

FORENSIC LINGUISTICS, FIRST-CONTACT POLICE INTERVIEWS, AND BASIC
OFFICER TRAINING

By

KERRY LINFOOT

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For Mum. I wish you could be here.

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Kerry Linfoot

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Our study addressed the issue of police-citizen interaction from the perspective of the contributions of specific language features to the communicative exchange. Using theories from the fields of Linguistics, Anthropology, and Criminology, we explored corresponding linguistic, cultural and social factors of the first-contact police interview. Extensive, first-hand observation of police officers performing their daily duties in both the United States and the United Kingdom resulted in a large amount of data on the “first-contact interview”, which may be either a response to an emergency call for assistance or a self-initiated investigation on the part of the police officer. Particular features of this speech event are discernible, and patterns were uncovered through statistical analysis that allowed for assertions to be made regarding matters of truth detection and conflict recognition and resolution.

Results of this quantitative analysis performed in the early parts of this research were then taken one step farther, and qualitative police training suggestions were

extrapolated from the results. By analyzing what police recruits are currently being taught we found very little current instruction on the linguistic aspects of the police interview. Results and observations undertaken suggest that introducing basic instruction on these aspects of the police interview would be valuable for police officers as they undertake any aspect of police-citizen interaction. By creating operational and functional labels for some of the more pertinent linguistic features witnessed in this particular speech event, the interview process may be maximized regarding the potential for truth detection, and also in matters of citizen and officer safety resulting from communicative frustration.

CHAPTER 1 INTRODUCTION

Language Power and Its Importance in the Field of Law Enforcement

Language is an intrinsic part of all aspects of professional, personal, and social life. It is pervasive in human thought, required for decision making and processing, and responsible for a multitude of misunderstandings and misinterpretations. That language use varies not only between speakers of different languages but between different cultural and social groups within a single language makes the study of Pragmatics (i.e., language in context) an important aspect of the field of Linguistics. This study will address language use within a particular context: police-citizen interaction.

Language use is rarely “right” or “wrong” and judgments as to, for example, grammaticality will vary from person to person depending on their linguistic background, upbringing and environment. However, linguistic, social, and cultural boundaries are continually established, reformed and re-established through speech and action, and these may have far-reaching effects when dealing with extremely high-pressure, and possibly volatile, linguistic situations, such as police questioning. In order to understand how the creation of social and cultural boundaries affects language use and perception on a cultural level, two examples are provided below. The first of these is the idea of communication with people only encountered in a fleeting fashion, and the second, more theoretical, example is given through the metaphor of the phoneme.

In North American society, it is typical to have a multitude of very small, seemingly pointless interactions with people that are met only transiently. For example, it

is usual in this particular society to make “small talk” with cashiers that are assisting with the check out procedure in a supermarket (cf. Coupland, 2003, and Beinstein, 1975). The topic of conversation will vary considerably, though may include sales or offers happening in the store, discount programs, or upcoming events, though they may also cover the weather or current events, depending on the particular contextual situation. This part of daily interaction goes mostly unnoticed - until it is absent. It is not atypical to leave a store feeling that the cashier may have been surly or unfriendly if this apparently meaningless part of the exchange is omitted, and it may go so far as to create a negative overall impression of the shopping experience – a fact about which corporate businesses are acutely aware.¹ This aspect of daily interaction is performed mostly unconsciously, and is a cultural more in the North American shopping experience², and its importance and social significance only becomes apparent in its absence. Such unnoticed linguistic happenings are one example of the structure of societal expectations with regard to acceptable behaviors, and although variations are permitted, they are held within boundaries of acceptability that are continuously maintained and recreated by the social experience.

A second example of these invisible strata of linguistic influence may be provided through consideration of the “phoneme”. A phoneme is the smallest, abstract unit of language, the production of which is realized as a “phone”. Though several different

¹ The “mystery shopper” program is now common in retail industries to ensure that employees are keeping to certain levels of affability and accessibility with relation to their customers. To illustrate, the shopper, who is paid to visit the store and to give a “snapshot” report of the operations, will assess the cleanliness and organisation of the establishment, but will also rate the customer service personnel on their ability and willingness to assist with enquiries, and the ease and friendliness of the checkout experience.

² This may not be the case in other parts of the world. For example, in Great Britain, conversing with cashiers is not usual, and may be met with surprise. In such societies, the linguistic and communicative expectations are vastly different, creating a different set of linguistic and cultural boundaries.

phones may be possible in the production of the same phoneme (i.e., “allophones”), hearers perceive only the phoneme, not the variations. For example, speakers of English perceive the “p” sounds in “spit” and “pit” to be just that, “p”. The two sounds are articulated differently, however, as can be seen if they are focused on during production.

A speaker’s learning of their native phoneme system is complete by the age of six, and at this point it becomes a rigid set of limitations that are hard to expand. When learning a second language, for this reason, speakers will have much difficulty in distinguishing and producing phonemes and allophones that do not make up part of their native language. It is the existence of this abstract, unnoticed aspect of every world language, and the fact that we perceive reality through such a mesh of social structures³, that relates the concept of the phoneme to Language and Culture:

The structure of IE [Indo-European] language makes all European based science ethnoscience because of the ‘small window’ of reality that a monolingual person or researcher must look through to observe her given scientific results.

LaPorta (cited in Hardman, 2003:39)⁴

One feature of the concept of the phoneme that draws attention to aspects of (im)perception of culture in language is the notion of the “false boundary”. Speech is a continuous, unbroken flow of noise and it is only in the mind of the hearer that it is separated into sounds and words. It is as a result of this process of separation that

³ The concept of perceiving reality through a web or mesh of socialised structures is illustrated to its full effect in the science fiction short story “Looking through Lace” (Nestvold, 2004), a metaphor the scope of which will become clear as this paper progresses.

⁴ It will become evident as this discussion progresses that the use of the generic “he” pronoun to refer to citizenry in general, but especially to law enforcement personnel, is rife in Criminological and Sociological literature. While this is partially due to the early dates of some of the references included in this work, some of which stem from a time when this was a common, uncontended practice, another contributing factor is the relatively recent addition of female officers to law enforcement agencies. In an attempt to balance the effect of this example of gendered language, and following the example of LaPorta, the generic “she” shall be used in all examples that are not direct quotations.

meaning is derived. This creation of false boundaries is necessary for listeners to make sense of the endless flow of mingling and varying phones that reach their ears, as well as to interpret information provided through all of the other senses. The same phenomenon is visible in the cultural system of society.

Boundaries (national borders, periods of time, etc.) are forged divisions adhered to by a community in order to make sense of the world in which they exist. They are not a physical reality, but a perceptual one. There is no reason why the date should change when the clock reaches midnight, or that one should enter another country simply by stepping over a figurative “line in the sand” – these partitions are imposed by society in order to mark categories and divisions. The same is true of cultural perceptions. In modern times, the concept of “mixed-race” heritage is becoming more common. However, since race is socially imposed in order for people to be ethnically classified (or ranked), people of mixed backgrounds are forced to make a choice – or to have the choice made for them (for example, the “one drop” rule, which claims that even the tiniest amount of non-white heritage makes a person “black”, cf. Davis, 1995). These perceptual boundaries provide the framework for the continuation of, for example, racism, sexism, and homophobia, and are constantly reinforced through societal behavior, from outright bigotry to unintentional language use.

Our grammar does not make it easy for us to hold diversity as different only, that is, equal and different. Indeed the usual expression is ‘equal but different’ as though the two expressions were mutually contradictory.

Hardman (1993a:253)

From the very basic sound system of a person’s language, to its vocabulary and grammar, and up into its social power settings and realizations there are underlying and unperceived influences that work beyond our conscious knowledge. These limit our

ability to see profound cultural, as well as linguistic, variation between groups by forcing the delineation of levels of perception rather than allowing for the recognition of variance on a continuum that does not impose a hierarchy, and which allows for differences to be just that: different. It is through the existence of limitations in perspective such as these that many communicative difficulties are borne. Whilst most interpersonal interactions allow for the continual adjustment of viewpoints and attitudes in order to maintain the cooperative nature of conversation, there are times when such adjustments are not possible. This is often the case in police-citizen interaction when it may be crucial for the parties to impart their viewpoint in order for their view of justice to be served.

The primary focus of this study is an important aspect of the criminal justice process. The “first-contact” police interview comprises the first opportunity for the parties involved to convey their perspectives and, for this reason, is often fraught with tension and anxiety. These circumstances are a breeding ground for communicative misunderstandings, some of which may lead to verbal or even physical conflict, a situation which is seen all too frequently in the western culture. It is the aim of this study to equip law enforcement (and equally citizens, if they are willing to undergo linguistic training) with a few basic linguistic tools with which to approach the interview situation, to be able to assess and manage the risk of conflict, and to maximize the effectiveness of the first-contact interview process.

Forensic Linguistics

Central to an investigation of language as it is embodied within institutional settings is both an understanding of the relationship between linguistic practices and speakers’ social identities and an exploration of the institutional and cultural backdrop against which speakers adopt such strategies.

Ehrlich (2001:1)

As seen in the introduction above and reinforced by this quotation from Ehrlich, there are a great number of links between the study of structural linguistics and that of Language and Culture. In the following chapter, a particular aspect of the field of Language and Culture is introduced, one that is intrinsic to the study of police language: Forensic Linguistics. The Oxford English Dictionary defines “forensic” as:

forensic: adj. Pertaining to, connected with, or used in courts of law; suitable or analogous to pleadings in court.

Following from this, Forensic Linguistics could be expected to be the study of courtroom language (i.e., being descriptive of and/or active in courtroom proceedings), which is actually only part of the field’s scope. By expanding on the traditional definition of “forensic”, Forensic Linguistics actually deals with a wide variety of instances of the interface between language, crime, and the law. These may include, among many other areas of research, courtroom discourse (including the interpreting process and requirements), the (in)comprehensibility of legal documents (i.e., “legal language”), issues of comprehension surrounding police cautioning of suspects (“*Miranda*” rights in the US, the right to legal counsel, etc.), authorship identification and attribution, the use of linguistic evidence and linguists as “expert witnesses” in court, the treatment of vulnerable witnesses (such as children or the handicapped), and police-citizen interaction and interviewing techniques. As is clearly shown, the range of Forensic Linguistics research is extremely broad, and this is evident in the aims of the International Association of Forensic Linguists (the primary professional organization in the field):

The published aims of the International Association of Forensic Linguists at this time are:

- Furthering the interests of linguists engaged in research on the development and practice of forensic linguistics;

- Disseminating knowledge about language analysis, and its forensic applications, among legal and other relevant professionals around the world;
- Drawing up a Code of Practice on matters such as giving evidence in court, writing official reports etc;
- Collecting a computer corpus of statements, confessions, suicide notes, police language, etc., which could be used in comparative analysis of disputed texts.

To date, forensic linguists have been utilized to provide courtroom testimonies in cases of trade mark disputes, use of legal language, authorship identification, plagiarism, asylum seekers' rights, and the legality of the uses of undercover operatives, to name but a few examples. Some specific examples of these cases are provided below.

Despite its apparent breadth, Forensic Linguistics is a relatively young field of analysis within the broad realm of Applied Linguistics, having only identified itself as a separate field of study in the last decade of the twentieth century. The inaugural meeting of the International Association of Forensic Linguists was held in July 1993 in Bonn, Germany, and the first issue of the *Journal of Forensic Linguistics* (now known as *The International Journal of Speech, Language and the Law*) was published in 1994. Before this time, contributions in Forensic Linguistics were published under the disciplines of Discourse and Society, Gender and Language, general Applied Linguistics, Language and Culture, Discourse Analysis, professional policing sciences, and Law.

It will be seen in the descriptions below that, as must be the aim with all linguistic research enquiries, Forensic Linguistics both utilizes and informs analysis of structural and formal linguistics. As is evident to any student of Linguistics, the many areas of formal linguistic study are not discrete, but in fact overlap in both their theories and their applications. This will be demonstrated in the discussion of advances in the field of Forensic Linguistics that follows. In order to attempt to address a few of the major topics

within Forensic Linguistics, a literature review of the works of some of its main contributors are introduced and reviewed.

Roger Shuy

Roger Shuy (his last name is pronounced “shy”) is considered by many to be one of the founding researchers of the field of Forensic Linguistics. He is currently a professor emeritus at Georgetown University, where he has been teaching for almost two decades. His research background is in a variety of areas of Applied Linguistics, including dialectology, medical language, and areas of sociolinguistics. He has been an active researcher in Forensic Linguistics for many years, his first article on courtroom discourse being published a quarter of a century ago (Shuy, 1981). Since that time he has published over forty articles and six books in the field (e.g. Shuy, 2006, 2005, 2002, 1998, and 1993). His main level of research is that of Discourse Analysis, though he also draws heavily on the fields of Pragmatics, Semantics, and Syntax. To illustrate just some of his work, the following are examples of cases in which Shuy has participated as an expert witness.

In the introduction to his book *Creating Language Crimes*, Shuy states: “There is a fine line, perhaps, between giving a somewhat better impression than we deserve and being deceptive or outright lying” (2005:ix). This habitual conversational strategy is, he argues, of heightened interest when it is used to manipulate evidence and, at times, to create language crimes. The focus of his analysis is undercover “sting” operations and, using evidence from real cases, Shuy investigates how cooperating witnesses (civilians who agree to wear recording equipment) and undercover law enforcement officers may manipulate an uneven power distribution over their unsuspecting target to gain the evidence for which they are consciously, and actively, searching. He says that in these

situations, "...the language strategies used to create the illusion of criminality seem to be frequently carried out deliberately", (2005: 11).

In the first of three cases detailed here, Shuy was requested to assist in a contract fraud case: *US v. David Smith*. The use of discourse ambiguity is, Shuy states, usual and effective in undercover investigations. This tactic is particularly successful at drawing out clarifications from target subjects that may be recorded as incriminating linguistic evidence at this stage of the investigation. There are, however, a number of reasons why the target may not be drawn into the trap, including that they may be either guilty of the suspected crime, or innocent of it, or that they may suspect they are being recorded.

In this case, Shuy exposes the illusion of incriminating linguistic evidence in a fraud case against an aircraft engineering company executive. By effectively exposing how the target was not explicitly drawn into the cooperating witness's strategies, Shuy's testimony on the case proved that, not only was the evidence insufficient to convict the executive but that the case should never have made it to court. He shows that, had the government made better use of expert analysis such as that provided by forensic linguists, much time, hardship and money could have been saved.

The next, rather disturbing, case study (*Florida v. Jerry Townsend*) shows how Florida law enforcement agents may have manipulated recording devices, scripted, and provided inaccurate restatements of a suspect's words in the interviewing process of a mentally challenged individual. In the late 1970's, Jerry Townsend was arrested for the murders of several prostitutes. He admitted killing five women, but the police continued to interview him over a period of five days to ascertain whether he had been involved in

some other unsolved murders of a similar nature. During these five days, only four hours of interview were recorded.

Shuy's analysis shows massive use of the on/off switch during conversations with the target. These were often not overtly audible, but the electronic signature may be picked up by sensitive equipment, and other instances may be discernable through the analysis of background noises. On several occasions when such manipulation occurred it resulted in two different answers to the same questions, that is, the target answered a question, the tape was stopped, and when the tape was restarted Townsend gave a different answer.

Through this type of analysis, as well as detailed grammatical discourse analysis, Shuy shows that the target was clearly being scripted. After serving twenty-two years in prison, DNA evidence finally acquitted Townsend of all of the crimes. Shuy terms this example of linguistic evidence a "legal fiasco", (2005:164).

The third case addressed was an investigation into stolen property: *US v. Prakesh Patel and Daniel Houston*. In this case, Shuy was presented with linguistic evidence from two separate targets. One of the targets was easily proven to be guilty of the accused crime, but the second was simply implied to be guilty through involvement with the first. Here, both a cooperating witness and an undercover DEA (Drug Enforcement Agency) agent used a variety of strategies in attempts to capture linguistic evidence that both of the targets were illegally selling ingredients that were being used in the manufacture of methamphetamines. Whereas the facts were presented less ambiguously and the representations of illegality were expressed more directly to the first target, the second target was presented with language that camouflaged the illegality of his actions, was

ignored when saying “no” to illegal requests, and otherwise presented with inexplicit words and expressions. Although both targets were convicted of the crimes of which they were accused, Shuy’s analysis makes it clear that this conviction could not have been made had the prosecution been required to rely on the linguistic evidence alone and highlights the importance of forensic linguistic investigation as a valid force in the legal process.

Janet Cotterill

Janet Cotterill is a Reader (equivalent to the position of Associate Professor in the US) at Cardiff University in Wales, and has close ties with the South Wales Police which facilitate her Forensic Linguistics research. Her background is in Applied Linguistics, specifically Teaching English as a Second Language, and in interpreting, which is where her interest in Forensic Linguistics began. Cotterill’s main fields of research are in the interviewing of vulnerable witnesses such as children, handicapped persons, and those relying on interpreters, effective lawyer-client communication strategies, interpretation and communication of legal rights, and courtroom discourse in general. She has published more than 25 articles, has written and edited several books in the field (cf. Cotterill, in press, 2003, 2001, 2000, 1998) and, until a recent illness forced her to step down, was the editor of *The International Journal of Speech, Language and the Law*. She is also the Vice-President of the International Association of Forensic Linguists. One of the cases within the area of courtroom discourse that Cotterill is renowned for is her work on the O. J. Simpson trial. Two aspects of this research are presented below: the nature and effect of “intertextuality”, and that of lexical choice. As this will show, Cotterill utilizes aspects from the levels of Semantics, Pragmatics, and Discourse Analysis in her Forensic Linguistics research.

Courtroom narrative is typically seen as a “dual-authored” text (using the term “author” as per Goffman (1981, reprinted in 1999) as “those responsible for creating the utterance”), in that it is created by both the witness and also by the lawyer, who is in fact the main force behind the text due to the power she has to lead the narrative in particular directions according to her purposes. In her 2002 article, however, Cotterill suggests that there may be a third influence on the resulting narrative: previous tellings and retellings of the story.

Before a witness gets to court, their account of events about which they will be testifying is repeated a multitude of times, to police, lawyers, and so on, “[t]he result is a complex set of interlocking narrative versions of the crime event and its circumstances created by a large and potentially conflicting group of narrative voices”, (Cotterill, 2002:148). The reasons for the repetition are multifaceted, for example, the police use the tool to gain and then evaluate aspects of an account, and this is written into the PEACE mnemonic (the principles of which govern interviews in the UK by suggesting a five-stage framework to which they must adhere):

- P Plan and Prepare
- E Engage and Explain
- A Account (obtain a first account of events, suspending belief and disbelief)
- C Closure, polite and positive
- E Evaluate

The resulting courtroom testimony, therefore, rarely resembles anything that was recorded in the initial police interviews. In the particular case of the O. J. Simpson civil trial, however, there is further undertone shaping the narrative – the protracted, and widely publicized, nine-month criminal case that had preceded the civil suit.

