enough precept to be avoided in its own right. Both of these worries can be somewhat alleviated if laws are changed to reflect the prevailing standards and to invest the police with order maintenance duties de jure as well as de facto.

But this also should be resisted. First, it may raise troubling questions about the separation of powers, especially where the police themselves lobby for such laws. And more importantly, we should always hesitate to rely on the police to solve problems that can be addressed in other ways or that we can stand to leave unresolved. There are political reasons for this position: In the interest of individual liberty, it is better not to expand police power or turn community problems into a source of police legitimacy. But there is also an underlying ethical principle, that violence should be always and only a last resort. When we mark something—a behavior, a person, a “hot spot” location—as an object for police control, we also authorize an unknown level of violence to be applied to ensure compliance. The police represent, in Carl Klockars’ phrase, the state’s “nonnegotiable coercive force.” That is ultimately why they are there.

A noisy drunk may be bothersome, to be sure. It is possible that, as so many business owners seem to believe, panhandlers keep patrons away. And a group of teenagers sulking on the street corner can make for an unnerving walk home. But few of us would feel justified using violence to address these difficulties. And neither should the police. But violence—or its threat—is implicit in every police interaction and manifests at times when it is undeniably inappropriate. To authorize police action is to authorize violence; to direct the police to act against such minor offenses—or non-offenses—as loitering or public drunkenness is to authorize violence in circumstances where very few people would consider it justified.
THE FUTURE (AND PAST) OF PUBLIC ORDER

One precursor of the Broken Windows doctrine was Oakland’s “Beat Health” program. Under the auspices of Beat Health, police were encouraged to take an interest in the social environment where they patrolled, arranging for abandoned cars to be towed, litter picked up, graffiti scrubbed away. As in Santa Ana, the Oakland program had a close connection to the city’s downtown renewal program. Local businesses funded the Oakland Police Department’s “Fourth Platoon,” which used foot patrols, bike patrols, horse patrols, motorcycle patrols, canine units, helicopters, and two Special Duty Task Forces to enforce public order laws in the downtown corridor. Police made use of a wide range of tactics, from gentle admonishments to open harassment, warrant checks, arrests, and violence. The NAACP reported a rise in police brutality as a result.100

Denver provides another example of this philosophy in action. In 1980 the Denver Police began deploying directed foot patrols, focusing on minor offenses in areas where young people gathered. The plan was quickly deemed a success, and expanded to deal with homeless campers and panhandlers, especially in commercial areas. The foot patrols were supplemented with motorcycle patrols and dubbed “ESCORT” (Eliminate Street Crime On Residential Thoroughfares). Skolnick and Bayley enthusiastically report:

ESCORT officers are specialized in the enforcement of laws dealing with behavior in public places. One might call this skilled harassment. Working the streets’ busy hours, 10 A.M. to 2 A.M., divided into two shifts, ESCORT officers are told to “find a rock and kick it.” That means combing the streets for minor violations by people who live persistently in the narrow space between respectability and criminality... These people are hit for any infraction that can be found, from rowdiness to the use of drugs, from propositioning to illegal parking, from procuring to causing a disturbance.102

The zero-tolerance perspective came to inform not only the enforcement of the law, but the law itself. On July 1, 1983, the Denver city government made loitering illegal.103 Much of this pattern is familiar from the nineteenth century, when the newly formed police were immediately set to the job of keeping the urban poor in line. The bulk of police attention was not directed toward serious crime, but to vice and public order, which is a nice way of saying that they tried to control the morality, habits, and social life of the urban working classes. A similar task is implied by Wilson and Kelling’s nostalgic reminiscences about the cop on the beat:

[The police in this earlier period assisted in that reassertion of authority by acting, sometimes violently, on behalf of the community, young toughs were roughed up, people were arrested “on suspicion” or for vagrancy, and prostitutes and petty thieves were routed. “Rights” were something enjoyed by decent folk. ...]

Historian Samuel Walker argues that “the tradition of policing cited by Wilson and Kelling... never existed,” but that’s not quite true. While recognizably distorted by Wilson and Kelling’s rosy description, the nineteenth century did witness a very real increase in the demand for order, a demand met with police action. Pleasantries and circumscriptions aside, the tradition Wilson and Kelling seek to revive is not that of the station-house soup kitchen, but that of the vagrancy law and the saloon raid. This is why Walker’s protestation misses the point: The reactionary idealization of the past is a rhetorical device, not an historical hypothesis. It does not seek the truth about the past in order to learn the truth about the present; it tells lies about the past to support lies about the present. Thus, it makes little difference whether the nineteenth-century cop was on better terms with the community or did a better job of maintaining order, so long as that faded Norman Rockwell image of the neighborhood cop can be used to justify repressive police tactics now. If the trick works, policing in the twenty-first century may resemble, very closely, that of the nineteenth.