Cotterill's analysis shows just one of the many differences between the criminal and civil trials, and one of the contributing factors to the differing outcomes.

Interestingly, many of the same witnesses were called and through analysis of the testimony of one of these over the two trials, Robert Heidstra (a key witness in establishing the timeline that acquitted Simpson in the criminal trial), Cotterill shows how Heidstra's account was manipulated and co-authored by the lawyer, the previous accounts, and by shadows of the former trial. The resultant distrust of this witness as being "unreliable" was one of the defining factors in finding Simpson guilty during the civil suit.

Another aspect of the Simpson trial to which Cotterill turned her focus was the function of lexical choice by both the defense and the prosecution in describing alleged incidents of marital violence between Nicole Brown and O. J. Simpson. By conducting a discourse analysis of the 100,000 word opening statements, Cotterill analyzes patterns of collocation and lexical choice in the text that the lawyers used in their constructions of violence against women. For example, Marcia Clark, the prosecution lawyer, made careful verb choices in statements like the following:

[on the 'other' (negative) side of O. J. Simpson's personality] ...the one that Nicole Brown encountered almost every day of her adult life, the one she encountered during the last moments of her adult life...

(Cotterill, 2001:297)

The verb "encounter" is rarely found alongside something positive. One encounters hardships, problems, prejudice, and opposition, all of which are also inanimate obstacles. By utilizing this verb, Clark purposely begins to spin an image of Simpson, one that is continued through lexical choices like the following:

...as he gained more and more control over her, the more control he gained, the more abusive he became [...] these different kinds of abuse were all methods to control her.

Cotterill (2001:297)

The use of the lexical item “control” is found throughout the prosecution’s statements, and lexical choices, such as the ones shown above as well as others discussed by Cotterill, formed one of the main themes of their case. Simpson was portrayed as a controlling, inanimate obstacle which Nicole Brown was forced to encounter daily.

From analyses such as these, which are only briefly covered here, it is apparent that, through Semantic, Pragmatic, and Discourse Analysis approaches, Cotterill elucidates, describes and contributes to the study of language in an extremely important domain, that of the court of law.

Georgina Heydon

Georgina Heydon is a member of the faculty at Monash University in Melbourne, Australia. She is also a consultant for the Monash Forensic Linguistics Consultancy, and has published in the fields of police-citizen contact and interviews, the nature of “institutional discourse”, the interviewing of vulnerable witnesses (especially children), and a variety of different aspects of Critical Discourse Analysis.⁵ Although Heydon places herself firmly within the CDA framework, her work also shows evidence of influence from other formal fields of linguistic study, including Pragmatics, Conversation Analysis, and Semantics. Her major contribution to Forensic Linguistics to this date has been her recent book *The Language of Police Interviewing: A Critical Analysis* (2005).

⁵ Critical Discourse Analysis is discussed in detail in chapter 4 below.

With a nod to her inclination towards CDA, in the aforementioned book Heydon goes into great detail in giving reasons for classifying the police interview as “institutional discourse”. She states that the beginning and end of such interactions are consistent, as is dictated by the legislature surrounding the event. The intermediate interaction, however, may be highly variable for a number of reasons, including gender/race constructs and the expectations of both the interviewers and the interviewees. The special perlocutionary force (cf. Austin, 1999, 1962) of the police caution as a declarative speech act (i.e., it brings about or “creates” a certain state in the world, cf. Searle, 1969) is given special attention, and the author gives the history and evolution of this act, as well as expressing a belief that it may be an insufficient gesture given the nature of the interviewing event. The main reason for analyzing this particular language pattern is said to be a curiosity in the “voluntary” nature of the confession. To this end, the author clearly states her aims in her analytical work as providing:

...a detailed investigation of the role of police institutional discourse in the construction of a police-suspect interview, both in terms of the negotiation of power relations between participants and the successful fulfillment of institutional requirements.

(Heydon, 2005:3)

Heydon’s research highlights the institutional aspects of police interviewing by investigating conversational patterning, and thereby provides a basis on which a CDA analysis can be undertaken (with the ultimate aim, as in all CDA research, of utilizing this analysis to aid the powerless in such situations), specifically, “...this structural analysis can inform a discussion about police strategies used to elicit confessions from suspects”, (Heydon, 2004:27). To this end, Heydon delineates the police-citizen exchange into three major themes: “power”, “discourse”, and “structure”.

“Power” is seen as the relationship between the police interviewer and the citizen interviewee and how this is manifested during an interview, and is, in fact, part of the interaction. Both parties have some degree of power in the exchange, though the amount is limited by their role as well as their access to other discursive resources. Heydon defines “discourse” by following conventions created by Fairclough (1989), “ ‘orders of discourse’ [...] describe sets of conventions that underlie discourse [...] and ‘discourse types’ [...] describe a particular convention,” (Heydon, 2005: 15). “Structure” is used following Giddens (1982) to define the replication and creation of societal and systemic rules.

With these guidelines in mind, and through a careful Conversation Analysis approach, Heydon’s research serves to illustrate the pertinent aspects of the police interview process, and to show how they serve the goals of the overarching institution within which they occur, specifically, the criminal justice system. Her analysis demonstrates the difference in roles between the participants in the interview (the primary interviewing officer, the secondary interviewing officer, and the suspect), and how their access to various conversational resources are limited systematically by the interview sequencing, power differentials, and institutional expectations (cf. Heydon, 2004). Through her research, the underlying power differentials of the police interview are highlighted. Consequently, Heydon recommends methods in which miscarriages of justice and the intimidation of the vulnerable witness may be eliminated from the process, ensuring observation of the legal and moral rights of all participants while still observing the institutional goals of the exchange (Heydon, 2004).

Research between police and citizens is infrequent thus far in Forensic Linguistics, as the data for such analyses to be undertaken is difficult to collect, and the courtroom applications and descriptions are seen as being both more glamorous and more important than street-level police language. This is indicative of a major deficit that currently exists in the, albeit young, field of Forensic Linguistics, though this deficit will be directly addressed in the following research.

Malcolm Coulthard

It is a myth that texts, like Finns are silent -- but like Finns they don't tell their secrets to everyone. Among the tasks of the forensic linguist are: to discover what texts are actually saying, to teach texts to express themselves better, to interpret their meaning or highlight their significance for Courts of Law and to identify the voices of their author(s).

Coulthard (1998:117)

Malcolm Coulthard is currently a professor at the University of Aston in England (situated in Birmingham, one of the two major British hubs for Forensic Linguistic studies, along with Cardiff, Wales). His interests have always lain in the field of Discourse Analysis (see Coulthard and Brazil, 1979) and this has, in recent years, transferred its focus to language and the law. He was the founding president of the International Association of Forensic Linguists in 1992 and also the founding editor of *The International Journal of Speech, Language and the Law*, a position that he recently reclaimed in the (hopefully temporary) absence of Janet Cotterill. Coulthard has written and edited a number of texts on Forensic Linguistics (cf. 2000, 1997, 1992, Sarangi and Coulthard, 2002, and Kniffka, et al., 1996), has been involved as an expert contributor in more than 150 legal investigations, and has testified in a number of high-profile cases, including several terrorist trials. One of the more famous of these was the appeal of the “Bridgewater Four”.

In 1979, four men, Patrick Molloy, Jim Robinson and cousins Michael and Vincent Hickey, were convicted of the shooting and murder of a 13 year-old boy named Carl Bridgewater. Whilst delivering newspapers, Bridgewater had disturbed a burglary in progress at a residence whose owners were away. He was shot dead. The “Bridgewater Four” were tried and convicted, three of them of murder and the fourth, Molloy, of manslaughter. Robinson and the Hickeys were sentenced to life imprisonment, though they never ceased to deny their involvement in the crime, Molloy died in prison two years after his incarceration.

During a 1997 appeal, it was suggested that the confession elicited from Molloy was the result of evidence fabricated by the police in charge of the investigation. It was this written confession (which Molloy had retracted immediately after its submission) and a written police report of an interview that police had claimed to have taken place immediately before the confession that Coulthard was brought in to examine. Molloy denied that the preceding interview had ever been conducted, and Coulthard’s analysis of both documents confirmed that answers that were supposedly given during the interview were inconsistent with both the questions asked and the ensuing “confession”. Coulthard provided expert-opinion to legal counsels that he believed the first interview was fabricated by police personnel, and that the confession was both coerced and false. As further evidence continued to be uncovered, the convictions of all four men were overturned before Coulthard was required to testify in court.

Another trial in which Coulthard was instrumental was that of Derek Bentley, a 19 year-old hung in 1953 for his part in the murder of Police Constable Sidney Miles. Bentley and his accomplice, Chris Craig, were accosted by police officers after a failed

burglary. While in the custody of one officer, Bentley is reported to have shouted, “Let him have it” to his gun-wielding partner, at which point Craig shot and killed PC Miles. 16 year-old Craig was jailed, whilst Bentley (who, although legally an adult, had a mental age of 11 years) was given the death penalty. One controversial aspect of this case, from an Forensic Linguistics point of view, is whether the “let him have it” statement was meant by Bentley as a command to open fire or to hand over the weapon to officers, though Coulthard’s main contributions centre on the alleged statement that was elicited from Bentley following his arrest. At his trial, Bentley claimed that the statement provided by police as his own words was, in fact, a “composite document, not simply transcribed, but also in part written, by the police”, (Coulthard, 2005:12).

In analyzing the use of the word “then” (in a temporal sense) in Bentley’s statement Coulthard utilized a corpus-based analysis of statements written by suspects and police officers such as, “Chris then jumped over and I followed” and “Chris then climbed up the drainpipe to the roof”, (Coulthard, 2005:14). In these examples, “then” is, rather unusually, placed after the grammatical subject. In Bentley’s 520 word confession, temporal “then” appeared 11 times, whereas in the 3,200 words of confessions from other suspects, “then” did not appear once in the temporal usage. However, Coulthard analyzed only 930 words of police statements and found temporal “then” to occur 29 times, that is once every 78 words: “[t]hus Bentley’s use of temporal “then”, once every 58 words, groups his statement firmly within those produced by the police officers”, (Coulthard, 2005:14). He also noted that its positioning after the grammatical subject occurs significantly more frequently in “police speak” than the preferred alternative, for example, “then I...”.

Bentley's confession was determined by Coulthard to be, at least in part, fabricated, and this contributed as a major part of the decision to overturn the murder charge against him in 1998, 45 years after his execution.

Larry Solan and Peter Tiersma

Both Solan and Tiersma are law school (J.D.) graduates with doctoral degrees in Linguistics, hence their predictable interest in issues surrounding language and the law. Solan is currently a professor at Brooklyn Law School, has been a practicing attorney, and is a former president of the International Association of Forensic Linguists. His research interests are in the intersection between language and legal argumentation in court. Tiersma began with interests in dialectology and language teaching before changing careers and entering the legal profession. He served as a judge's legal clerk and was a practicing attorney before becoming a professor of law at Loyola Law School in Los Angeles. He has published widely in the area of Forensic Linguistics, with his primary research interests being in jury instruction, contract law, legal language, and implicature in perjury, and is the current president of the International Association of Forensic Linguists.

A major recent work in Forensic Linguistics is *Speaking of Crime: The Language of Criminal Justice* (Solan and Tiersma, 2005) in which the authors cover a wide variety of Forensic Linguistics issues, including the language contributions to legal issues of "consensual searches", interrogation, the right to counsel, understanding *Miranda* warnings, as well as the position of the linguist and linguistic testimony in court, authorship/speaker identification, and language crimes (such as solicitation/bribery, threat, perjury, etc.). To choose just one aspect of Solan and Tiersma's contributions to

Forensic Linguistics, the following will discuss their research on the linguist as an expert witness.

...a more careful look at the case law shows that linguists are routinely permitted to testify in some kinds of cases, and rarely if at all in still others. For example, linguists are almost always accepted as experts in trademark cases [...] generally allowed on issues such as proficiency of non-native speakers [...] sometimes accepted as experts on the meaning of statutes or contracts and on the identification of speakers [...]. However they are generally excluded when asked to use discourse analysis to draw inferences [...] or to identify the author of a document from its style.

Solan and Tiersma (2005:27)

As this statement shows (see Solan and Tiersma, 2002, for a complete breakdown of how these quantitative judgments were made), there is still much debate on the range of skills that a forensic linguist is permitted to utilize in the court system. However, in their legal research Solan and Tiersma (2002) found more than 100 published judicial opinions in which the opinions of language experts were mentioned, and these were discounting incidents of voiceprint analysis. Though such restrictions on linguistic evidence are variable (cf. Shuy, 2005, in which he utilizes a number of discourse analysis techniques in some of his expert contributions), there are still widely ranging opinions within the legal system as to the applicability and validity of linguistic testimony. Currently the admissibility of evidence in the United States relies on its ability to meet the nonexclusive criteria of the Daubert standard (taken from Solan and Tiersma, 2005:30):

- Whether the theory offered has been tested;
- Whether it has been subjected to peer review and publication;
- The known rate of error; and
- Whether the theory is generally accepted in the scientific community.

The authors note that, “the vast majority of American lawyers and judges have little or no experience with linguistic expertise in a legal matter”, (Solan and Tiersma, 2002:223), and they attribute this dearth of experience to deep-seated impressions about the nature of language that exist throughout the legal system.

Such findings are not to suggest that linguists are completely disregarded in the legal process, however. Shuy (1993:xx) states that he had consulted (at that time) in over 200 cases, but had only been required to testify in 35. Continued research in the area of Forensic Linguistics contributes to the validity of linguistic findings, and such validity will be the defining factor when it comes to the decision as to whether to accept linguistic contributions and testimony in the courts.

Forensic Phoneticians

Lest the false impression be created that only the larger units of language are relevant to Forensic Linguistics, some of the recent work in the active field of Forensic Phonetics must be included in this summary. Forensic Phonetics is now considered a sub-field of Forensic Linguistics, but has actually recognized itself as a separate discipline for a few years longer. The International Association for Forensic Phonetics and Acoustics has existed since 1991, has held annual meetings since 1992 (the first was in York, UK, where the IAFPA was incepted), and also publishes in *The International Journal of Speech, Language and the Law*.

One of the major foci of the IAFPA is professional conducts and practices for phoneticians in legal investigations. The most frequent calls for forensic phoneticians in such cases require speaker identification (usually in the case of an unwilling subject) or verification (with a willing subject) in, for example, hoax emergency calls, sexual harassment calls, bank robberies (which were audio recorded), kidnapping calls, and

crimes committed in darkness (e.g. rapes) where the victim cannot see but only hear the perpetrator (cf. Hollien, 2002, 1990, Baldwin and French, 1990). By judging the parameters of “speaker variability” (either a single speaker for speaker verification, or multiple speakers in the case of speaker identification), forensic phoneticians study organic differences (variation in the size and shape of the vocal tract, larynx, and vocal cords), linguistics differences ((dis)similarities in accent, dialect, register, etc.), and paralinguistic variations (moods affecting the voice quality) to determine the identity of a speaker. While voiceprints are not as reliably identifiable as fingerprints, “a sample of speech cannot be ascribed to an individual with 100 per cent [sic.] reliability” (McDougall, 2006:89), several contributions have been made in court by forensic phoneticians (e.g. French, 1998, Nolan, 1991). A major concern within the field of forensic phonetics is the methodologies used in speaker identification and verification. A brief overview of one the recent viewpoints and innovations in this area is given below: the relevance and usefulness of formant analysis.

A “formant” is a peak in the measurement of an acoustic frequency spectrum as a result of an acoustic system’s resonance properties. With regard to voice properties, the frequencies and dynamics of formants are described by Nolan and Grigoras as “the product of the interaction of an individual vocal tract with the idiosyncratic articulatory gestures needed to achieve linguistically agreed targets” (2005:143). For example, formants are the meaningful aspect frequencies used by humans to distinguish between different vowel sounds in strings of speech, usually showing differences in articulation through tongue position, and they are indicated through notations such as f1 (for the

lowest frequency), f2, and so on. Typically only two differentiated frequencies are required to differentiate between two vowel sounds.

In Nolan and Grigoras (2005) formant analysis is used in the case of a sexual harassment investigation. A banker in London was accused of making sexually inappropriate telephone calls to one of the other employees in the institution, and his voice was “recognized” whilst the victim was standing in line at a local post office. A covert recording of one of the suspect’s telephone conversations was made, and Nolan was requested to perform a forensic speaker identification task to ascertain whether the man’s voice was the same as that of the speaker on a recording made of the obscene calls.

Through formant analysis of the vowel qualities of four stressed vowels, clearly heard on both sets of recordings, Nolan determined that the suspect’s “pattern was systematically different from the obscene caller’s pattern [...] partly by virtue of his having a different vocal tract from [the caller], but also in terms of articulatory dynamics. [...] The auditory impression of his overall voice quality is distinct”, (Nolan and Grigoras, 2005:152). This fact was then confirmed by a more detailed, subsequent analysis carried out by Grigoras upon Nolan’s request using cutting edge long-term spectrum methods of formant analysis (cf. Grigoras, 2001). Though these methods are certainly more time-consuming, they are claimed to provide a much more reliable result when compared to straight short-term formant analysis. The authors conclude that, “[i]t is in formant frequencies that the acoustic “signature” of a speaker, to the extent it exists, can most fruitfully be sought”, (Nolan and Grigoras, 2005:172).

Further work on formant analysis has been carried out by McDougall (cf. 2006), in which she proposes the use of dynamic (as opposed to static) feature analysis as a

methodology that would allow the “characterization” of a speaker, rather than just aiding in simple identification through the discovery of between-speaker variation. These dynamic features include the signals between the movements from one phonemic target to the next, as well as the formant properties of the sounds themselves. The author concludes by hypothesizing that, with further research in the area, “the acoustic patterns resulting from the intricate interaction between [properties of the acoustic signal and formant frequencies] differences between speakers should be rich in speaker-characterizing information”, (2006: 121).

Susan Ehrlich

Susan Ehrlich is a Professor of Linguistics and Women’s Studies at York University in Toronto, Canada. She has published widely in the areas of Second Language Acquisition (especially on aspects of pronunciation teaching), but her main fields are Discourse Analysis and Gender and Language with a focus on sexual consent and rape trials (cf. Ehrlich, in press, 2002, and 1998). Two primary areas of Ehrlich’s Forensic Linguistics research explore pragmatic notions of “women’s language” and how it is represented in court, and also the interface between Discourse Analysis, Pragmatics and Syntax in the use of passive and nominalized constructions in the courtroom language of sexual assaults cases.

It is often the case in rape cases that linguistic evidence is the only evidence available. When physical findings are lost (rape victims have a high tendency to get rid of such evidence, despite their logical knowledge that it would be better not to do so), the allegations typically centre on a “she said-he said” situation. At both the level of the initial police investigation and in the courtroom in front of a judge and jury the linguistic accounts of victims, suspects and any witnesses are of heightened importance.