INOCULATED CITY: THE NEW NEW YORK

Always proud to crystallize an emerging model, the New York Police Department provides the paradigm case of zero-tolerance policing. After Rudolph Giuliani’s police-backed rise to the mayor’s office, the former prosecutor immediately set about transforming the city according to his own view of public order. Within months, the crackdown had been directed against—not only petty criminals, vagrants, and drunks—but peep shows, street vendors, and cabbies.108

The mastermind behind Giuliani’s police state strategy was NYPD Commissioner William Bratton. Bratton, inspired by Wilson and Kelling’s “Broken Windows” article, had previously dabbled with zero-tolerance and quality-of-life measures in the subway system as the head of the Transit Police. The subway cops started using plain-clothes officers to catch turnstile-jumpers, put uniformed cops on the trains, and used the loudspeaker to announce periodic sweeps. These sweeps, code-named “Operation Glazier,” were ostensibly to remove drunks, though the later use of police dogs indicates another purpose. Christian Parenti comments, “Such sweeps, still in effect from time to time, are simple political semaphore from the state to the people: ‘We have the guns, we have the dogs, you will obey.’” Other symbolism reinforced the message: Bratton issued the subway cops 9mm semiautomatic handguns and uniforms chosen for their military character, “commando sweaters with..."
MILITARIZATION IN THE COMMUNITY POLICING CONTEXT

Given the popularity of the Broken Windows theory and the world-wide rush to imitate the New York police, we can begin to understand the use of paramilitary teams to conduct routine patrols. As a zero-tolerance tool, SWAT teams have a lot going for them. One officer explains:

\[
\text{We conduct a lot of saturation patrol. ... We focus on "quality of life" issues like illegal parking, loud music, bums, neighbor troubles. We have the freedom to stay in a hot area and clean it up—particularly gangs. Our tactical enforcement team works nicely with our department's emphasis on community policing. ...}
\]

While not exactly building community partnerships, these saturation patrols do represent an extreme form of the kind of proactive, preventative, geographically-focused operations at the center of the community policing approach. Such uses of SWAT teams provide a clear instance of the intersection between community policing and militarized tactics, equipment, ideology, and organizational structures. The connection is empirically indisputable: Many police departments esteemed for their community policing efforts use paramilitary units for patrols and other routine operations. Commanders have been known to move between community policing posts and paramilitary assignments, sometimes occupying both positions simultaneously. And funds designated for community policing programs are frequently used to pay for SWAT operations.

The use of SWAT teams for neighborhood patrols is striking, but it is not by any means the only point of contact between militarization and community policing. Beginning in 2001, the D.C. Metropolitan police established links to hundreds of video cameras strategically positioned around the city. Adapted from military technology, the cameras continuously survey federal buildings and national monuments, public streets, subway and train stations, schools, and, thanks to the business association, stores in Georgetown. Heading the project is Stephen J. Geffson, the former Justice Department director of community policing programs. He describes the system:

The video technology is state-of-the-art, fully computerized switching equipment that is very similar to what you would find in a NASA or defense command center. ... I don't think there's really a limit on the feeds it can take. ... We're trying to build ... the capacity to tap into not only video but databases and systems across the region.
D.C.'s high-tech surveillance network, currently the most advanced in the country, is not intended to guard against normal street crime, but for use in emergencies, to help route traffic, and, tellingly, to monitor political demonstrations. Here military technology and community policing leadership are combined for a project seemingly removed from crime-control. Again, as with PPU patrols, the question is not whether there is a connection between community policing and militarization, but how to interpret this connection.

Krska and Kappeler suggest that the demands of reformers help to link community policing and militarization:

Contemporary police reformers have asked the police to join together in problem-solving teams, to design ways to take control of the streets, to take ownership of neighborhoods, to actively and visibly create a climate of order, and to improve communities’ quality of life...  

If we accept the idea of “quality of life” implicit in zero-tolerance police practices, then militarized policing does all of these things. What is more, efforts to do all of these may actually tend to promote militarization.