Unfortunately, although linguistic testimony may be the only evidence offered, it is not the only basis on which such judgments are made. As is the theme throughout this paper, cultural values and beliefs are reflected through language use, and these undertones of the social network in which the testimony is being given will contribute extensively to the overall effect of the linguistic evidence.

One feature common in the cross-examination of rape cases is that of the extent of refusal shown during an alleged act of sexual assault. Frequently cases are dismissed as judges and juries are unconvinced that the “victim” made her denial known to the “defendant”: “tribunal members [...] ask questions that presuppose the inadequacy and deficiency of the complainants’ signals or resistance, suggesting that their so-called lack of resistance was tantamount to consent”, (Ehrlich, 1999:239). Ehrlich suggests that, in many of these cases, there is a fundamental mismatch between the “female” register and the language of members of the court as an institution. Although some judges and jury members may also be female, the institutional setting in which this particular exchange takes place creates social expectations, and the associated “community of practice” does not typically allow these women to associate their own discursive practices with that of the victim’s attempts at denial during the incident.

This is not, Ehrlich is sure to point out, that female speech styles may be “essentialized” as such in any way, but more that the social practices of the speech community contribute to the underlying social identity that is attributed to the victim in court, “... it is not gender per se that interacts with linguistic practices, but rather the complex set of “gendered” social practices”, (Ehrlich, 1999:240). Through manipulation of these underlying notions, Ehrlich posits that questions asked by institutional

representatives, such as defense lawyers, (re)construct the incident as one of consensual sex: “[w]hatever the effects, however, it is clear that the invocation of gender essentialism is a powerful and pervasive social practice, with varying political and strategic effects”, (Ehrlich, 1999:254).

Another area of Ehrlich’s research is that of passivization and nominalization in courtroom testimony. The use of the passive construct is common in media practices when it is advantageous to conceal the agent of an action. An example of this may be seen in the newspaper headline “Innocent citizens were killed” (which is far less hurtful to the political image without the grammatical agent “by American soldiers” included). In such examples the victim is placed into the subject position, thereby fronting their role in the action (though it may have been passive, or even completely against their wishes), and minimizing that of the actual agent. This construction is also frequent in sexual assault cases, where the accused is asked to recount the incident in a police interview, or in courtroom testimony. For example, “My shirt came off”, which omits the agent role entirely, allowing the defendant to disguise how the shirt actually came to be removed. When asked just how his shirt came off, this defendant is forced to attribute some kind of (albeit grudging) agency to the act: “I gather that I took it off”, (from Ehrlich, 2001).

In her 2002 article, “(Re)Contextualizing Complainants’ Accounts of Sexual Assault”, Ehrlich gives a detailed examination of this kind of syntactic structure in testimony. The case that she studies is a university tribunal case at York University in which a white male, Matt, has been accused by two white females of “date rape”. In both cases, which were only three days apart, Matt had been socializing with one of the

females and she had asked him up to her dormitory room. In both cases the defendant and the female had engaged in some consensual kissing, but both females stated that, despite their objections, Matt had gone on to commit a number of further sexual acts on them, such as oral sex and inappropriate touching. Matt denied none of the acts, but said that they were all consensual on both accounts.

Ehrlich's transcriptions of the accounts given of events show a distinct difference in the attribution of agency. The females, in their descriptions of events used language such as, "he started to go down my pants", "he took my shirt off", and "he grabbed my hair". However, in Matt's testimony, his linguistic structures include "our pants were undone", "they [his trousers] were pushed down", and "all our clothes at one point were taken off", (extracted from Ehrlich, 2002:735-736), in all of which the agent role is eliminated as a requirement by the use of the passive. If one were to examine just Matt's testimony, the fact that there was any force in the act is disguised, and it would not be unreasonable to infer that these were consensual acts. Ehrlich goes on to show how the defendant also uses the syntactic process of nominalization to further disguise his agency, for example, "[t]he sexual activity stated escalating even further", and "something sexual was going on", (Ehrlich, 2002:737). Ehrlich goes on to say that, "these unaccusative constructions [are] autonomous because they present an event in and of itself without implying that there is a cause". In this case, Matt was convicted of one count of sexual assault, but acquitted in the other.

By exploring the interface between several formal levels of language, Ehrlich's research expertly demonstrates how courtroom language may be used to create certain perceptions, and to exploit underlying societal values and beliefs:

...by investigating the linguistic details of a sexual assault trial and tribunal, not only do I provide a concrete demonstration of how dominant ideas about male and female sexuality and violence against women are reproduced and recirculated in the ‘talk’ of these institutional contexts, but also how such discursive formations shape and/or constrain the kind of gendered identities that are produced.

Ehrlich (2001:1)

The Study

This chapter has established some of the structural and formal areas of Forensic Linguistics, a particular sub-field of Language and Culture. Some of the major researchers in the area of Forensic Linguistics were introduced to provide an overview of the field, but there are, obviously, a huge number of other studies being undertaken in this new and active discipline. As Forensic Linguistics experts seek validation in the courtrooms of the world, their research, in turn, contributes to their efforts in recognition. As time continues, the field of Forensic Linguistics continues to draw more students, to attract the interest of established linguists in other fields, and to increase its public image as a valid and valuable contributor to efforts at the intersections of language, crime and the law.

The following study aims to provide an insight into an area that has, as mentioned previously, been neglected in the field of Forensic Linguistics – Police-Citizen interaction. Whereas many studies have been conducted in courtrooms, in interview rooms and with other forms of recorded data, it can only be supposed that the “first-contact” police-citizen interview has been neglected due to the difficulty of obtaining suitable data. Whilst this is undoubtedly a problem it remains, however, that this particular instance of linguistic interaction is extremely important in both Forensic Linguistics and in any attempt to understand the role of language in the criminal justice system. It is the rare court case that is brought in front of a judge with no contact between

the defendant, the witness or the victim and police officers involved in the process. This particular interaction is also, in borderline cases, the suspect's best opportunity to make a plea for the case not to be taken any further into the legal system. For these reasons, and many others, the initial police-citizen contact interview is extremely valuable as a field of analysis for both the law enforcement officials conducting the interview, and for the citizen faced with potentially serious repercussions.

In any respectable Pragmatic investigation, however, it is first necessary to contextualize the study. To this end, the following three chapters will address the historical and modern setting of the police agencies that were observed, the theoretical constructs utilized in data collection and analysis, and the methodology chosen to perform the observations and to maximize the validity of observed police-citizen interaction.

CHAPTER 2 HISTORICAL AND MODERN SETTINGS OF WESTERN POLICING SERVICES

Introduction

Throughout the history of law enforcement, a great deal of thought has been put into the style and structure of the policing service, both by those in charge of organizing it and by researchers in the fields of, to name a few, Criminology, Sociology, and Law. One intention of such research and change is to maximize the effectiveness of the police goal of maintaining peace and order among the citizens the service was created to protect. While many would argue that this goal is far from completion (some may even argue that such an aim itself is undesirable) and that the effectiveness of law enforcement leaves much to be desired on a number of levels, policing agencies and offices worldwide are still evolving and changing their philosophies and practices in an effort to attain this ambitious state of affairs. This is especially apparent in the tort culture of the United States.

The police in North America are extremely visible, and their actions are under constant scrutiny. “Police departments are judged by the public to a great extent in terms of appearances and rumors”, (Wilson, 1978:181), and for this reason it is of the utmost importance for law enforcement organizations to maintain high levels of professionalism in all aspects of their behavior. Massive amounts of media attention are given to instances of police misconduct and to accusations of the infringement of law enforcement officials on citizens’ civil rights and liberties. And rightly so. The United States is built on the premise that freedom and liberty are the rights of each and every one of its citizens, an

ideal that is reflected in the Declaration of Independence, the document on which the founding of the country is based:

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.

Such principles are also reflected in the Pledge of Allegiance, a political and social statement that the majority of American citizens are familiar with from the time of their entrance into formal schooling, if not before. The current text of this pledge⁶ reads:

I pledge allegiance to the flag of the United States of America and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all.

In this statement the essential philosophy behind the policing service is also manifest, specifically, “liberty and justice for all”.

In order to provide these services, the policing industry has undergone a vast amount of change and revision since its original materialization and organization in pre-revolutionary times. These modifications include the implementation of, and experimentation with, a large number of styles and approaches, some of which have proven to be more effective than others in practice. It is the aim of this chapter to introduce some of these styles and approaches, their historical roots and philosophies, and to describe how a number of these theoretical principles are manifested in two modern policing agencies currently operating in the United States of America. To facilitate a fuller understanding of these styles and approaches, it is appropriate to first introduce the historical underpinnings of policing in Britain and North America.

⁶ The Pledge has been altered three times since its original form in 1892, which read: “I pledge allegiance to my flag, and to the republic for which it stands: one Nation indivisible, with liberty and justice for all”. In 1923, “my” was changed to “the”, and the words “of the United States” were added. In the following year “of America” were also inserted. In 1954 the, currently highly controversial, final touches were made and the phrase “under God” was inserted.

British Police: A Brief History

Much of the interest in comparative analysis of the United Kingdom and United States Police forces has stemmed from Roger Lane's "Central Paradox" of policing:

...the highly undemocratic London Metropolitan Police [...] was much less tolerant of abusive authority – largely directed at the 'lower orders' – than were their counterparts in democratic New York.

Lane (1992:18)

This statement has since been the focus of much historical research into the policing services of both countries, though little research has been done to show how these histories may have contributed to the paradox and its existence in the policing strategies of current times.

The rise of police services is seen to correspond to the rise of strong, centralized governments, a thought that is echoed by Reiner (1995a) in his analysis of the order of development of United States policing agencies. In both British and American⁷ policing history, major changes in the governments have signaled major changes in policing. The history of British police can realistically be divided into two major periods: pre- and post-1829. With the official establishment of the "New Police" in 1829, British policing began to take on the shape that it holds to this day. This section will introduce both policing eras, with special reference to aspects of the earlier styles of policing that contributed to later organization and practice.

One caveat about the following history should be made that will become apparent to the reader, and this is that the history of policing addresses the issue from an entirely

⁷ For the purposes of this paper, the term "America(n)" will be used (albeit technically inaccurately, and with no disrespect or oversight intended to Canada, Central or South American nations that may also qualify under this umbrella term) to refer solely to the United States of America.

male point of view, and that the women involved in the process are absent in most academic works on the subject. Although this is not the place to discuss at length the contributions of women to the policing service (see Miller, 1999, S. Levine, 1995, and P. Levine 1994 for discussions of the historical and modern position of women in law enforcement), it should be noted that by presenting the policing service as entirely masculine (and even as dealing with an entire masculine population) is detailing the history of only half of the population.

Pre-1829

Before approximately 1200 A.D. policing was simply pursuit of a villain by posse. The “officers” were not uniformed, though sometimes mounted, and relied strongly on the efforts of townspeople for their effectiveness. After this time, during the periods of early kingship within England, some organization was established into the service, based upon models provided by the Danish and Saxon invaders, and modified after 1066 by the Norman conquerors into the “frankpledge” or “tithing” system (cf. Critchley, 1967). In these times trials were rare as guilt was assumed and common justice was typically some form of torture, humiliation, or simply execution. Fugitives sought sanctuary in churches, or the homes of friends and families, and this created feuds that often counteracted the solidarity manifested in the pursuit and execution mentality. Official “tithingmen/tythingmen” (fine collectors) were drafted from local families and reported to district “shire reeves”, or “sheriffs”, who were appointed by the king.⁸ This system worked in groups of ten men, and each was responsible for (and punished for) other

⁸ Under the Norman kings, the sheriff had a great deal of power, which was often abused. As a check to this power, various other positions were created within the criminal justice system as a check on the sheriff’s activities; for example, the position of Coroner has existed since 1194 to inquire into unexplained deaths, and the job of “justice of the peace” was created around 1361 (Stead, 1985).

members' actions. It is said that this may be the basis for the "kinship style" of policing (cf. Hirschel and Wakefield, 1995), as seen in the modern American "Fraternal Order of Police". Between the twelfth and fourteenth centuries, these tithingmen became group leaders and were known as "chief" or "capital pledges". As their duties increased, so did their prestige and eventually, in the mid to late thirteenth century, the post became that of "village/parish constable", with a standing equal to that of both the mayor and the bailiff (Critchley, 1967). These unpaid posts were held for one year, and men were drafted into the position, though draftees were permitted to pay others to take their year of service (Stead, 1985).

Following from this, but before the creation of an official policing service, the system of bailiffs and night watchmen was utilized as villages began to expand, and towns and cities were formed, (larger cities, as they expanded, also introduced day watchmen to the efforts). This system was reinforced in 1285 by the Statute of Winchester, which aimed to "abate the power of felons" (Critchley, 1967:6), and effectively codified early policing practices by: i) requiring the establishment of watchman services⁹, ii) mandating the draft of young men into this service, iii) making citizen response to alerts (the "hue and cry") compulsory, and iv) requiring the citizenry (or men aged between fifteen and sixty) to keep weapons in their establishments to respond to the call to arms. Inspectors, known as "high constables" (Stead, 1985) were employed as overseers to ensure that the last of these regulations was understood and followed.

⁹ The watch consisted of up to sixteen men, depending on the size of the town, and was stationed at every gate around the town's walls between sunset and sunrise each night (Critchley, 1967).

The Statute of Winchester was the only general public measure of any consequence enacted to regulate the policing of the country between the Norman Conquest and the Metropolitan Police Act, 1829, so that for nearly 600 years it laid down the basic principles.

Critchley (1967:7)

The 1361 “Justices of the Peace Act” was the next major step, but this changed little, mainly affecting the manner in which the Statute of Winchester was applied¹⁰ and establishing a new position in law enforcement, that of “justice”. With more power and prestige than the constables, the social and political importance of the justices grew, as did the associated corruption, which became known as “trading justice” (Hirschel and Wakefield, 1995). Justices were paid for the number of convictions made and, thus, enterprising villains would match the price paid and remain free. During these times, it was the responsibility of the victim to bring the suspect to prosecution and to gather evidence for the case. The police brought very few prosecutions themselves until as late as the mid-nineteenth century, though by the late twentieth century over 80% of cases in the courts were the responsibility and result of actions of British Police services (cf. Hay and Snyder, 1989).

The popularity of the office of “constable” continued to decrease from this point, with wealthy merchants and farmers paying others to take their turns, until it became “appropriate only to the old, idiotic, or infirm,” (Critchley, 1967:10). At the end of the seventeenth century, following centuries of the decline of the parish constable and his duties (a decrease mirrored by the increasing corruption levels of both constables and justices during this period, cf. Critchley 1967), night watchmen began to be employed to

¹⁰ The Statute of Winchester and the Justices of the Peace Act together effectively marked the end of the frankpledge system, and the transition into a rudimentary policing organisation (Critchley, 1967).

help constables combat highway robberies. At this time, a system of rewards for information and assistance was first established, as was the hiring of local deputies, but this again led to further corruption.¹¹ Crime networks (primarily organizations of thieves and prostitutes) began to be established in London, and the ineffectiveness of the policing services in this city led to large areas becoming “immune” from the law. Critchley (1967:21) states, “the extent of criminality in the capital at the end of the seventeenth century and during the first half of the eighteenth, defies description [...with] almost unlimited opportunities for pilfering and robbery offered by the unpoliced London streets.” As this criminality spread throughout the metropolis, and the population became more frightened to walk outside after dark, a few forward-thinking reformers attempted to re-establish lawfulness in the city.

British Reformers

The basic mission for which the police exist is to reduce crime and disorder.

Sir Robert Peel, 1822 (cited in Schmallegger, 2001:168)

The popular author Henry Fielding (1707-1754) attempted to respond to the organized criminal groups that were infesting London in the early eighteenth century by the creation of a dedicated and disciplined *proactive* force of law enforcement officers. With a team known as the “Bow Street Runners”, Fielding, magistrate of the Bow Street District of London in Covent Garden, controlled the deployment himself and, after his early death in 1754, his blind half-brother John Fielding (1721-1780) took power and expanded Henry’s force. Hand-picked for their effectiveness during their tenure as former

¹¹ It was at this time that professional “thief-takers”, or bounty hunters began to emerge. They were extremely unpopular with the public, however, and were often more corrupt than those that they apprehended (Stead, 1985).

constables, “actuated by a truly public spirit against thieves” (Critchley, 1967:33), and paid through a stipend provided by the government (as well as rewards given for the apprehension of criminals), the Runners were employed to seek out and prevent crime and carried a staff as a form of identification (as well as, presumably, protection). They began to target organized crime and major figures, such as Jonathan Wild (a thief-taker reported to have brought in more than 75 felons, though more active in the field of receiving stolen goods), were detained to be subsequently arraigned and hanged. The Fieldings’ Bow Street Runners were diligent and effective, and much of the organizational features of the service were carried over into subsequent policing efforts. A criticism of the Fieldings’ work remains, however, in that they only examined the situation within the city of London with no regard for the industrial or rural areas outlying the area (cf. Beattie, 2001, and Critchley, 1967). This caused the policing systems outside the city to evolve more naturally, taking ideas from the city’s example, but adapting them to suit their individual needs.

Another major reformer of this time was Patrick Colquhoun (1745-1820) who, with his close associate the philosopher Jeremy Bentham (1748-1832), built upon ideas introduced by Henry Fielding. He proposed the “new science of preventative policing” (cf. Hirschel and Wakefield, 1995), and was the force behind the proposal for a centralized coordination of London – indeed of all *British* - policing efforts led by five commissioners who were to be “able, intelligent, prudent and indefatigable”, (Critchley, 1967:39). Though people considered such centralized ideas extreme, Colquhoun is credited with establishing the first professional British Police Force, the Marine Police on

the River Thames (the world's busiest port of the time) in 1800.¹² He also published the widely popular *A Treatise on the Police of the Metropolis* in 1797, which went through seven editions in just ten years.

During this period, up until 1829, the efforts of the Bow Street Runners continued to be expanded, including the establishment of the aforementioned Marine Police, and also the City of London Police (which still exists today, but whose history is shrouded in controversy) which had the sole purpose of policing the one square mile within the old city walls. The first uniformed officers made their appearance on the streets of London in 1805 wearing a blue coat and trousers with yellow buttons, a red waistcoat (which gave them the nickname "Robin Redbreasts"), black Wellington boots, and black hats. It was at this time, however, that it became increasingly evident that mounting problems of urbanization and industrialization, which created riots and other disorders (including the Gin Riots of the eighteenth and early nineteenth centuries, cf. Scmalleger, 2001), required a more organized and substantial force.

Post-1829: The New Police

It is one of the most remarkable facts about the history of police in England that, after three-quarters of a century of wrangling, suspicion, and hostility towards the whole idea of professional police, the Metropolitan Police Act, 1829, was passed without opposition and with scarcely any debate.

Critchley (1967:50)

The London Metropolitan Police was established with the passing of the "Bill for Improving the Police in and near the Metropolis" in 1829.¹³ What became known as the

¹² The results of this early police force were highly impressive, with a reduction of theft reported by the West India Merchants at ninety-five percent (Stead, 1985).

¹³ John Fielding had attempted to put a similar bill through Parliament in 1785, but it was refused as many feared the establishment of a force similar to the much-feared, centralised *gendarmerie* (Hirschel and Wakefield, 1995). It is claimed by some (cf. Hay and Snyder, 1989) that Parliament was distracted in 1829

“Metropolitan Police Act” became law on July 19th, 1829. The Bill allocated resources for 1000 paid, handpicked men and was the work of Robert Peel (1788-1850), who would later become the Prime Minister of the United Kingdom. Peel had been the Chief Secretary in Ireland (1812-1814), a country that had adopted an earlier version of the Bill in 1786, a move that had seen the establishment of the Royal Irish Constabulary. Peel assisted with the reform, establishing the “Peace Preservation Force” in 1814, and brought this experience to bear when he became the British Home Secretary in 1822.

At this time, Peel began to establish an ex-army policing force and, after the passing of the Metropolitan Police Act, he officially replaced the previous policing system with a quasi-military structure of uniformed, highly visible officers: “The semi-military uniform of the Metropolitan Police carefully symbolized this position of the new police – neither civilian nor military...” (Monkkonen, 1981:39). The officers carried rattles to alert colleagues if they were in danger, and short truncheons concealed under the tails of their coats for self-defense. The new officers (known after Sir Robert Peel initially as “peelers”, and still called “bobbies” to this day) were assigned “beats” within the seventeen divisions into which London had been separated, and were given two main objectives: to discourage crime through their visibility, and to perform preventative patrols, as opposed to the static watchman system that had preceded them. The new service was ultimately controlled by the Home Office, and as such was essentially free from input of the citizenry that they policed, allowing the government to set the standards

by the Catholic Emancipation and that this, as well as nine official inquiries between 1812 and 1828 into poor law enforcement practices, assisted the passing of the controversial Act. There were also a number of trade depressions and riots occurring during this period, which were highlighted by Peel, and he courted the support of opponents to capital punishment, saying that increased policing would reduce crime and, therefore, the need for executions. The succession of the Duke of Wellington (victor against Emperor Napoleon at Waterloo) to the post of Prime Minister in 1828, who himself had strong views on policing issues, finally secured a major supporter in a position of power to Peel’s cause (Stead, 1985).

required and to control the officers. An official post of “receiver” was also created to manage all monies that came into and went out of the new service, including the wages of constables and other officers. The receiver was answerable directly to the Home Secretary, with the post initially being filled by John Wray, a former barrister (Stead, 1985).

Peel assigned control of the New Police to two commissioners Charles Rowan (an ex-army officer) and Richard Mayne (a former barrister) and established a new headquarters off a small London alley next to a court called Scotland Yard.¹⁴ The duty of the commissioners was decreed as “the Preservation of the Peace, the Prevention of Crimes, [and] the Detection and Committal of Offenders,” (Stead, 1985:37), duties which included the selection and swearing-in of new constables.¹⁵ Both of the new commissioners believed that good policing stemmed from good practices and respect between the citizenry and the officers and, therefore, strove to select young men who reflected and inspired high personal standards. Their principles (as well as the paltry wage of three shillings a day offered by the government) made recruitment difficult, as did the order from Peel that all higher offices within the force be given to former military warrant or non-commissioned officers, that is, “gentlemen” (Stead, 1985:39). The force soon, however, became an entity that reflected professionalism and a unity of purpose that had hitherto been absent in British law enforcement, and instated an air of dignity and respect to the service: “Their imperturbability, courage, good humor, and sense of

¹⁴ The headquarters were moved in 1885 onto the Thames Embankment and the location was dubbed “New Scotland Yard. This name was retained when the control centre was moved to a new building off Victoria Street in 1967.

¹⁵ The “General Instructions” issued to officers in 1829 were written by Rowan and Mayne, and then annotated by Peel. They instructed constables on their general duties and expected demeanour, and are still in effect today.

fair-play won first the admiration of Londoners and then their affection,” (Critchley, 1967:55).

There was a marked resistance to the introduction of the New Police, who were seen by some as an “occupying army”. The first officer was killed in August 1830, and demonstrations and public objections reached their height in 1833 during parliamentary inquiries into police conduct with a clash between police and a London mob in Cold-Bath Fields (see Critchley, 1967 for a detailed account of this debacle). There existed constitutional objections on the part of the gentry, which were reduced to suspicions by the late nineteenth century, whereas the laboring class violently objected to the new force and assaults on constables during this time were not a rare occurrence. The urban middle class accepted the new service tentatively at first, but was the first to enthusiastically welcome them. The end of any resistance seemed to begin, however, when a man accused of killing an officer during the Bath Street Riot in 1833 was found not guilty. The controversial verdict swung public support towards the police, and relations improved from this point onwards (cf. Scmalleger, 2001). Most residual disorder and resistance was seen during “abnormal circumstances”, for example the enforcement of vagrancy statutes or licensing laws in the 1870’s, but the working class increasingly brought their complaints to the police and growing acceptance of the force was also signaled by an increase in the number of working class prosecutors (cf. Hay and Snyder, 1989). When the police continued to prove themselves able, for example, to control angry mobs armed with just truncheons and protect the public at large, acceptance followed. Eventually military reinforcements to the police were no longer required and, over time, support continued to grow.

After the New Police

...the police had won the acceptance of the great majority of citizens. This last achievement was due to the “presence” the police had established in urban and rural communities, a presence that [...] made available at all hours, day and night, a service to which people could appeal in emergencies great and small, imparting a new sense of security.

Stead (1985:67).

The London example became the prototype for other forces around the country, seen as “...a tradition of civility and professionalism,” (Walker, 1998:54). Although Peel’s original plans to centralize all policing were turned down, the fall of the Conservative Party in 1830 allowed the passing of the Municipal Corporations Act (1835), and the County Police Act (1839) allowed the establishment of such forces. The County and Borough Police Act (1856) followed, which *required* the establishment and maintenance of police forces with a governmental subsidy provided to each jurisdiction to aid in these measures. The Home Secretary was assigned control of the Metropolitan Police, and partial control of the other forces, shared with local police authorities. One duty of the Home Secretary remains to this day “to promote the efficiency of the police in general,” (Stead, 1985:5) through allocation of tax monies to the forces, and monitoring inspections by Her Majesty’s Inspectors of Constabulary – senior officials within the home office.

By 1842 it became apparent that general uniformed officers were insufficient to deal with all types of crimes. It was at this time that the first detective bureau was formed of two inspectors and six sergeants (one of whom was a former Bow Street Runner (Stead, 1985)). This office was the initiative of Richard Mayne, and though there were only sixteen detectives in the unit by the time of his death in 1868, the number was soon to increase – as were the duties of the detectives. Organizational problems hounded the

new unit, including a lack of pay initiatives to attract applicants of high standards from the uniformed ranks, and poor communication between the specialist groups within the departments. The high-profile “trial of the detectives” in 1877 (cf. Stead, 1985) led to further problems, when it was exposed that senior officers were alerting criminals about the direction of investigations. This incident led to a major reorganization of the entire detective department into what is still today known in the UK as the Criminal Investigation Department, or CID.

Problems with communication occurred not only within each force individually, but also between forces throughout the country. The Local Government Act of 1888, had mandated the consolidation of police forces with jurisdiction over less than 10,000 people (see Stead, 1985, for a detailed description of this, and other, organizational modifications), but there were still 183 police forces in 1939. Small moves were taken to combat this issue over the next few years, but the substantive initiative was taken in 1972 with the passing of the Local Government Act that rearranged counties and districts throughout the country. Major police reorganization was required to align with these changes, and the number of forces was reduced to forty-three, none with less than 600 officers. This greatly impacted the personalized policing that many, especially those in small villages, had come to know and the recent focus throughout the country on community policing programs (especially the introduction of “Community Police Support Officers”, police adjuncts with limited powers who are permanently assigned to particular areas) is an attempt to recover from this loss.

Throughout the late nineteenth and early twentieth centuries, a major focus continued to be the professionalizing of the police as a service. Having become the butt

of jokes for many years, police were now faced with the need to establish officers of all ranks as diligent and dedicated specialists in law enforcement. Until 1959, commissioners were always appointed from outside the police service to maintain a balanced view of the requirements of the service and the social climate within which it worked. This perspective was also maintained in the independent inspectors that investigated each force as a matter of course for the Home Office. It was with the establishment of the Metropolitan Police College in Hendon in 1934 that the biggest step in professionalisation of the service was implemented. Not all potential officers were required to attend, but the college provided specialized education for officers of all ranks, preparing them for the individual challenges that each stage would require, and creating better career prospects for its graduates (Critchley, 1967). Several commissioners and chief constables were among its early graduates. Following the Second World War, however, two further educational initiatives were taken: eight district training centers were opened for the inductive training of recruits to the force, and a national police college was finally established, offering training for sergeants, inspectors, and superintendents, initially, but later offering instruction for constables that showed extreme promise. The college moved from Coventry to its current location in Bramshill, Hampshire, in 1960 and soon became an institution for the education of police that was unparalleled anywhere in the world.

In the spirit of furthering the effectiveness of policing from all sides, it was in the late nineteenth century that the physical sciences began to be applied to police work, and they became the precursor of the modern forensic sciences. Many advances in this area came from the United States (and, thus, will be covered in following sections), but

technology in general had a profound effect on the force. Telephones allowed the dispatch of officers to crime scenes, first from police boxes strategically placed throughout the town to which officers would be summoned by a flashing light on the top, and then even more mobility was made possible through the introduction of motor vehicles, and radios. Advances are continually being made in these areas, for example the recent introduction of the “Airwave” radio system to British Police allows direct communication between officers, the ability to hear both the dispatcher and other officers as they communicate on the main channels, and a greater range of coverage throughout districts than was offered by the preceding portable or “base” (car-installed) radios.¹⁶

American Police: A Cultural Backdrop

As the ordinary American citizen walks the streets of our great cities intent upon the duties of the hour, little does he consider, and often little does he appreciate the fact that the city, state and nation, by means of its police officers, are maintaining a careful watch upon his welfare.

Bennett (1904: 32)

It will be seen that the Revolutionary War produced a certain ironic implementation in the realm of law enforcement. Whilst the victory ensured American independence from the British government and politics, it was merely a few short decades following this newly declared independence that some American cities chose to implement a policing system modeled directly on that of London. The American criminal justice systems (policing, courts, and prisons) mostly evolved separately from each other, with variants in motivation and implementation occurring between cities until, in 1920, they

¹⁶ North Wales Police are the last force in England and Wales to receive the Airwave systems, and they are slowly being implemented in June, 2005. They have been used since at least 2002 in West Mercia Constabulary, however, though constant improvements to the system have made a large difference in, for example, the size and applicability of the units that are being issued to North Wales Police officers and those that encumber the belts of the West Mercia Constabulary.

were addressed as an entire unit, and as a formalized aspect of the judicial branch of the government (Walker, 1998, Monkkonen, 1981). In order to understand the birth of the American policing system as we know it today, however, a brief outline of the situation that occurred preceding the implementation of a more recognizable criminal justice system is in order.

Pre-Revolutionary Criminal Justice in America

People leaving England in colonial times to find a new life in the Americas were looking for change and opportunity, a break from the English government and law, and for religious freedom. However, it was impossible for them to completely leave the “baggage” of the English legal system behind. The resultant colonial law enforcement system was an odd mixture of archaic English law and a newly emerging American criminal justice system. Pre-uniformed American law enforcement resembled the early English “voluntary” constable and watch system that had its roots in the thirteenth century.

The small colonies that first settled in North America were originally homogenous in both race and religion. Crimes were primarily of a “moral” nature, for example, “acting in such a way unbecoming a married person”. These crimes were seen as being committed against the society as a whole and were tried as such, usually in churches or town meetings. The penalties reflected the community orientation and were of a public nature, ranging from acknowledgement and apology for the crime, to time spent in the stocks, to branding or mutilation, to exile, and finally – for the most heinous crimes – public execution.

In a small, close community these “shaming techniques” were highly effective in both deterring crime and punishing it. Though capital and corporal punishment did exist,

colonists in tune with English reformers of the day saw these last resorts as barbaric. Following from this feeling, William Penn's Great Law of 1682 – though a century before its time – called for less severe punishment and a focus on rehabilitation. The Quaker Walnut Street jail was an example of this innovative thought, and was eventually followed by prisons in other states such as New York's Newgate Prison.

Realization of Penn's vision of a more humane system was a long time coming, however, and in the meantime societal changes in the colonies were forcing other methods of control. Immigration and industrialization, especially between 1834 and 1860 (cf. Walker, 1998), caused population explosions in cities that brought with them civil disturbances. These figures kept rising until, in the early 20th century, the numbers approximated one million immigrants a year. As towns grew larger and more diverse, the crime levels increased. Some towns began to employ nightwatchmen, following the British tradition, and these were, as in the U.K., the forerunners to a modern police organization. Sheriffs were appointed, though their jurisdiction was either restricted to town limits, or their rural beats were neglected. Slave patrols began to be formed in the south as slave owners began to fear uprisings within their ever-growing slave populations. Such forces were political, however, and controlled by English-appointed governors and officials. Their primitive attempts at law enforcement were hampered by changes in power and a lack of official authority.

The American court system eventually emerged in a form similar to that which had been seen in the town/church meeting format. County courts met monthly and heard complaints brought directly to the judges by the victims of crimes. Judges had little or no legal training or authority, but while small communities existed, it was often enough

simply for cases to be heard in front of the numerous spectators that attended these events, flocking to the courts as a source of cheap entertainment, and to witness the “shaming” punishments meted out. As communities grew, however, stronger street-level law enforcement measures were required and “sheriffs” were employed to support the unpaid watch system.

Aided by a staff of deputies and marshals, the sheriffs became responsible for the court’s business but had no patrol responsibilities, duties that were still covered by watchmen (Monkkonen, 1981). Eventually constables were employed in the role of preserving the health and safety of townspeople. Their duties included road maintenance, the monitoring of health hazards, observing known or potential offenders in their jurisdiction, as well as serving court orders and catching wanted persons. These measures will still insufficient for control in times of riot or to fully protect property and the use of militia and/or thief-takers came into service for these purposes.

The beginnings of the American criminal justice system grew from these social and political circumstances. Immigrant populations continued to bring civil unrest by shattering the homogeneity of both nationality and religion, with its associated moral entanglements. The English Puritans struggled against the vices of sex and alcohol in their communities and attempted to outlaw these and other beliefs. One example of this was an attempt to criminalize Quakers in Massachusetts that continued until, following the execution of several Quakers, Charles II decreed a law against the persecution of people on the basis of their religion.

Alcohol was a constant source of problems. The puritans pushed for restraint or abolition, whereas many of the immigrant population (especially the large numbers of

Irish and Germans arriving in America) fought for the freedom to drink. Though a large contribution, alcohol was obviously not the only problem, however, and was possibly only a symptom of larger issues endemic to the coming together of so many different cultures. It is from situations such as these that American law enforcement was born.

Post-Revolutionary U.S. Law Enforcement

The realities of patrol work mocked Robert Peel's dream of a continuous visible presence.

Walker (1998:57)

Following the Revolutionary War, law enforcement, and the law in general, took on a new purpose. The Declaration of Independence, The Constitution, and the 1791 Bill of Rights each added their own efforts to breaking away from British laws and traditions, and asserted the new American qualities symbolized in statements such as "All men are created equal", and "Liberty and justice for all".¹⁷ With cities continuing to grow due to immigration and industrialization, town and civic leaders began to build upon the existing, though largely inadequate and ineffective, sheriff systems in place and to experiment with city and town police forces.

It is claimed that the 8-man Boston Police Force, established in 1838, was the first American organization of its kind. There existed before this establishment, however, the South Carolina Patrol of more than 100 men, which was established in 1822. It may be that historians only begin their accounts of policing with Boston as the first attempt at a structured policing force, based heavily on Peel's London Metropolitan Police model.

Monkkonen (1981) offers a simple timeline for the development of the Boston Police

¹⁷ In these early North American statements, it should be noted that the term "men" was actually used to mean just that, specifically "not women", with the same referent being shared by the word "all" in the second saying. The rules governing this separate class of citizen were greatly different, and became the subject of many, comparatively recent, civil rights actions in this country and abroad.

force, which he uses as illustration because “the transition there took so long to accomplish [...] that each change stands out clearly in the gradual unification of the police”, (p.46). The stages were, briefly:

- 1822 – Boston is incorporated as a city, with its constable-watch system of 200 years still intact. Constables are responsible for both criminal and civil matters. The watch is, at this time, a part-time job paying 50 cents a night, responsible for hunting out fires and other disturbances. Watchmen report hourly to one of four watch stations between 10 PM and sunrise.
- 1837 – Separate day and night watch systems are created. The position of “constable” becomes a civil court position only.
- 1854 – The watch is abolished, and the council creates the “Watch and Police Department”, increasing the watchmen’s salaries to two dollars per night and investing them with the arrest powers of police officers. The position of “constable” disappears.
- 1859 – The council unifies the whole policing system under one chief and uniforms the officers.

From their inception American police forces looked more to their neighboring cities for guidance than to London, and a major difference that existed between the early American forces and Peel’s organization was that the Americans initially focused simply on the regulation of crime, rather than the vision of prevention presented by the London model.

Symbols of the difference in motivation exist in facts such as the following:

- Unlike the London Metropolitan Police, American city police were not uniformed until the mid to late 19th century;
- The US police were mostly unsupervised;
- They were, overall, profoundly undisciplined.

Early American officers received little or no training, being provided with a department handbook before their first day on the job, which was filled with rules that were mostly ignored when the officer hit the street to receive their “real” training (in job

avoidance and the receiving of bribes, cf. Walker, 1998) from senior officers. Whereas London police officers were held accountable for events within their beats and were identifiable by their uniforms if there was any doubt, the American police blended in with the general population. This led to two main problems: i) it was difficult for the sergeants, or “roundsmen”, to find them and keep track of their work (the effectiveness of this system also depended on the dedication of the sergeants themselves), and ii) it was practically impossible for a member of the public to locate an officer in their time of need. It was not until the introduction of the police call box in the 19th century (cf. O’Neill, 1903), again following the British example, that these issues began to be successfully addressed, and not until the arrival of the two-way radio in the 20th century that response problems could be overcome.