Community policing is not a specific program, but a strategy; militarization is as much about organization as it is about high-tech weaponry. It is possible that community policing and militarization can exist independently, but the two have a definite affinity. Strategies create demands on the organizations responsible for implementing them. Community policing is no exception. It requires, as we have seen, a decentralized command, officers working in teams, and highly discretionary police action.

Decentralization and discretion may not sound like features of a military organization, but it is a mistake to contrast them with strict hierarchy and active discipline. Military discipline is not bureaucratic control; it is not meant to eliminate discretion, but to shape or guide it. Bureaucrats apply pre-scripted rules to a given situation, with a minimum of personal latitude. Soldiers are expected to follow orders, adhere to regulations, and act in accordance to military doctrine, but the application of these various codes must be determined to a very large extent “on the ground” by widely dispersed units acting with a minimum of direct supervision. Military discipline therefore builds in a degree of discretion.

Sophisticated military managers increasingly prefer the initiative of the self-starter to the blind obedience of the automaton. Suspicious of excessive bureaucratic rigidity, they seek to cultivate in professional soldiers the disposition to act in conformity with the spirit of a command rather than formalistically with its letter. A felicitous way to do this is to formulate orders to junior officers (and where possible, to the troops themselves) in terms of mission objectives.

Discipline is the internalized voice of authority. It is distinguished from rote obedience by the adoption of the values, aims, and methods of the institution. It requires obedience, at a bare minimum, and may be established and maintained in part through punishment. But a well-disciplined soldier, like a well-trained dog, will behave properly even when direct orders are unavailable and no punishment is threatened. Orders from superiors still supersede individual judgment, but fewer such orders are necessary. By the same means, an organization can decentralize its command and maintain a rigid hierarchy with overall direction coming always from above.

The NYPD command structure shows how these various organizational elements—decentralization, discretion, teamwork, discipline—can be meaningfully combined, while at the same time demonstrating how a militarized organization can pursue community policing strategies. As commissioner, Bratton streamlined the departmental bureaucracy and introduced a new management style. This worked in two directions. It returned much of the day-to-day control to the precinct level, but it also established performance evaluations and required precinct commanders to track weekly crime statistics. At the crux of the new system was a computerized method of analyzing crime statistics, called “Compstat.”

Twice a week, all the commanders would meet and review the situation in one precinct. This left each commander with enormous freedom to determine the day-to-day operations of his precinct. But every few weeks the entire precinct’s performance would be brought under close scrutiny, and the commander would have to answer some hard questions:

I want to know why these shootings are still happening in that housing project! What have we done to stop it? Did we put Crime Stoppers tips in every rec room and every apartment? Did we run a warrant check on every address at every project, and did we relentlessly pursue those individuals? What is our uniform deployment there? What are the hours of the day, the days of the week that we are deployed? Are we deployed in a radio car, on foot, on bicycle? Are they doing interior searches? Are they checking the rooftops? How do we know we’re doing it? What level of supervision is there? When they’re working together in a team with a sergeant and four cops, do they all go to a meal together? When they make an arrest, does everyone go back to the precinct or does one person go back? Are we giving desk-appearance tickets to people who shouldn’t be getting them? What are we doing with parole violators? Do we have the parole photos there to show? Do we know everybody on parole? Parolees are not allowed to hang out with other parolees, they’re not allowed in bars. Of the 964 people on parole in the Seventy-Fifth Precinct, do we know the different administrative restrictions on each one, so when we interview them we can hold it over their heads? And if not, why not?
The grilling could be intense, and it put pressure on the precinct commanders to get results. This pressure then moved down the chain of command, affecting every level and every branch of the New York Police Department. Bratton describes the effect:

We created a system in which the police commissioner, with his executive core, first empowersthen interrogates the precinct commander, forcing him or her to come up with a plan to attack crime. But it should not stop there. At the next level down, it should be the precinct commander, empowering and interrogating the platoon commander. Then, at the third level, the platoon commander should be asking his sergeants, "What are we doing to deploy on this tour to address these conditions?" And finally, you have the sergeant at roll call—"Mitchell, tell me about the last five robberies on your post"; "Carlyle, you think that’s funny, it’s a joke? Tell me about the last five burglaries"; "Biber, tell me about those stolen cars on your post"—all the way down until everyone in the entire organization is empowered and motivated, active and assessed and successful.141

This organizational structure demonstrates the possibility of combining tight command and control with individual discretion. Compstat allows the higher-level administrators to establish the organization's values and goals; precinct-level commanders set strategy for their areas; and street-level officers have the discretion to adopt the particular tactics they think suitable. Information moves up and down the chain of command, decision making is consistently deferred to lower levels, and power is concentrated at the top. In this sense, Compstat has as much to do with militarization as does SWAT.