Reformations did not take place simultaneously throughout America. Forces altered sometimes gradually, and sometimes overnight, throughout the 19th century.¹⁸ It should be noted that the change was not always smooth. For example, in 1857 New York held both a Metropolitan *and* a Municipal police department that patrolled the same district for two months. Conflicts ensued between the two organizations until the Mayor eventually dissolved the Municipal Police. A similar situation occurred almost half a century later in 1894 in Denver though no physical violence occurred (cf. Monkkonen, 1981). It is apparent from these examples that a major concern in the police reformations was not so much the form that the service itself would take, but rather over which political faction would control it, “...which horde had the legal right to be supported by public plunder”,

¹⁸ Monkkonen posits a model for the reformations based on the size of the city concerned: “The innovation of the police, copied first by the largest Eastern cities from the model of the London Metropolitan Police, swept down the size hierarchy of U.S. cities, from large to small, in a forty year period”, (Monkkonen, 1981:55).

(New Yorker George Templeton Strong, cited in Monkkonen, 1981:44). This attitude was widely held, and not refuted by the behavior of police officers.

Throughout the nineteenth century, police corruption was rife in many forms. Officers shirked their responsibilities and were more often than not to be found in restaurants, barbershops, and bars. They accepted bribes, and routinely used excessive force (Walker, 1998). Though many idealists listed the desired qualities for police officers as “bravery, morality and decisiveness...” (Bennett, 1904:33), “sobriety, integrity, [...] a respected citizen, able to read and write” (Deitsch, 1900:40), and “courage, intelligence and discretion, [...] more than ordinary common sense” (Gaster, 1900), in actuality the selection criterion for police officers was quite simple: connections. Politicians gave “friendly” candidates high paying, powerful positions, but these jobs held no security as a change in political administration often meant a complete change of police staffing (Walker, 1998).

With the moral faction of society stemming from colonial puritan times still present and powerful in the new America, sex and alcohol were stigmatized and often outlawed. This created vice districts within cities where the “bachelor sub-culture” became a problem. Early arrests were mainly for drunkenness or public order offences (Walker, 1998), though taking prisoners into custody presented officers with their greatest challenge (cf. Farman, 1910; Haager, 1909; O’Neill, 1903; McKelvey, 1896). Until the introduction of motorized vehicles in the 20th century, prisoners were held by the officer (often in public, with both prisoner and police officer being jeered at and taunted) until the arrival of a horse-drawn cart to be taken into jail. The journey could be many miles each way, and would take considerable time by this means of transportation. The problem

was worse among immigrant workers in cities such as Detroit, who fed the vice districts with business. In many cases, the police accepted bribes in return for not closing down bars and brothels and consequently policing jobs became a franchise, with people paying exorbitant fees for ranks within the force that would bring them ever-increasing returns. Walker (1998) states that corruption was rampant, and “according to some historians, was the principal activity of the police”, (p.61).

These practices, as well as a general image of the police as lacking in authority, fed into a dearth of respect for the officers and the establishment as a whole. The police, seen as political agents, became targets for abuse and in attempts to build respect would resort to their clubs (which may have been either a “pocket billy”, a “night stick”, or a “baton of medium length” (Haager, 1908:38), and which were their only weapons until officers in New Orleans began to carry guns illegally in 1850). The prevailing attitude was illustrated in this statement from the aptly named New York officer, “Clubber” Williams: “There is more law in the end of a policeman’s nightstick than in a decision of the Supreme Court”, (cited in, Monkkonen, 1981:39). This police brutality is just one symptom of Lane’s “central paradox of policing”, mentioned in the introduction. While the London Metropolitan Police continued to be highly effective, they were completely undemocratic, adhering tightly to a hierarchical, military style of command and response. They were also backed by the law and majesty of the land. In contrast, American police were democratic and politically driven, but remained mostly ineffective, with brutality rife throughout the service, and a generally low level of personal standards (cf. Walker, 1998).

In New York, in 1892, however, Reverend Charles Pankhurst cried out against police corruption and the associated brutality, sparking a crusade that resulted in a grand jury investigation into the organization and the election of a reform Mayor. Changes on similar lines soon followed in other American cities. These measures marked the beginning of the age of reform and professionalisation of American police services, including a raising of personal standards among officers (cf. Eldridge, 1900), though due to extensive problems within the administrative aspects of the organizations no real progress was made until the 20th century. Three other main players in this reform process will be briefly introduced here: August Vollmer, Theodore Roosevelt, and Fred Kohler.

American Reformers

The new professionalisation movement had a concrete agenda of organizational reform that included eliminating political influence over the police, raising personnel standards, and adopting modern management techniques.

Walker (1998: 131)

August Vollmer was the chief of police in Berkeley, California, from 1905 to 1932. During this time, Vollmer was responsible for a host of changes within his police force, including pushing for a higher level of education required for incoming officers (his department were sometimes referred to as “college cops”, and Vollmer established the Berkeley Police School in 1908), the motorization of officers to improve response times (firstly on motorcycles and then in cars), and the use of technology in criminal investigations (Vollmer capitalized on innovative fingerprinting techniques that had been introduced at the 1904 International Association of Chiefs of Police (IACP) convention and built the country’s first forensic crime laboratory). In his endeavors, Vollmer investigated other police departments and was helpful in bringing their administration, organization, and associated effectiveness up to higher standards. An exception was the

Los Angeles Police Department at which he spent a sabbatical year and declared at the end of this time that the force was beyond hope. Vollmer was also a key figure in the upwardly mobile IACP and an inspiration to which many of its members aspired. It was at the 1919 meeting that Vollmer began to focus on crime prevention and suggested various programs focusing on schools and work at the family level. During the 1920's, however, Vollmer's aspirations towards crime suppression seemed to have vanished, to be replaced again by the more traditional focus on crime fighting.

Theodore Roosevelt was chief of the New York Police Department from 1895 to 1897. In his first year, Roosevelt went onto the streets to observe his officers "in action". He found them mostly to be sleeping, in restaurants, or otherwise absent from their duties. When he left, he claimed to have revolutionized the force, though some researchers (cf. Walker, 1998) state that little had actually changed. A greater success in law enforcement evolution, however, took place under Roosevelt's volition ten years later when he petitioned congress for the creation of a federal police force. When congress voted against the motion, Roosevelt created the Federal Bureau of Investigation (FBI) the next year, 1908, by executive order. Though they remained largely ineffective until the 1920's, limited to enforcement of political motions such as the Mann Act (which stated that it was illegal to transport persons across state lines for "immoral purposes" (Walker, 1998)), it is apparent, with hindsight, that the creation of the FBI was a major step.

Cleveland Chief of Police Fred Kohler's contributions were, perhaps, less dramatic than those of Vollmer and Roosevelt, but they were, nonetheless, highly effective. His "Sunshine Court", established in 1905, allowed "honest" workers arrested on minor

charges, such as drunk and disorderly, to get to work on time the following day. In the same year, he introduced the “Golden Rule”, which, by allowing parents to take charge of juvenile offenders, offered a more lenient alternative for the treatment of juvenile and petty wrongdoers. Also in 1905, Kohler’s department was among the first to begin employing female police officers, though their activities were limited with regard to interaction with citizens and offenders until the civil rights movements of the 1960’s.¹⁹ It is certain that the evolution of the policing service as being entirely male will have contributed to its current image and perspectives, and Kohler recognized and addressed this matter. Many of these innovations were subsequently adopted in other cities.

Another major police advancement of these times followed the long-standing examples of organizations such as the Texas Rangers. Despite resistance in many states, including New York and Pennsylvania, the creation of state policing agencies with corresponding state-wide jurisdictions occurred between 1901 and 1908 (Walker, 1998). Though states with strong labor unions limited the powers of some state forces (for example, the state police of Illinois were curbed to only highway patrol functions), this was a major step towards the system that exists in modern policing organization.

American Police in the 20th Century and Beyond

The police department is fundamentally the hand of the good citizen, the agent by which he seeks to restrain the weaknesses of his neighbor or punish that erring neighbor for the good of the community.

Gravenor (1911:162)

¹⁹ It will be apparent by this point, that the above history of policing addresses the issue from an entirely male viewpoint, and that women involved in the process are absent in most academic works. Although this is not the place to discuss at length the contributions of women to the policing service (see Miller, 1999, S. Levine, 1995, and P. Levine 1994 for discussions of the historical and modern position of women in law enforcement), it should be noted that by presenting the policing service as entirely masculine (and even as dealing with an entire masculine population) is detailing the history of only half of the population.

The police services in America continued to be changed greatly during the 20th century. J. Edgar Hoover (despite his other, more dubious, political activities) made huge reforms and progress with the FBI during the 1930's, and advances in technology and administration offered greater response opportunities and further modifications to the services that the police could provide to the American public. Reiss (1992) puts the recent stages of evolution of the police from this point in history to the modern day into three categories:

- **Technology:** “It is generally recognized that a reliable, rapid, automatic recording and telegraphic signaling system is absolutely essential to secure full efficiency in police departments,” (Gravenor, 1911:162). Innovations, such as the “dial telegraph” (cf. O’Neill, 1903) that led onto two-way radios and telephones, fingerprinting (supported and advanced by Vollmer, as mentioned above, and used successfully from very early in the 20th century, cf. *The Detective* article of July, 1907, reprinted in Dilworth, 1976:171), bullet proof vests and body armour (as early as the first decade of the 20th century, cf. *The Detective* article of December, 1906, reprinted in Dilworth, 1976:168), dispatching, motorized vehicles (the early uses, costs and advantages of which are extolled by Haager, 1909; see also Beach, 1910, and Farnan, 1910), computers, DNA matching, and profiling have revolutionized policing. The perceived downside to these improvements is given, however, as the permanent move away from the community foot patrol that had prevailed when the early period of policing revolved around local beats.
- **Centralization:** Police officers have increasingly become responsible to internal ranking systems, and answerable to officers of higher rank, as opposed to the former system of answering directly to politicians. Police services are now centralized organizations, with central dispatching and control, and work within strict jurisdictions.
- **Bureaucratization:** Police services now hold a highly organized administration that is designed to be able to withstand changes at all levels – even at the head (which occurs, for example, with the election of a new sheriff). The organization itself is compartmentalized into civilians, specialized units, administrative departments, special teams and squads, and sustains its own maintenance service. Each section has its own responsibilities and duties and its own internal structure.

It is largely in this condition that the modern American police force now exists.

There are, of course, further improvements offered continually to the service, including the introduction of police dogs as early as the beginning of the twentieth century (cf.

Sylvester, 1908), but developments continue to be implemented in modern times, as seen, for example, in the choice of styles and approaches to policing which are discussed below.

Modern American Policing Practices

The above histories of British and American policing are, of course, interesting in their own right, but they also contribute to the practices of police departments and attitudes of the public towards the police in current times. The aim of the remainder of this chapter is to connect aspects of the histories of policing discussed above to facets of the different organizations that are visible today in current organization and practice, especially those that will affect the examination and understanding of linguistic practices within the policing services observed. As the great majority of the observations for this study were made with two American agencies, these will be the focus of the remainder of this chapter. Modern British perspectives and practices will be readdressed in chapter six with the discussion of cross-cultural similarities and differences. The discussion below begins with an introduction to styles of policing, then moves onto an analysis of approaches to policing. The remainder of the chapter introduces the two main American agencies participating in this study, with special reference to the styles and approaches that they follow, how these philosophies are reflected in their everyday practices, and how they may affect the linguistic interactions in which the officers and deputies engage.

Styles of Policing

James Q. Wilson has shown that of many possible types there are three major styles of police performance: the Service Role, the Watchman Role, and the Legalistic Role. They require not only different types of personality but different organizational roles, responses, intellectual requisites, and ultimately highly selective recruitment requirements.

Blumberg and Niederhoffer (1970:12)

Police “presence” is a major aspect of policing throughout the world. The deterrent effect of visible law enforcement agents is undeniable, though it will vary according to the practices, beliefs and styles of each organization and community. In this section, some of the more commonly recognizable styles of policing are introduced.

The style chosen for a particular community will depend on a number of factors. These will include the socioeconomic and racial demographics of the society, as well as the homogeneity of the population contained within the jurisdiction. Administrative preferences as well as political influences also play a huge part in the choices and consistency of styles as they affect and facilitate routine policing on all levels, from basic dispatching services through to allocation of funding. The effect of this bureaucratic influence on law enforcement officials is often a hindrance as officers are forced to appear “efficient” in the facets of their industry that matter to these organizations, rather than on aspects that may be important to the society as a whole (cf. Blumberg and Niederhoffer, 1970, Lundman, 1980).

Such conditions will affect the selection and effectiveness of any policing style and approach. It is Wilson’s division of policing styles given in the quotation above that will be discussed in the next three sections of this chapter.

The “Watch” style of policing

Watch Policing (WP) has its roots in the very earliest styles of law enforcement, as detailed in the histories above, specifically in the day/night “watchman” positions. In modern American times, Watch Policing (also known as “passive policing”, cf. Kuykendall, 1974) is typically found in low socioeconomic areas which display a high level of diversity in racial distribution. Common to its ancient roots, WP agencies are often participants in “trading justice” (cf. Lundman, 1980, Wilson, 1978), and their

officers typically only engage in reactive duties to crimes already committed. There exists little encouragement to self-initiate the discovery of illegal activity (encouraging job avoidance, or “evasion” (Walker, 2001: 488)), or to bring about prosecutions from their own initiatives. In the racially mixed communities that WP departments typically serve, citizens are likely to have little or nothing in common with those that surround them (Lundman, 1980) save for an abiding mutual distrust of each other. WP officers perform minimal law enforcement tasks in these environments, and see their role within the community merely as maintaining the social order²⁰, although this feature of law enforcement must of course be a facet of all agencies’ philosophies (Wilson, 1978). In the case of WP, however, the interests of the members of the agency itself and the affluent members of its community – rather than the general interests of the community’s citizens - are the primary concern, and many of the more mundane policing duties are ignored or marginalized. For instance, paperwork in typical WP agencies is described as being “skimpy” (Wilson, 1978:154) as this leaves a permanent record of actions, and traffic violations, if they are of interest to the administration at all, are enforced only by dedicated traffic units.

In WP societies, “minor” crimes, such as these traffic offences or juvenile disturbances, are mostly ignored (drivers are yelled at and children are returned to their parents for disciplining), as are crimes within the poor and minority communities.

Counseling and advising, important features of some of the following styles of policing, are not seen by WP officers as part of their duties (cf. Kuykendall, 1974). Exceptions to

²⁰ Analyses of this style of policing have been the impetus for the creation of the “Watchman Scale”, a measure used to examine “the use of discretion to maintain control”, (Wortley, 2003:538). This study also uses another continuum, the “Service-Legalistic Scale” to measure police flexibility-inflexibility. The Service and Legalistic styles of policing are discussed in the following sections.

the lack of enforcement policy occur only if citizens observe the officer witness the violation, or if traffic stops are a supplement to the WP officer's income (cf. Lundman, 1980). Crimes with "willing victims", such as gambling and prostitution, are tolerated or even encouraged, though mostly ignored, depending on the individual community's criteria (cf. Wilson, 1978). Private disturbances, including domestic and business disputes, are seen as "personal", "private" matters outside of the responsibilities of the law enforcement officer, elicit slow response times (Lundman, 1980), and are dealt with only if they become issues of public order. In this way WP officers may minimize potentially damaging contact with citizens:

The police style in these cities is watchman-like because, with certain exceptions dictated by the chief's policies or the city's expectations, the patrolman is allowed – and even encouraged – to follow the path of least resistance in carrying out his daily, routine assignments.

Wilson (1978:144)

This is not to say that all crime goes unnoticed or unpunished in WP communities. Serious transgressions are always addressed with an appropriate level of concern – in fact, even those with negative perspectives of policing agencies in WP cities had no complaints that such levels of crime were given anything less than the attention that they deserved (cf. Wilson, 1978). Serious incidents merit serious treatment, but the importance of an event is judged by the on-scene officers with regard to community standards and the level of service the surrounding community is judged to "deserve" (cf. Wilson, 1978) rather than a conscious recounting of the law. Otherwise, a feeling of "curbstone justice" prevails (Lundman, 1980).

The consequences of this style of policing include discriminatory arrests (especially of young people or minorities), organized corruption (which is made more possible), and

high levels of unnecessary police violence (mostly due to improper implementation of boundaries, as well as insufficient guidance and training with regard to techniques and expectations for the use of force). Overall, there is a tendency toward officer implementation of “street justice”. While these types of agencies are extremely sensitive to citizen complaints (most of which are dealt with by the chief, no less (cf. Wilson, 1978)), police misconduct is more frequently seen in WP organizations than in other styles of policing, simply because the structure itself is supportive of the possibility of corruption. Kickbacks and free or discounted services are part of the daily activities of many WP officers, and recruits are socialized into this type of behavior from before the time of their initial hiring by virtue of the fact that most WP officers are born and bred in the community that they serve.

It is generally the case that incoming WP officers are poorly trained, with possible “do-gooders” filtered out in the hiring stages (Lundman, 1980). It is frequently observed that policing is a “folk-art” mostly learned on the streets, and academy training, if required, is soon forgotten as Field Training Officers expose their rookies to the corrupt norms understood to exist by WP agencies:

Although new officers may elect not to engage in these activities, they must at least evidence a willingness to abide by subculture norms emphasizing secrecy.

Lundman (1980:156)

Once on the job, WP officers are expected to place little emphasis on appearance, politeness or standards – some of the traditional indices of the level of professionalism towards which a law enforcement agency strives. There are also few opportunities for advancement or promotion in the WP force, as specialization is frowned upon and promotion is seen primarily as a political decision made by either the agency, or by

outside influences: “*If there are few rewards to be sought outside the patrol force, there is little incentive to work hard to get out*”, (Wilson, 1978:155, emphasis in original). In the same vein, few efforts are put into strategic planning of law enforcement activity, community relations issues and concerns, or research into policing effectiveness. As this statement shows, the lackadaisical attitude evident in the patrol officers’ enthusiasm and effectiveness towards their duties is merely indicative of the apathy existing throughout all levels of the WP agency (Lundman, 1980). The overriding concern (throughout the organization) is to keep out of trouble and to maintain the status quo (Zhou and Hassell, 2005, and Wilson, 1978).²¹

It is a preoccupation with stability that is the main reason for the continued existence of WP agencies. In certain communities where there are, for example, influential “big businesses” or a machine style of political government. It is in the interest of police to keep relations with such society members pleasant – especially when they will control law enforcement funding. In these cases the law becomes a “privatized” commodity reminiscent of the historical roots of the English “Watch” (cf. D. Taylor, 1997, and Emsley, 1991) and the similar early version that had existed in the United States between 1850 and 1920 (Brown, 1988). There also exist those communities where the influential members of the society are those who provide the illegal services, especially in cases of drugs, pornography, prostitution, or gambling. In these situations, law enforcement agencies may have little choice but to offer the style of (in)action that

²¹ Lundman (1980) gives an example of four “clean” officers in Birmingham, Alabama that drew official attention to a police burglary ring existing within their department. These officers were still, some time after the legal proceedings had ended, ostracised by their law enforcement community, and were forced to work in adjacent zones as other officers not would back them up, leaving them unprotected should a dangerous incident occur.