This analysis goes some way toward resolving the apparent tensions between community policing and militarization, but a puzzle remains. Remember that theorist-advocates commonly claim that community policing requires, or at least promotes, "civilianization."142 If anything undermines the coherence of militarized community policing, surely this does.

But what does "civilianization" mean? "Civilianization" refers to the use of civilians to perform police department functions that don’t require the authority of sworn officers. These tasks can range from clerical work and communications, to training and forensic analysis, to equipment maintenance, and in extreme cases taking reports and performing minor investigations.143 "An assumption behind all this, of course, is that civilians do not supplant sworn officers. Civilianization in Houston, for example, was designed in part to put more uniforms on the street."144 In other words, while a department is "civilianized," the actual number of armed, uniformed officers available for duty increases. Thus, civilianization is not in any sense incompatible with militarization.

To sum up: Community policing, as a strategy of social control, stresses proactive efforts to create order and focuses on problem solving, broadly construed.

This emphasis can come to justify zero-tolerance policing efforts, and specifically the use of paramilitary units for routine police work. The degree to which SWAT teams and community policing campaigns have come to share personnel and funding demonstrates the close linkage between the two. Furthermore, the type of organization, discipline, team-work, officer discretion, and even civilianization suggested by community policing all tend toward a military model. All of this indicates that community policing is not only compatible with, but may actually promote, militarization. On the broader view, when we look at police action both in terms of its strategic and organizational aspects, the picture emerging is that of a Kitsonian counter-insurgency program.

COMMUNITY POLICING + MILITARIZATION = COUNTER-INSURGENCY

The ability to concentrate power in the event of an emergency (e.g., a riot) has been shown to require a shift toward military operations.145 But the ability to penetrate communities is enhanced if the police have the consent (or acquiescence) of those communities. This requires legitimacy, and a softer service-oriented, or "peace corps" approach. Complicating things further, military organization requires strict, almost automatic, discipline and tight command and control; community policing requires discretion, localized decision-making, and a great deal of organizational flexibility. But the two aspects achieve strategic coherence when viewed in the framework of counter-insurgency.146

Drawing from the works of British military strategist Frank Kitson, modern counter-insurgency stresses the need to prevent disorder, rather than simply repressing it where it occurs.147 This aim requires that the authorities make nice with the local populace, creating in the community a sense that their rule is stable and legitimate. But it also requires heavy intelligence about the condition of the community, the sources of conflict, grievances, prevalent attitudes, and the efforts of troublemakers. To both these ends, counter-insurgency theorists encourage the authorities to actively penetrate the local community. Community penetration allows for ready access to intelligence, lets the state present itself as a benevolent problem-solver, and more subtly gives it the means to co-opt community institutions that might otherwise provide a base for resistance. All of this can be recognized in the community policing agenda.

The neighborhood watch structure specifically mirrors counter-insurgency efforts. Kitson writes:

Following the procedure used by the French Army in Algiers, the policeman or soldier in charge of each strong point [strategic area]
A December 2002 article in the Portland Tribune demonstrates the utility of such a system. A front-page photograph shows ten cops in helmets, bulletproof vests, combat boots, and blue fatigues aiming pistols and assault rifles at a suspect's house. The cops in the picture were members of the Northeast Precinct senior neighborhood officer unit, a team that focuses on quality of life issues. The raid was authorized by a warrant based on six months of intensive surveillance, surveillance conducted not by police but by neighbors who kept logs recording the traffic in and out of the house, disputes among the tenants, and any suspicious behavior. Police Chief Mark Kroeker identified the effort as a central aspect of Portland's community policing strategy: "We have a police bureau that is understaffed, underfunded and overwhelmed. But we have a community that is willing to work, willing to help."140

Community policing turns the citizenry into the eyes and ears of the state and by the same means creates a demand for more aggressive tactics. This is where street sweeps, roadblocks, saturation patrols, zero-tolerance campaigns, and paramilitary units come into the picture. SWAT, in particular, was created as part of a counterinsurgency plan, a fact of which Daryl Gates is quite proud:

[We] began reading everything we could get our hands on concerning guerrilla warfare. We watched with interest what was happening in Vietnam. We looked at military training, and in particular we studied what a group of marines, based at the Naval Armory in Chavez Ravine, were doing. They shared with us their knowledge of counterinsurgency and guerrilla warfare.156

Of course, many community policing advocates fail to recognize the symbiotic relationship between the soft and the tough approaches. Goldstein, for example, cautions that

a department could not long tolerate a situation in which officers in a residential area go out of their way to demonstrate that they are caring, service-oriented individuals, while other officers assigned to a roving task force make wholesale sweeps of loitering juveniles in that community.151

Goldstein is simply wrong. Recent studies of SWAT activity show that departments can tolerate the juxtaposition between outreach and smack-down. In fact, some departments deliberately choose this Good Cop/Bad Cop strategy.152 Community policing operations can legitimate such sweeps by mobilizing conservative elements of the community, especially businesses and property owners.153 One LAPD officer describes the role of community support:

When the community cooperates and tells you who has been doing things, why they have been doing them, and how long they have been doing them, you jump at the chance to get the sons-of-bitches. The community don't help that much, so you got to take what you can get while you can get it! Because the community may change its mind, so you got to act quickly and decisively, or else you'll lose the opportunity. That's why when we know the community is behind us, we're going to be aggressive, break their asses and put their butts in jail.154

Or, beginning at the other pole, an initial crackdown can repress active opposition, opening the political space for Peace Corps-type efforts and outreach to "responsible" community leaders.155 In military terms, the sweeps work to secure territory, and community organizing efforts constitute a battle for the hearts and minds of the populace.156

If this description sounds exaggerated, we should consider New York Police Department Deputy Commissioner Jack Maple's plans for "Operation Juggernaut":

We'll take the city back borough by borough. . . .

You go into Queens. . . . You stay there for six months with eight hundred officers. There are some bad areas: the 103, the 110, the 113, the 114 precincts. You do everything that works: buy-and-bust operations, quality-of-life enforcement, warrants, guns, the whole thing. It works, we know it works. We do our job and take out the drug organizations and clean up Queens. Now we have it under control.

After six months, you downgrade by about twenty percent, you leave six hundred officers in Queens as a standing army and slide two hundred over to Brooklyn North, plus another seven hundred. We give Brooklyn North the same treatment for four months, leave several hundred there and slide the rest to Brooklyn South and then Staten Island. When we've cleaned up there, we leave some and move to the Bronx. We finish with Manhattan. Within a year we kill crime in New York."157

Likewise, the chief of police in one unidentified city described the role of paramilitary units in his community policing strategy:

It's going to come to the point that the only people that are going to be able to deal with these problems are highly trained tactical teams with proper equipment to go into a neighborhood and clear the neighborhood and hold it; allowing community policing officers to come in and start turning the neighborhood around.158
This is a direct adaptation of military thinking, intended to address the shortcomings of the traditional law enforcement approach. Former Army intelligence officer Thomas Marks explains:

Police are relatively ineffective in dealing with hard-hit areas, of course, because they violate the most elementary rules of counter-insurgency. They do not systematically seize and clear areas, leaving behind “militia.” Rather, they chase the guerrilla “main forces” over hill and dale.

Since the early 1990s the police have been actively trying to correct for this tendency. What we are seeing, as a result, is neighborhood safety transformed in the image of national security.

Understood in terms of counter-insurgency, community policing represents an approach to establishing and maintaining police control over the community, an approach enhanced by the insights of military experiences in restless colonies. Organizational, militarization provides the model by which the police can work in teams, enhance officer discretion, and maintain tight command and control; community policing efforts, meanwhile, create the infrastructure for intelligence gathering and co-optation. Strategically, community policing strives toward directed, proactive action, with a geographic focus and attention to the causes of disorder; military planning gives a central role to intelligence work and takes an aggressive approach to confronting the enemy. Hence, military tactics are used to clear and hold contested areas, while community policing programs seek to create partnerships that bring the police legitimacy, information, and access to community resources. Ideologically, community policing serves to legitimize military-type efforts, while the rhetoric of a “war on crime” can be used to mobilize the community to aid the police. And of course, the threats of a militarized “Bad Cop” encourage cooperation with the “Good Cop’s” community policing projects.

MEET THE NEW COP, SAME AS THE OLD COP

Modern policing has a dual nature—going back to its origins. The twin developments of community policing and militarization are an extension of the initial advantages of policing identified by Allan Silver: 1) widespread surveillance and discretionary action penetrating the community; and, 2) the capacity for rapid concentration and swift, forceful action. The state has sought to develop its potential in each of these directions while maintaining a single organization responsible for enforcement.