WP affords (cf. Lundman, 1980): "...if tolerance rests on community indifference rather than police forbearance, then the police have nothing to sell and, except for small gifts, nothing to gain", (Wilson, 1978:148).

The "Legalistic" style of policing

...whenever he acts on his own initiative or to the extent he can influence the outcome of disorderly situations in which he acts on the initiative of the citizen, the patrolman is expected to take a law enforcement view of his role. Such a police style will be called "legalistic"...

Wilson (1978:172)

As stated above, the Legalistic Policing (LP) style emanates from the perspective of the police officer as simply an agent of the law, a set of regulations in which she has no part in creating, that she may not agree with, but a code that she understands to be an integral part of the social fabric the adherence to which is the duty of all citizens.

Breaking the law, then, is a serious infraction, all examples of which should, ideally, be actionable to some degree, that is, through the "formal processing of nearly all criminal incidents", (Lundman, 1980:7). This will result in a large number of arrests, detentions and citations, with officers being rewarded for "producing" such results, though all actions are taken to be completely within the letter of the law. Procedures for citizen-officer interaction are extremely tight, impersonal and courteous, and officers may frequently be perceived to behave in an "aloof" manner (cf. DeClue, 2004). The levels of inflexibility that legalistic officers display towards law breakers are similarly controlled:

Because police chiefs are broken by scandal, not crime, a new chief, hired to put an end to scandal, will seek to put an end to officers' discretion concerning what laws will and will not be enforced. All laws will be enforced.

Wilson (1978:181)

In this system of law enforcement “minor” infractions and “private” issues, which would be ignored or tolerated by Watch style agencies, are seen as the domain of LP officers. Citations for traffic offences are almost always given – traffic stops are a “perfunctory” event for such officers (Lundman, 1980) – and are performed by all members of a patrol team, not just specialized units. The underlying reason for this is the opinion that taking action on a smaller crime, such as speeding, may have the effect of upholding the larger missions of the agency, for example by protecting the safety of the citizenry in preventing a possible traffic accident (Wilson, 1978). It may also lead to more direct results, such as the uncovering of stolen goods, or the discovery of fugitives or contraband in the vehicle stopped. This will, in turn, result in higher arrest rates, greater positive feedback towards the officers and their agency, and encourage a continuation of such diligence with regard to traffic violations:

This screening process [the traffic stop] is a kind of positive feedback system that helps explain why high-arrest departments are so much higher than low-arrest departments: the more traffic tickets you issue, the better the chance of catching a real criminal.

Wilson (1978:182)

In a similar manner, by “interfering” in a domestic disturbance and making arrests or drawing sworn complaints, LP officers are believed to be doing their part in preventing the possibility of an assault or a larger disturbance of the peace. So-called “victimless” crimes (such as vice issues, gambling, etc.), which were tolerated and even encouraged by most Watch departments, are investigated within the LP system and corruption stemming from such matters is infrequent. Indeed, police abuse of power on a scale anywhere above the occasional “entrepreneurial” officer (who is dealt with severely when exposed) is extremely rare as the socialization system and administration will not

support it: “Officers in legalistic departments generally fail to respond in an organized fashion to opportunities for corruption [...] their failure to respond represents membership in a nondeviant department”, (Lundman, 1980:152). LP officials are expected to display as rigid an adherence to the law in their own conduct as the citizens that they are charged with policing.²²

While it is sometimes found in newer, affluent communities whose citizens are looking for an efficient, unobtrusive law enforcement service, the LP style may also be a result of reform stemming from a previously existing Watch style of policing. Departments that have been the subject of scandal or corruption may bring in leader who will utilize a strong LP style as they attempt to rebuild the integrity of a city’s law enforcement organization and personnel and to re-establish them as an honest and dependable part of the society. In this situation, the LP agency may oversee a widely diverse population (as this is the environment in which WP organizations usually exist) with all the inherent challenges and resistance to change.²³ Examples of this type of resistance may include the fact that the alteration in style of policing (from Watch to Legalistic) will result in a much higher arrest rate, as all legal infractions are punished. For this reason, certain elements of a society that were largely ignored by the WP

²² Wilson (1978:180) gives a somewhat amusing example of this rigid adherence to even minor laws. In the Oakland department in which he was doing research, the police car park was situated across from the main office. After briefing, it amused Wilson to observe the officers walk from the office, down to the corner of the street to wait at the pedestrian crossing before proceeding to their vehicles. This is evidence that even minor infractions would not be acceptable in LP departments. As one patrol officer told the researcher, “you get used to not jaywalking, and that’s the way it is all the time”.

²³ It should be apparent that, in such a situation, the possibilities for police corruption are still in existence but are simply not acted upon. When legalistic policing is the result of scandal and reform, it does not change the basic anomie patterns of the society. Pre-existing discriminatory practices, such as restriction of access to education or employment, within the social system are still evident and will still create issues of law enforcement concern (Lundman, 1980). As societal values with regard to morality vary, there will continue to be people within the LP community who are looking for opportunities to engage in a variety of vices, and there will remain those that are willing to provide the means.

officers, such as juvenile offenders and minorities, will show a huge increase in arrest rates: “Juvenile rowdiness and domestic problems are seen as law enforcement problems, with citizens sometimes arrested “for their own good”,” (Lundman, 1980:46). This may lead to an increase in the number of claims and reports of police harassment, “...any group that experiences such a high level of police activity and is self-conscious about these matters may feel that it is being “harassed”,” (Wilson, 1978:190).

Despite such claims, there are usually far fewer cases of discrimination in an LP department than with, for example, a Watch style of policing. The reason for this is that a single, law-based, prescribed standard is enacted across the entire community (Wilson, 1978) and, therefore, all offenders are arrested regardless of their age, race, or background. Excessive force is also infrequent in legalistic departments (Seron, et al., 2004), partly due to higher levels of recruitment standards and officer training, but also due to the overriding impression existing within LP organizations that “justice and punishment are seen as belonging to the courts and prisons, not the police”, (Lundman, 1980:47). Complaints are taken very seriously, and officers involved are harshly punished.

As may be evident, LP agencies are extremely conscious of their image and, thus, encourage high levels of professional appearance, conduct, and health in their officers. Standardization of paperwork requirements and procedures is typical and obligatory. LP agencies will almost all have research, planning and community relations departments, though in reality only the community relations department will often be involved with anything much further than research into the effective deployment of officers (Wilson, 1978). Community relations officials will be active in their societies, however, and will

hold workshops and seminars out in the community encouraging citizens to take action against crime, including performing citizen arrests and detentions (for example, with cases of shoplifting) and reporting all instances of law breaking. The LP administration will encourage similar levels of enforcement in all of its officers, though they will be battling against typical inclinations to “under-enforce” the law, so will never be entirely successful (Wilson, 1978).

As in any department, some offences are forgiven, some excuses accepted, and some very minor infractions pardoned with just a verbal warning. Officers in LP departments also do not pursue all levels of crime to the same degree. Serious vs. non-serious deviations are recognized, as is the distinction between public and private disturbances – the latter in both cases being deserving of higher levels of attention. It is not the case that LP officers simply make arrests for the sake of doing so, nor do they believe their arrest rates to be unnecessary or excessive:

...the average patrolman knows that most of his time is spent on things he does not regard as “real police work”, much less on things that result in arrests. If anyone should suggest he is “zealous” about making arrests, he would deny and perhaps resent it.

Wilson (1978:179)²⁴

LP officers do not believe that an arrest is the answer in every case with which they come into contact. In fact, unaware of higher rates of ignoring and forgiving minor crimes in other cities, LP officers frequently believe themselves to be quite lenient towards minor offenders, and older officers, or those transferring from other, less legalistic departments, will often be resistant to pro-arrest policies. This may affect their

²⁴ Wilson (1978:4) actually states that of all calls placed to police service centres, only one third are incidents that have the possibility of resulting in arrest, and only 5% of these actually result in someone being taken into custody. (Also see Ericson, 1982, 1981, for discussions on officer perceptions of “real” police work.)

progress within the LP department, however, where opportunities for advancement or transfer to specialized units are offered as part of the incentive to increase officer performance. For example, the traffic unit, especially the motorcycle team, is a highly attractive assignment for many law enforcement officers – especially those living and working in temperate climates. For this reason, competition for places on the team is fierce. Part of the requirements, and a major aspect of consideration when awarding these positions, is the number of traffic citations and the level of traffic enforcement displayed by these officers when they were performing general patrol duties.

The “Service” style of policing

...in some communities, residents share a common life style, set of values, and level of affluence. In such a community, policing is generally “service”-oriented, emphasizing counseling and referral rather than arrest.

Lundman (1980:6-7)

The Service Policing (SP) style, as can be seen from the above statement, takes place in a vastly different social environment from either of the styles discussed previously. By virtue of being typically situated in a homogenous, white, middle-class area, SP communities will usually share common social values and ideals with regard to the functions and duties of their law enforcement departments, and there will be little political demand for an LP style of enforcement. In these circumstances, it is possible for earnest efforts to be made, “to identify and then respond to the needs to community members”, (Lundman, 1980:50).²⁵ Due to this effort and the relative socio-economic affluence of the typical SP community, calls for service are comparatively fewer than in other, less homogenous societies and, for this reason, the pace required of the officers is

²⁵ Lundman (1980:50) goes on to make the bold statement that, “[i]n certain respects, the service department represents the ideal: a democratically controlled institution serving public interests”.

more leisurely (Lundman, 1980, Wilson, 1978), with a characteristically selective (i.e., discretionary) and low-aggressive style (Brown, 1988). This allows SP representatives to spend more time with citizens, giving advice on problems and concerns that other, busier officers would not have the time to dispense, thus creating a move away from simple crime fighting towards the “service” role (cf. Wilson, 1968).

It is evident in SP that a move is being made back towards to “beat cop” style of policing, but with a stronger emphasis on due process, justice, legality, and professional conduct than this earlier style characterized (cf. Brown, 1988). Indeed, foot patrol is advocated and practiced in many of the department utilizing an SP style (cf. Wilson, 1978), addressing a major defect in modern policing that is perceived (as mentioned previously) in comparisons with earlier, historical styles. In this way, aggressive, motorized, patrol is replaced with business checks and less direct methods of enforcement and safety, such as neighbourhood watch schemes, “[t]he Service Ideal is nothing more than dedication to the needs of one’s clients or constituency”, (Blumberg and Niederhoffer, 1970:15).

In these communities, all requests for service and order maintenance are taken seriously and interventions are frequently made, though the outcomes are rarely formal. To illustrate, arrests and citations are avoided in minor cases (traffic, incidents involving juveniles, etc.) in favor of counseling or referral to professional services that may have long-term benefits to the citizens involved. In other words, it may be said that, in SP departments, “[I]niciency is the dominant characteristic of the work of the patrol officer”, (Lundman, 1980:47, emphasis in original, see also Mawby, 1990). While this creates a level of indistinctness with regard to the discretionary force of individual officers, it does

allow these persons to go about their patrols according to their own beliefs, within the boundaries of the constant checks and balances undertaken by the administration.

Domestic disturbances are seen as opportunities for SP providers to utilize appropriate therapy skills that were acquired in the academy or during the frequent, required in-service training sessions, and such incidents are viewed less as a crime-scene than as an opportunity for “crisis intervention” (Lundman, 1980). Police in the SP style, therefore, “should take a positive role in assisting people to solve their problems”, (Brown, 1988:236, see also Cumming, et al., 1970). Follow-up enquiries are more frequently seen than with other styles, and SP officers are also likely to be more proactive, especially with regard to crime prevention, than in either the Watch or Legalistic styles, and are likely to be highly rewarded for their efforts:

...because the patrolman is primarily concerned about maintaining order rather than enforcing the law, he must be especially alert for clues that will indicate the likely future course of action of the parties to a dispute or the perpetrator of a disorderly act.

Wilson (1978:216)

In this way justice and peace are brought about through deterrence and community involvement.

In continuing the professionalism of the SP agency, appearance, courtesy and professionalism are expected of all law enforcement officers, and the pay scales are seen to be significantly higher than in LP or WP agencies (cf. Wilson, 1978), as are the educational and recruitment standards (which include the practice of hiring “officers who will not produce citizen complaints”, (Wilson, 1978: 208)). Funding is not usually an issue for SP forces and equipment is modern and well-maintained, as are the police buildings themselves, many of which are purpose-built for the organization.

Although no mention is made of prominent research and development departments in SP organizations, the community relations facet of the agency is required to be both extremely sincere and active. Although a separate branch is usually devoted solely to aspects of community relations, these roles are also part of each and every officer's duties within the agency (i.e., to "sell" the idea of the underlying police practice to the community (cf. Wilson, 1978:205)). These practices are observable through the creation of special teams that are designed to aid certain at-risk elements of the society. For example, safety teams may provide young children with lessons on bicycle safety, school teams visit educational facilities to instruct students on responsibility surrounding issues such as drugs and alcohol, and neighbourhood watch patrols are fully recognized and supported as valuable additions to the law enforcement culture. Conscious and constant efforts are made to identify the needs of the particular community served, with consideration given to the prevailing ideologies and to the relative effectiveness of certain types of enforcement, including arrest, in the particular set of societal circumstances that are present.

The results seen in SP communities, with regard to crime and law enforcement statistics, are similar to those achieved in Legalistic districts but for vastly different reasons. Under both services, there is little evidence of discrimination, but this is due not to blanket arrest policies, as with LP, but to the predilection for nearly all citizens to be counseled or warned before being released. Personal factors taken into consideration in SP practices tend not to be social, such as age, sex, or race, but are instead community factors, including the notability of the citizen, and their reputation in the community. In

this way, alternatives to arrest, such as telephoning relatives or alerting family members to certain situations, are implemented.

Bribes are not typical fare in SP agencies (Wilson, 1978) and corruption is also infrequent, though this may also be due to the relative ease of access to opportunities for citizens in the types of communities in which SP operates. Excessive police force is also rare, possibly due to increased levels of training given to SP officers, but also partially attributable again to the nature of the community, whereby there are likely to be fewer violent incidents as a whole (Lundman, 1980). In fact, to take this view of the typical SP society one step further, it is suggested that, “the “service” style police department [...] enjoyed apparent success and exalted status largely because it was serving an ideal community that didn’t need much from it”, (Fyfe, 2001). While this may be true, it is not to say that the SP style is otherwise without fault, or that further issues are not present in its design or implementation.

It is claimed by some researchers that SP roots are based in a sense of dissatisfaction existing within certain departments with regard to traditional and established practices: “The Service Style, more than anything else, reflects submerged ideological conflicts which presently animate the practitioners of the police craft”, (Brown, 1988:237). While this is not the place to discuss the validity of such comments, it is true that, in the almost two decades since this statement was made, a number of progressive moves have been made to change this state of affairs, outside of the establishment of SP departments. These include, but are not limited to, extensive research and large-scale experimentation into approaches such as Problem-Oriented and Community-Oriented policing, both of which are addressed later in this chapter.

Summary of Policing Styles

Lundman (1980:48) gives a concise synopsis of the three styles of policing discussed above (Table 2-1) and how they may be expected to deal with two very frequent infractions: domestic violence and a minor traffic offence.

Type of Department	Problem and Typical Police Responses	
	Domestic Violence	Minor Traffic Offence
Watch	Ignore Minimize offence Separate combatants and warn them not to call the police again	Ignore Honk horn and yell out of the window of patrol car Opportunity for “kickback”
Legalistic	Potentially productive of serious levels of criminality Law enforcement problem Possible arrest	Traffic citation
Service	Opportunity to counsel and refer citizens “Crisis intervention”	Counsel Advise

Table 2-1: Differences in Watch, Legalistic and Service Responses

When comparing the vast number of differences between these styles, their requirements, and their results, one strategy is to hypothesize what changes would need to be made if a jurisdiction decided to switch from one style to another. For example, a switch from Legalistic to Service style policing would require heightened community relations training of personnel and some individual adjustments of attitude regarding the best methods for handling infractions. It would be possible, however, for such adjustments to be made mostly with the existing staff of officers. Consider, however, if a jump were to be attempted from a Watch to a Legalistic style of policing. Prevailing attitudes with regard to the conduct of law enforcement personnel, and attitudes towards enforcement would require an entire re-hiring process in order for the adjustments to be

attempted. This would be, indeed, an extreme and bold administrative move that would certainly require extensive community and political backing.

Such tremendous changes are rare, however, and this is generally because aspects of each style are evident in many of the policing agencies of the United States. While each department will vary as to its general orientation and overriding philosophy, styles will also have a great impact on the approaches taken within policing services. It is two of the major policing approaches – Problem-Oriented and Community-Oriented policing – that are discussed in the following sections.

Approaches to Policing

Recently, much fuss has been made about “problem-solving policing” and “community policing.” Proponents herald them as important new concepts that bid to replace “professional law enforcement” as the dominant paradigm in modern policing.

Moore (1992:99)

As is suggested by Moore, a great deal of time and effort has been spent on researching approaches to policing that are designed to maximize the effectiveness of law enforcement agencies and their images within their community. Two major innovations in policing approaches are discussed below. For the purpose of this study, although it is not necessarily entirely accurate, departments that do not prescribe to either a Problem-Oriented or Community-Oriented approach will be assumed to be utilizing the “traditional”, or “professional”, approach to policing.

Problem-Oriented Policing

Research results spanning two decades have converged on a new approach for delivering police services aimed at solving persistent problems [...]. It is called problem-oriented policing. Using this approach, police go beyond individual crimes and calls for service, and take on the underlying problems that create them.

Eck and Spelman (2001:541)

Problem-Oriented Policing (POP) grows from a rising dissatisfaction with what is termed “reactive” or “incident-driven” policing (cf. Eck and Spelman, 2001).²⁶ In these latter styles, police simply respond to 911 calls regarding crimes that have already been committed, take statements from victims, witnesses, and suspects, and enact any further criminal justice procedural aspects that are appropriate, for example, arrests or citations. This “fire-brigade” approach to policing finds its roots in the advent of technology within the policing service (Mawby, 1990).

As has been mentioned before, while there is no doubt that technological innovations have revolutionized policing, certain aspects of such advances have injured the relationship of police with the communities they serve. The advance that has most obviously damaged this crucial police-citizen link is the patrol car. The perceived downside to the use of such vehicles has been a permanent move away from the community “beat” that had prevailed when the early period of policing revolved around foot patrols (see Walker, 1998). Some modern forces are attempting to re-establish these local relationships through the implementation of programs such as Problem-Oriented Policing (and Community-Oriented Policing, which is discussed in the next section).