The form of discretionary action has changed, from foot patrols to vehicle patrols, to a combination of the two. And thanks to technological advances and organizational innovations, the rapid concentration of police once reserved for emergencies is becoming a standard response to crime and disorder. The discrete and discretionary aspects are likewise available for increasing coordination. All the while, the penetration of the community increases, not only through patrol and surveillance, but also by the co-optation of community institutions.

These developments are, in one sense, quite new. But they come as the latest in a long series of institutional shifts and political realignments, the most significant of which I have traced out in the chapters preceding.

Our story so far has followed two related threads. The first is the institutional development of the police, from informal system to formal, from the militia-based slave patrols, to prototype City Guards, to modern municipal departments. The modern departments themselves began as the strong arms of corrupt political machines, then developed through the processes of bureaucratization and professionalization, only to be reshaped by the internal crisis surrounding unionization and its “collusive”—if uneasy—resolution. The second narrative concerns the relationship of this institution to the rest of society, roughly divided between “elites” (capitalists, landlords, politicians, bureaucrats) and the “masses” (the rest of us). The first story is characterized by a continually increasing measure of autonomy; the second by the institution’s service to elites at the expense of the masses. I have suggested that the increased autonomy has been traded for loyalty to the elites, and is consistently used to further their interests.

The current era of policing began in response to the social conflict of the 1960s. As a result of that period’s turmoil, policing underwent a change that drew together the two historical currents; the police became fully a political power unto themselves. They could not govern independently—no single body in our society can—but they suddenly came into their own as a center of power. This was the logical result of the long progression toward institutional autonomy, but it emerged as an unexpected consequence of the internal conflict between rank-and-file officers and their commanders. When the rank and file rebelled and began exercising influence of their own, this naturally shifted the balance of power within the institution. As it happened, the change was beneficial to both parties: Re-distributing power downward, the institution was able to seize for itself an additional measure of autonomy and the police achieved a sense of having political, as well as occupational, interests in common.

The emergence of the police as a political force changed the institution’s relationship to social and political elites. No longer simply the servants of the ruling class, the cops became an interest group for whose loyalty the elites had to bargain. Rather than merely acting as agents of the most powerful faction, police leaders—
both administrators and union representatives—became power brokers themselves, capable of entering into or withdrawing from alliances with other powerful social actors.

In a related way, the relationship with the masses also changed. Rather than simply appealing to the "silent majority" or relying on the John Birch Society to organize "Support Your Local Police" campaigns, police began organizing their own political efforts and developing their own constituency. Part of this happened through the police union, political action committees, and grassroots support for "tough on crime" or "victims' rights" lobbying. Part of it happened through the departments themselves, under the rubric of community policing. At the same time, police departments were taking on the organizational form, tactics, weaponry, and ideology of the military, and modeling their operations after counter-insurgency programs. This complex set of developments sometimes creates paradoxes and strategic ambiguities, but each aspect of it moves along the same trajectory: Police power is increased, and democracy suffers a proportional loss.

**MAKING POLICE OBSOLETE**

It is traditional, in a book such as this, to end with recommendations as to how the police can be made more efficient, more effective, less corrupt, less brutal, and so on. Those recommendations are almost always addressed to policy-makers and police administrators. Usually the recommendations are more technical than political, meaning that they offer detached advice on what, in the broadest sense, may be considered the **means** of policing—strategies of patrol, crowd control, interrogation techniques, use of force policies, organizational schemes, accountability mechanisms, morale boosters, affirmative action—while taking for granted, but rarely identifying, the **ends** of policing. They do not usually raise substantive questions about the police role in society, the need for police, or alternatives to policing.

I am going at things from quite the opposite angle. My recommendations are not addressed to those with power, but to the public. They are decidedly political and avoid the technical. I have, throughout this book, scrutinized the police role, examined its implications for democracy and social justice, and questioned the ends the cops serve. I turn now to briefly consider whether we can do without police.

**CHALLENGING THE CONVENTIONAL WISDOM**

In his essay "The Manufacture of Consent," Noam Chomsky advises, "If you want to learn something about the propaganda system, have a close look at the critics and their tacit assumptions. These typically constitute the doctrines of the state religion."

With this in mind, it is interesting to note the things that scholars will not admit, the possibilities that they leave unexamined. In the "serious" literature, it is a nearly universal assumption that the police are a necessary feature of modern society.

Rodney Stark writes, "It is vulgar nonsense to be anti-police. Our society could not exist without them."

Carl Klockars echoes the point: "[N]o one whom it would be safe to have home to dinner argues that modern society could be without police."