The pioneer behind POP was Herman Goldstein (cf. 1990, 1979, see also Toch and Grant, 1991), who argues that, “police should go further and attempt to find a permanent resolution to the problem that was responsible for the initial call”, (Piquero and Piquero, 2001:532). Building upon Wilson and Kelling’s (cf. 2001) ideas regarding small order problems (“broken windows”, see also Moore, 1992, R. Taylor, 1989), Goldstein

²⁶ This type of policing has also been termed “single complaint”, because “patrol officers are sent to handle each call as if it is unrelated to any others”, (Cordner, 1989:69). This is an important motivation in the establishment of POP schemes, as will be seen further in this section.

proposed that officers be used as “planners” and “problem solvers”, enacting and implementing solutions to persistent local problems with the cooperation of residents and local community groups. This cooperation is essential for the effectiveness of POP and, by giving the community an active role in the law enforcement strategies in their own environment, can create realistic expectations and stronger bonds between formal law enforcement agencies and those that they serve:

...community institutions play the most important roles in changing the community conditions that generate crime and in shaping police activities related to crime and other community conditions. Placing the police and the citizens in communication with community leaders creates a dialogue and interaction. This removes the police from a hierarchical position and has the effect of increasing the accountability of the police to the community.

Alpert and Moore (2001:243)

Problem-Oriented Policing entails giving officers more time and freedom to put towards “collection, organization, and presentation of information pertinent to a problem that has become the focus of a police-community partnership”, (Morash, et al., 2002:286). This entails uncovering the symptom of a problem, rather than maintaining a purely reactive position towards local crime. Eck and Spelman (2001) state that there are two assumptions that must be met if a POP program is to be successful:

1. The POP must be capable of being applied by officers as part of their usual routine police work and should not require specialized units or teams.
2. Routine problem-solving must be able to reduce and solve problems.

In order to address the problems themselves, officers use a four-step process (known as the SARA model, cf. Morash and Robinson, 2002, Robin, 2000):

- **Scan:** identify the problem; it may be a reason for reoccurring 911 calls (such as gatherings of youths at particular times), or a type of crime that happens frequently in a given area (e.g. vandalism or theft).

- **Analyze:** collect information on the problem from a wide variety of sources, including police agencies, community groups and individuals.
- **Respond:** develop and implement possible solution(s) to the underlying problems.
- **Assess:** evaluate the response and effects of the implemented solution(s).

This framework is “interactive” and “reciprocal” (Piquero and Piquero, 2001:533), allowing “application of the scientific method of policing” (Carter, 2002:270). It also permits reanalysis of the issue and experimentation with multiple solutions until the problem is solved through removal of its causal origin. There are a number of ways in which the four stages may interact (Figure 2-1, based on Piquero and Piquero, 2001:533):

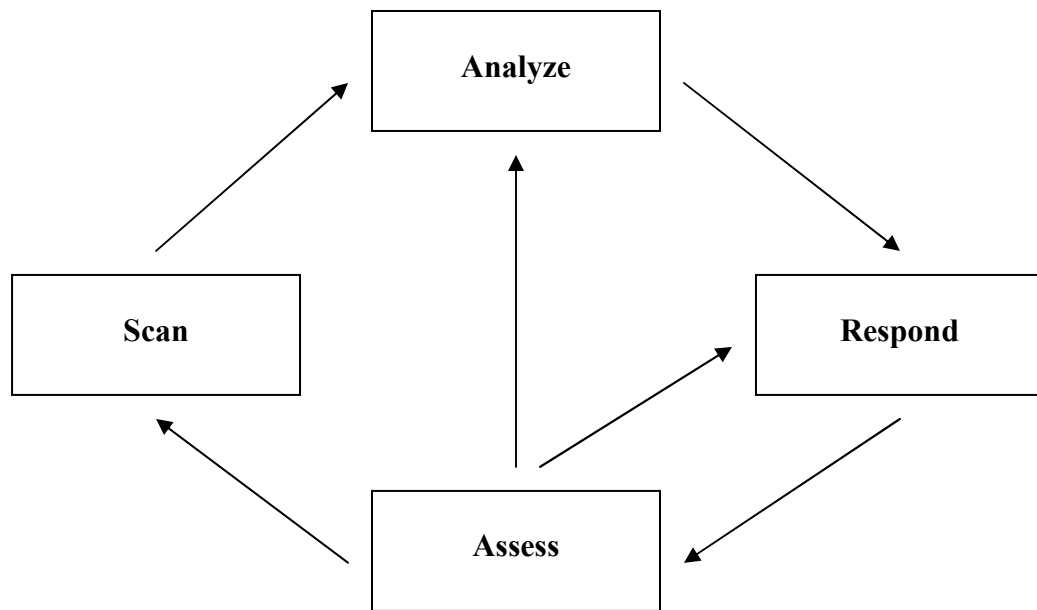


Figure 2-1: The Problem-Solving Process

Using these techniques, officers can address the important issues causing recurring calls for service, repetition that is frustrating for both the officers having to continually respond to the same call, and for citizens having to constantly call for service (cf. Sherman, 1989).

An example of this type of proactive POP system in action is given by Sherman (1992), and took place in Gainesville, Florida, where convenience stores were being targeted throughout the city. By analyzing the problems, the practices of the stores that were robbed, and taking the time to examine floor plans of the affected stores and talk to those that worked there, officers noticed that the businesses that were selected all had their cash registers at the back of the store, or had window stickers or furniture that otherwise obscured a view of the registers from outside. They all also only had one clerk working at night, which was when the attacks occurred. Those establishments that altered their arrangements in accordance with the officers' suggestions stemming from this analysis became safer places to shop and work.

Another experiment was conducted by Fyfe (2001) in Dade County, Florida. In this test, officers of all ranks and duties were given examples of real police-citizens encounters that had resulted in citizen complaints. The research subjects were asked to identify the actions taken by officers and the ensuing effects, as well as to suggest alternatives that may have diffused subsequent conflict. The reasoning behind this experiment was, Fyfe claimed, that active police officers recognize "good policing", and the results were used in subsequent 5-day training seminars that were given across the Miami-Dade Police department. In the three years following this experiment, complaints, use of force, and incidents of officer injury all dropped between 30 and 50% (Fyfe, 2001).

As can be seen from these examples (for more cases see Giacomazzi and McGarrell, 2002, Eck and Spelman, 2001, 1989), problems addressed by POP schemes are often highly community-specific. One drawback is that results will not be

generalizable to other communities or districts. Certain regions (cf. Eck and Spelman, 2001) are experimenting with computer databases of proven solutions; however, as research in this area continues it will certainly become clear whether resources such as these will be useful tools for other POP programs. Whatever the results of such innovations, it is apparent from the above discussion that there is much possible value in the application of POP approaches. One highly important effect of such programs is the increased contact between police services and their communities:

Creative, problem-oriented policing strategies place the community in a much different position than they have been in the recent past. Under this new paradigm, police work is oriented toward community satisfaction and the increase in human and social capacity in the community.

Alpert and Moore (2001:243)

POP schemes are not the only innovation in policing that encourages community analysis and involvement. Another major advance has been in the design, research and implementation of Community-Oriented Policing.

Community-Oriented Policing

...community oriented policing refers to a philosophical position that holds that the goals of policing, the conditions it addresses, the service it delivers, the means used to deliver them, and the assessment of its adequacy should be formulated and developed in recognition of the distinctive experience, mores, and special structures of local communities.

Weisburd, et al. (1989:188)

Community Oriented Policing (COP), as was the case with POP, is an attempt to retrieve the “local” element of policing that was lost with the advancement of technology in the service.²⁷ In the last few decades many researchers and police administrators have

²⁷ Indeed, COP and POP are closely related in a number of ways. Both stem from Wilson and Kelling’s (cf. 2001) call for attention to small, localised crime issues, and both require input and cooperation from the community. (For more comparisons and relationships between COP and POP, see Toch and Grant, 1991).

questioned the effectiveness of traditional methods of “professional” policing, such as the focus on arrest rates and response times as a method of crime reduction, and the perception of the police as becoming isolated from the communities in which they are stationed (Pate, 1989). In addition to these concerns, public resentment towards the police continues to rise in proportion to the increasing crimes rates – both further issues that needed to be addressed and which prompted the move towards Community-Oriented Policing.

The idea behind COP is that by putting officers back into more frequent contact with citizens and having them assigned to work in the same areas continually they become familiar with the usual running of that zone. Reminiscent of the British “village constable”, officers get to know the “character” and norms of the typical day-to-day interaction within the area: “... the movement for community policing is imbued with a back-to-the-future flavor”, (Reiner, 1995b:161). Such programs have been implemented with a high success rates in Japan (cf. Fairchild and Dammer, 2001), and models based on the Japanese example have been instigated in American cities such as Detroit and Houston.

COP programs in all countries emphasize the idea that the community itself is the first line of defense and action when it comes to crime prevention in their area (cf. Moore, 1992). Through close work with schools, community programs, apartment buildings and complexes and council representatives within their beats, officers are able to hear localized problems and to offer suggestions on crime prevention, for example, that are highly personalized and tailored towards the particular community requirements. In this way, COP is “a recognition on the part of police administrations and some

ordinary police officers of the need to cultivate and rely upon community trust and cooperation, as the distinguishing feature of a new professionalism”, (Brown, 1988:343).

Skolnick and Bayley (1986) identify four elements that comprise the COP program:

1. A shift is made from independent problems towards the interdependence of police and community. The “governing notion is that the police and the public are co-producers of crime prevention”, (Brown, 1988:344). This requires reciprocity on both sides of the equation, being open to different strategies and suggestions, and dealing with the *fear* of crime as much as crime itself.
2. Decentralization of police officers and their command is required, often through the addition of sub-stations strategically placed throughout the districts.
3. Police duties are redirected with, for example, a return to foot patrol in areas in which this is possible (such as business and residential districts), and less reactive reliance on 911 dispatching. These require a more proactive style of policing on the part of patrol officers, for example, getting out of their patrol cars to “poke around” in their communities.
4. Civilian support personnel are given responsibility for non-emergency tasks, such as traffic accidents or report-taking (cf. Cordner, 1989). These may be dispatched to non-sworn units, such as Public Service Officers or Field Service Technicians (as seen with the departments which are discussed in detail below).

Effective implementation of COP programs, therefore, requires dedication to a new style of policing. It will involve the increase of local contact through, for example, foot patrols but also innovations such as door-to-door surveys of public opinion and expectations with regard to their local law enforcement service, opening of store-front police offices and sub-stations, and an increased state of awareness with regard to citizen concerns: “Officers may also be expected to take a more active role in enforcing community norms regarding such minor disorders as panhandling, loud radios, and loitering”, (Cordner, 1989:69).

Experimentation with COP programs continues to this day throughout the United States, and in other countries, such as England, France, Germany, China, and Saudi Arabia (Fairchild and Dammer, 2001). One of the earliest academically guided

experiments was the “Neighborhood Foot Patrol”, which was tested in Flint, Michigan, by Michigan State University Professor, Robert Trojanowicz. This program primarily aimed to get the officers out of their cars and conversing with citizens to learn about issues that were affecting their quality of life (cf. Carter, 2002). The officers would then seek ways to resolve these issues or to mobilize their communities to help maintain control over more endemic problems. In this way it was “the citizens, not the police, who determined police priorities”, (Carter, 2002: 270). This test became the basis of a number of widespread COP schemes throughout the nation, including Houston’s “Neighborhood Oriented Policing” program.

In 1983, Houston Police Chief, Lee Brown, began implementing a radical new program, and became the first chief to do so on such an extensive scale (cf. Robin, 2000). This operation first began by increasing the number of foot patrol officers and opening storefront-style substations, through which officers aimed to reduce fear of crime and to begin addressing such problems through personal contact with citizens. After five years of this initial stage, Brown resolved that the Westside Command Station of the Houston Police (which comprised about one quarter of the 4,000 member police force) would launch COP as its dominant style. Due to a combination of factors, including resistant officers in the ranks of sergeant and lieutenant, the experiment failed. Crime rates soared, which led to (seemingly counterproductive) budget cuts, and administrators were required to dismiss 655 officers. Evaluations of the Houston COP program were uncomplimentary, and media coverage followed suit. The final result was the replacement of the chief of police and a strong backlash to a Legalistic style of law enforcement.

While it is clear that some experiments with COP have had their problems, there are many success stories also reported (see, for example, Chicago's "Alternative Policing Strategy" and LAPD's "Police-Assisted Community Enhancement" program (cf. Robin, 2000)). Critics of COP abound, however, and their individual issues are numerous. Some state that such units and departments have little or no links to ordinary patrol officers and duties – a fact that is, sadly, compounded by the dichotomy created by most Public Service Officers and Field Service Technicians being women.²⁸ Another criticism is the lack of proven long-term effectiveness of COP programs (cf. Pate, 1989), though such critics admit that it is an excellent image management tool: "[the police] could scarcely invent a more effective form of positive public relations", (Skolnick and Bayley, 1986:224-225). Indeed, COP is one of the most highly publicized developments in policing strategies in modern times, promising effective results and resolutions to persistent crime problems. However, it is claimed that, by the 1990's, the majority of COP schemes had reverted to more traditional anti-crime or anti-drug programs that simply incorporated a slightly higher level of patrol or surveillance (Walker, 1998).

Two further major concerns with COP are centered on the basic notion of involving police so deeply in their communities, a notion that is intrinsic to the philosophy and success of the program. The first of these issues addresses the possibility of police corruption; the other is to do with the efficiency and accountability of beat officers. It is

²⁸ As was mentioned in the introduction to this chapter, the academic history of policing is profoundly male. With the addition of women to the service (firstly as wardens in prisons, then eventually as non-sworn officers dealing only with women and juveniles (cf. Walker, 1990), and finally as fully-fledged police officers) the "otherness" of females in this industry was highlighted. This is compounded through the fact that many women take up positions as Field/Public Service Technicians which does not require undertaking the full police academy training, the physical aspects of which are still difficult for many females. This state of affairs results in "othering" both the position of Service Technician itself, and maintains the delineation between the sexes in many agencies.

inevitable that, as officers become further entrenched in the communities that they patrol, loyalties and alliances will be formed. As this situation progresses, it will require a supreme act of balance for the officer, loyal to both her department and her community, to maintain her perspective and to enforce the law against close community partners, if required. While many will state that the true COP officer will gain insight into the “character” and “feeling” of their beat and thus understand when such enforcement is necessary, the danger of preferential treatment, or outright bribery and corruption, remains.

The second “entrenchment issue” of COP schemes is that, for the program to be fully implemented, beat officers must be afforded a greater amount of freedom to spend time building and maintaining the relationships required for the level of community involvement and commitment required. This means that officers will visit businesses, homes, and attend/take part in community meetings and events. Keeping track of these activities would be an extremely difficult task for line supervisors and administration (cf. Weisburd, et al., 1989) as they attempt to account for spending on staffing and resources. The results of community- and relationship-building activities such as these will not be quantifiable and, therefore, not reducible to statistics such as arrest or citation rates. This poses a serious problem for administrative executives as they make requests for the funding of such schemes to those who may not fully appreciate the long-term benefits, due to a focus on immediate and irrefutable crime levels.

As is evident, more research into the implementation and evaluation of the effectiveness of COP is required before any final judgments can be made. It will be seen

below, however, that aspects of this approach often comprise, at least part of, a number of local law enforcement structures and organizations.

Summary of Policing Approaches

Problem-Oriented and Community-Oriented Policing programs are relatively new approaches within US law enforcement industries and, as mentioned above, few departments have fully integrated them for long enough, or in a manner complete enough, for true effects to be studied:

It is not clear [...] precisely how community-oriented policing has changed police work in any of these departments other than to establish – and this is of course important – the presumption that the residents of neighborhoods and sections of a city ought to be listened to and enlisted in the war on crime.

Brown (1988:346)

However, related strategies have proven to be effective, at least on a small scale. These include the targeting of “hotspots” and crackdowns on known crime areas, both of which come to light through officers’ knowledge of an area due to extended contact with its residents and time spent there “on the job”.

Whilst generally increasing the number of police officers in a department has not been shown to have much effect in America (cf. Sherman, 1995), increasing police presence in crime “hotspots” has been shown to work in reducing crime in that area, or at least displacing it. While displacement is not, of course, ideal, it does serve to decrease the density of criminal activity in areas that are prone to crime. Crackdowns of this type are usually short-lived but, by flooding crime-ridden areas with police at irregular intervals, criminals find themselves with nowhere to “work” in their regular areas. The long term effectiveness of such techniques is, naturally, difficult to judge, though their effectiveness does lend credence to the fact that the US police service does continue to

have an impact on crime rates, even though recording or quantifying such results over extended periods of time may be difficult or impossible.

It is important to remember that, as an analysis of agencies' styles and/or approaches is undertaken, not all of the possible varieties and choices available to law enforcement agencies are listed above - many others exist on both a small and large scale. It is also true that agencies falling under the same heading of style or approach, may not share all of the component features, but perhaps merely a basic philosophy towards a certain fashion of law enforcement. What is more likely to be discovered during the remaining sections of this chapter is that, "many, if not most, departments display a combination of two or more styles", (Wilson, 1978:140).

The Agencies

...there are thousands of police agencies in this country – about forty thousand, in fact – each of which is organized in roughly the same way under comparable, if not identical, legal codes, each of which performs similar functions [...] Because of this, we can compare the way in which the police are managed under different circumstances and thus learn something about the extent to which police behavior can be changed.

Wilson (1978:3)

For the remainder of this chapter, two agencies will be the primary areas of discussion. These agencies are a local, city police department (Gainesville Police Department (GPD)), and a local sheriff's office (the Alachua County Sheriff's Office (ASO)). These two agencies were the main organizations with which the observations in the following study were performed. In order to get a fuller understanding of these departments, some of the general guidelines and specific demands of being a police officer or deputy sheriff in the US will first be introduced.

Jurisdiction

One of the primary concerns in American law enforcement is that of jurisdiction, and confusions and conflicts are frequent with regard to such matters. The roots for these problems are deep within the history and administration of US policing systems and the fragmented historical background of “modern” police forces, detailed previously in this chapter, is evident in current organizational practices. It is typical for there to be several police organizations that hold jurisdiction over a particular area, as is seen with GPD and ASO. A classic arrangement is for there to be a city police department with jurisdiction within the city limits (e.g. GPD), a county sheriff’s office with jurisdiction over the entire county including areas within the city limits (e.g. ASO), and a state agency/highway patrol with state-wide jurisdiction (which is, in this case, the Florida Highway Patrol). On a wider level there is the Federal Bureau of Investigations (FBI), as well as other federal agencies, for example the Central Investigations Agency (CIA), the bureau of Alcohol Tobacco and Firearms (ATF), and back down to the local level there are also a multitude of smaller, area specific agencies, such as university and hospital police departments that may have varying areas of jurisdiction.²⁹

Within their areas of coverage, for US city and county (and some state-level) policing, the patrol stage remains the foundation of police work. Complex systems of specialized forces and teams have evolved within most departments in both countries.

Typical special teams in American organizations may include the following (from ASO):

Immediate Response Rifle Team, Negotiations Response Team, Marine

²⁹ For example, the University of Florida Police Department (UPD), being attached to a state school, has state-wide jurisdiction in Florida. Despite the “semi-privatisation” of state schools by the state of Florida, the jurisdiction issues with regard to such establishments as UPD remain unchanged. UPD nevertheless mostly restrict their activities to the campus and its immediate surrounding areas.

Operations/Underwater Recovery Team, Crowd Management Team, K-9 Unit, Honor Guard, S.W.A.T., Joint Aviation Unit (with GPD) and the Bomb Team.³⁰ Other, regionally specific, units may also exist, such as Mountain/Water Rescue.

Organization

It is a common fault that the general uniformed patrol officer/deputy is seen in all agencies as the lowest position that a law enforcement officer can hold. Patrol officers seek positions in specialized units as soon as they are eligible. ASO deputies relate that it is extremely difficult to receive promotion if they have had no experience in units outside of general patrol. The result of this is that the role of street-level deputy or officer is filled by a continual circuit of young, inexperienced officers who find themselves responsible for areas of law enforcement most visible to the general public: “[t]he force system has no way of rewarding good performance in uniform patrol other than by promotion out of it, and specialization is seen as a form of promotion by most officers”, (Reiner, 1995a:36). Officers wishing to progress with their careers, to attain higher rank, or to move to specialized units (such as traffic) are forced out of general patrol.³¹

To this day, American police maintain the quasi-military organization inherited from their early inception in the ranking structure of their forces (Table 2-2). Larger organizations require more ranking and definition within their systems, as is shown to be the case with Chicago P.D. Smaller offices may use even fewer ranks than those below.

³⁰ The special teams at GPD are: the Joint Aviation Unit (with ASO), Bicycle Unit, Honour Guard, K-9 Unit, Mounted Unit, NRT (Negotiation Response Team), SWAT (Special Weapons and Tactics Team), and the Traffic Safety Team.

³¹ It may seem obvious that an officer or deputy cannot be both on patrol and a member of a specialized unit. While this is not always true (the honour guard and SWAT teams are comprised of officers from all departments and ranks), deputies wishing to attain a position on a highly regarded special unit, such as ASO’S Traffic and Safety Bureau, will benefit by showing experience with other units whilst on patrol before their application.

For example, in Dixie County Sheriff's Office, Florida, which covers a rural area west of ASO, only the ranks of Deputy, Major, and Sheriff exist, reflecting the fact that the entire patrol division is comprised of approximately 16 sworn personnel.

ASO Ranks:	GPD Ranks:	Chicago P.D. Ranks:
Sheriff	Chief of Police	Superintendent of Police
Colonel		First Deputy Superintendent
		Deputy Superintendent
		Chief One
		Assistant Deputy Superintendent
		Deputy Chief
Major		Commander
Captain	Captain	Captain
Lieutenant	Lieutenant	Lieutenant, Inspector
Sergeant	Sergeant	Sergeant
Deputy (1, 2, and 3)	Corporal	Police Officer (Assigned as Detective, Police Technician, Patrol Specialist, Investigator, Gang Crime Specialist, Police Agent, Traffic Specialist)
	Officer	Police Officer

Table 2-2: Examples of US Police Ranks Structures

It is a legal requirement in the US that female officer and deputies are now fully integrated into the policing systems and in the recent elections for Sheriff of Alachua County, a female candidate (Sadie Darnell) was elected to the position. Other minorities are also being actively integrated into the policing systems, but “[a]lthough ethnic minorities in the police nearly doubled between 1986 and 1991 [...], they remain vastly underrepresented, especially at senior and specialist levels”, (Reiner, 1995a:39). This remains mostly true, though for ASO a recent spate of promotions saw a Black man attain the rank of Colonel – one below the elected rank of Sheriff. Similarly, GPD has had one

Black Chief of Police in its history, Atkins Warren, who held the rank from 1980 until 1985.

Selection and Training

Unlike the early years of policing, selection processes in the US have become a much more rigid process, focusing on the desirable traits of the potential recruits, rather on, for example, their political affiliations or personal network. This is shown in the complex and selection screening process that applicants are required to go through in order to apply for positions in law enforcement. The following is the list of requirements for entering the police academy given by the Criminal Justice Selection Center at Santa Fe Community College, Florida:

To be eligible for the position of a law enforcement or detention officer, you must meet the following criteria (F.S.S. 943.13):

You must be at least 19 years of age

You must be a citizen of the United States

You must be a high school graduate or equivalent

You must not have been convicted of any felony, or misdemeanor involving perjury or false statement, nor have received a dishonorable or undesirable discharge from any branch of the Armed Forces of the United States. Any person who, after July 1, 1981, pleads guilty or nolo contendere to, or is found guilty of a felony or of a misdemeanor involving perjury or false statement shall not be eligible for employment or appointment as an officer, notwithstanding suspension of sentence or withholding of adjudication. Notwithstanding this subsection, any person who has pled nolo contendere to a misdemeanor involving a false statement, prior to December 1, 1985 and has had such record sealed or expunged shall not be deemed ineligible for employment or appointment as an officer

You must agree to be fingerprinted by the employing agency or training academy

You must pass a physical examination by a licensed physician that will be administered upon a conditional offer of employment

You must be of good moral character

You must successfully complete a background investigation

You must complete basic recruit training

You must complete an Affidavit of Applicant form (CJSTC-68)

You must comply with continuing training or education requirements as deemed by the employing agency

These requirements are part of the application process for the state-approved police academy program in Florida (which is typical of most US states). All law enforcement personnel are required to complete this program, which takes between 4 and 6 months. Following graduation from the academy, recruits must pass a Florida Department of Law Enforcement exam in order to be hired by an agency in the state. In many cases, agencies will sponsor particularly attractive candidates through the academy, with the proviso that they agree to a contract upon completion of their training. Many candidates fund themselves, however, and apply for positions upon receipt of their FDLE certification if they have not been recruited during training.

Upon completion of the academy, training varies from agency to agency. For example, in Dixie County, the small, rural sheriff's office mentioned previously, merely six days of field training is provided, as opposed to two months that are given by GPD and ASO. In this latter department, probationers ride with Field Training Deputies (FTDs) during this entire two month period, and are required to prove themselves to the FTD in a variety of situations, from dealing with the public, to traffic issues, to public order offences, and on through to radio etiquette.

Once certified and sworn in, all deputies at ASO also receive in-service training once every two months in eight-hour blocks, during which they are re-trained on certain requirements, for example, weapons training, self-defense, driving (general and pursuit), and CPR. These are considered "high-liability" aspects of law enforcement and,

therefore, are required to be reintroduced once a year (though this particular office prides itself on its high training standards and covers each *twice* a year). Other aspects of law enforcement, such as diversity training, sexual harassment policies and measures, handcuff procedures, obstacle course training, and Taser tactics are covered only once per year (again twice the Florida requirement, which states each should be addressed once every two years). In contrast to this extensive in-service training schedule, Dixie County's deputies are required to receive no further training after the academy³², and GPD's officers are required to take exactly half of that required by ASO, meeting State required standards.

Further to this, ASO sends their deputies to a local military institution for one twelve-hour session each year to partake in critical incident training. During this training, deputies are instructed on how to deal with incidents that may arise quickly in certain situations, such as a school shooting or hostage situation. GPD undertook this training only once in recent years, immediately after the incident at Columbine High School, though their SWAT team does actively train for events such as this at the facility.

Special teams, such as SWAT, within both agencies undertake focused training within their units every one to two months. For example, members of ASO's rifle team perform eight hours of rifle training per month, during which they are educated and assessed on sniper and close combat tactics, as well as shooting in unusual situations, such as from a moving vehicle, or from under a car. The dive team, dog team, and bomb team undertake similar training in their specific areas of specialization.

³² It is unclear how they maintain their state certification given that law enforcement officials at both ASO and GPD emphasised the state requirements for in-service training.

Education

Gradually in the US the trend has been towards a higher education standard for recruits, but this is also being maintained throughout the lifetime of law enforcement officers in the US, something that was not obvious in historical policing. For example, ASO deputies are often recruited with no formal college training. However, in order to reach the rank of sergeant they are required to have achieved an Associates degree. In this department, deputies originally recruited with an AA/AS degree will receive \$1,600 more per year than one with just a high school diploma (or equivalent), and those with a Bachelors degree will receive \$3,200 more than the high school graduates. Deputies also receive tuition reimbursement for education classes, and a monthly bonus (of up to \$128 for those pursuing an MA/MS degree) when taking classes. In Dixie County, however, no educational standards beyond high school are required for recruitment, and no incentives for further education are provided. GPD, the local city police department, requires at least an Associates degree of all of its applicants who lack a law enforcement or military background.

Technological Advances and Firearms

Since the beginning of the twentieth century, the forensic sciences have also been a major part of policing work and have affected directly the requirement for educated applicants. Crime Scene Investigators (CSI) (US) or Scene of Crime Officers (SOCO's) (UK) are now a common part of the investigative process. Other forensic experts, such as pathologists, anthropologists, linguists, DNA analysts, and handwriting experts are also being more frequently called upon in both the investigation and prosecution of crimes. Fingerprinting is now a common tool, with AFIS (the American Fingerprinting

Information System) being a first resort for many CSIs in the United States, though the technology was slow to be accepted at its inception in the early 1900's.

The equipment carried by the departments observed is an important element of this study as it directly affects how people address and respond to law enforcement officials. Despite their volatile "western" beginnings, American officers were not armed at the inception of the "new" forces, consistent with their London Metropolitan Police forerunners. It is suggested that early American settlers initially rejected firearms as they felt them to be "too royal", a symbol of things they were escaping from in Britain (cf. Hirschel and Wakefield, 1995). As the social situation in America changed during its early history, however, incidents of crimes involving firearms began to increase and law enforcement officers began to rethink the situation. In the mid-nineteenth century, officers in New Orleans began carrying firearms and, despite explicit orders to the contrary from the city's mayor in 1855, the practice continued. It was not until 1898 that the state legalized officers' carrying of firearms, however, and other states also legalized the practice around this era (cf. Walker, 1998). It is now common practice for all law enforcement officers to carry a firearm and many are also issued with a Taser (a weapon that looks much like a firearm, which emits a 50,000 volt electrical charge at a rate of five pulses per second temporarily incapacitating a suspect. The charge may be admitted by direct contact with the Taser, or through wires that may be fired at a distance of up to 30 feet ending in tiny hooks that catch into the skin of a fleeing suspect. A further "secondary" weapon is the issuing of some kind of incapacitating spray (for example, pepper spray, CS or "Mace"). ASO deputies are issued both Tasers and spray but, perhaps rather surprisingly given the comparatively close and crowded quarters in which

they have to act (or perhaps because of these), GPD officers only carry spray (and some of them do not even bother to keep it on their person, despite the fact that it is departmental policy. P1³³ states that, “I have not used mine in four years [his entire time with GPD]...so I would just as soon take it off. I need the room [on my gun belt]”, personal communication). All deputies and officers in ASO and GPD are issued retractable batons, though they are only required to carry them at GPD.

Now that the basic structure, organization, training, and requirements of US policing services have been established, GPD and ASO will be introduced below in greater detail, with examples of other agencies included for perspective and comparison. Special attention will be given to the styles and approaches utilized, and to facets of agency practices that will impact and affect the present study.

Gainesville Police Department (GPD)

Gainesville Police Department has existed since the incorporation of the city on April 15th, 1869. In 1922 GPD had 3 members, including the Chief. In 1908, the agency purchased its first vehicle, a Ford, Model T, and in 1928, Chief Edward D. Vestel, a former Army captain, instituted the first uniform. That same year, the Department had its first motorcycle patrol officer. In 1935, GPD had grown to 10 Officers and by 1953 to 40 officers, 6 patrol cars, 4 unmarked cars, and 4 motorcycles. 1946 saw the swearing in of the first Black officer and in 1970 the first female officer was employed. By 1985 GPD

³³ To maintain the anonymity of the law enforcement officials that participated in this study, they have each been assigned letters that correspond to their agency (“P” for GPD, “D” for ASO, “UP” for an officer from the University of Florida Police Department, and “PC” for Police Constables from any of the UK services observed) and an identifying number. The designation remains a constant moniker, for example, “P1” always refers to this same officer.

had 120 patrol vehicles, 50 unmarked vehicles, 4 crime scene vehicles, 10 motorcycles, and 1 helicopter. At present GPD employs 286 sworn officers and 77 civilian employees.

Currently, GPD's jurisdiction is organized into three districts (this is a recent innovation, until 2004 only two districts existed). Within these districts, the area of the city is divided up into eighteen zones denoted by a letter of the alphabet (Figure 2-2).³⁴

Each of the three GPD districts has a commander, at the rank of Captain, and an executive lieutenant, as well as two more lieutenants who are each responsible for overseeing three or four of the zones within their district. Each zone then has an overseeing sergeant and between four and eleven officers assigned to it. The number of assigned personnel (who are at the rank of "officer" or "corporal") is tailored to the individual needs of the area. For example, Whiskey zone, though not particularly large, has eight assigned officers due to the fact that it covers some expansive apartment complexes that are inhabited by university students. There are, for this reason, both social and political reasons for a strong, visible police presence in this zone. The social reasons include the fact that there are a huge number of noise complaints called in from this area, all of which require officer attention. Such "quality of life" issues are a constant pull on the resources available in Whiskey zone, and, thus require more officers to be available. The political reasons for extra patrol units in Whiskey revolve around the city's reliance upon the University of Florida. Safety and security of university students is a major concern for GPD. With historical elements such as the 1990 student murders attributed to Danny Rollins (cf. Ryzuk, 1994) stacked against them, GPD plays an important role in attracting students to UF by providing a safe and secure environment in which to study

³⁴ The zones are actually referred to by the names in "police speak" representing the letter of the alphabet assigned to them. For example "A" zone is "Alpha zone", "B" is "Bravo", and so on.

and live. By ensuring incidents such as rape, burglary, and assault are not part of the University of Florida experience, extra patrol in Whiskey zone serves both the political and financial needs of the community.

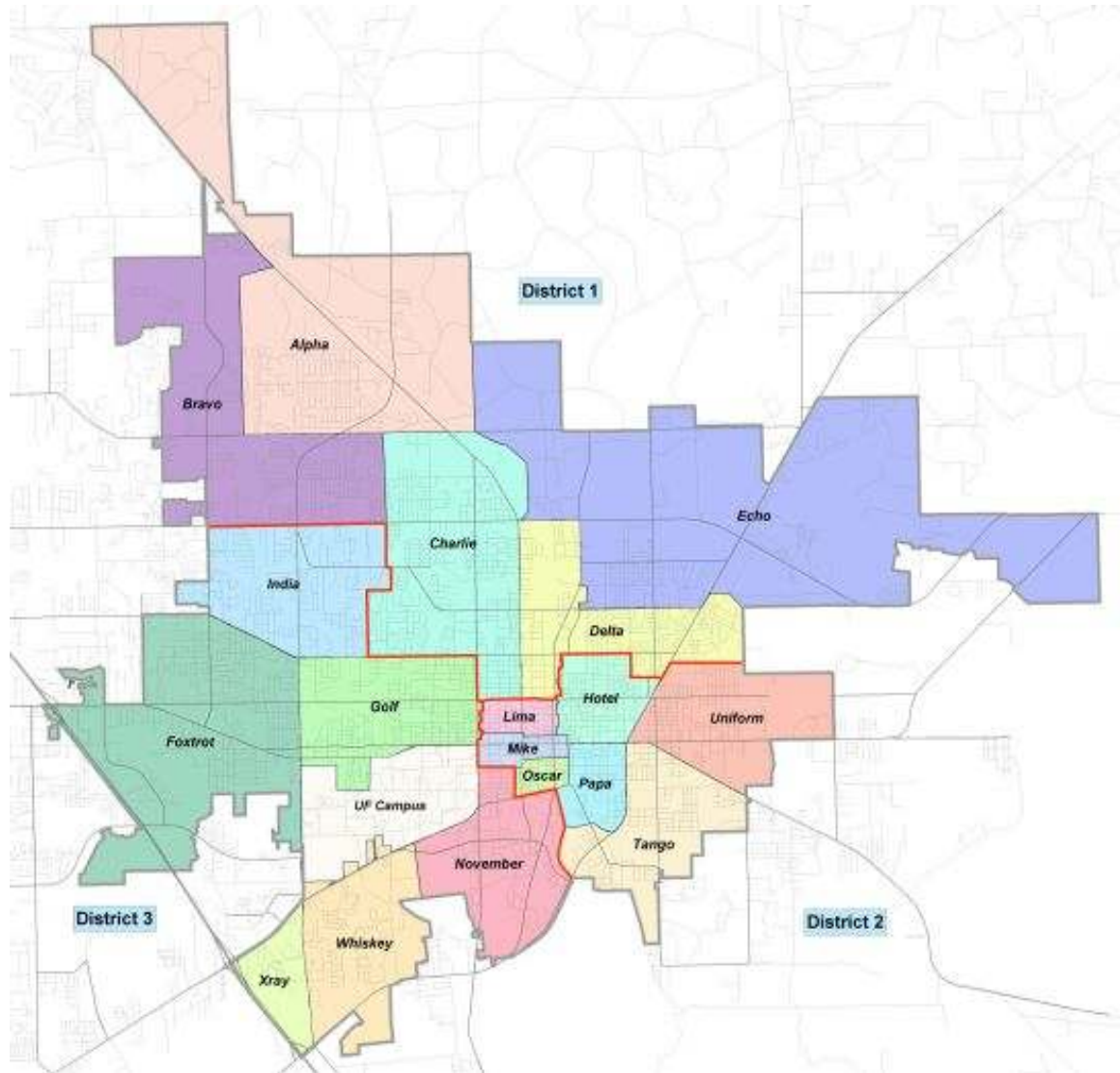


Figure 2-2: GPD Districts and Zones

A GPD officer works forty hours per week in four, ten hour shifts. For a typical patrol officer (and she will be the focus for the rest of this section), there are two rotating teams for whom the work week either runs from Monday to Thursday, or from Thursday to Sunday. Teams switch between “weekend” and “weekday” assignments every four

months. There are three shifts that run throughout each and every day. Shift 1, “earlies”, is from 8 AM to 6 PM, shift 3, “evenings” is from 5 PM to 3 AM, and shift 4, “nights” is from 10 PM to 8 AM.³⁵ Officers are assigned to their preference of shift, district and zone according to length of service, and adjustments are made at the time of the weekend-weekday changeover. Special details and assignments may include transfer to the downtown team (which works from 5:30 PM to 3:30 AM, Wednesday-Sunday every week, year round, and is responsible for public order in the downtown bar and club district), party patrol units (who are mainly off-duty officers earning overtime by responding to noise complaints on, for example, nights when the UF Gators are playing at home), traffic details (protecting road workers and directing traffic flow around road-works), or security patrols (at sports matches, local businesses or large community events such as concerts or parades).

GPD Style of Policing

As will be seen below, GPD is highly sensitive to the community in which it operates. With a few exceptions, most of the zones do not show evidence of extremely high levels of socio-economic poverty. There are, of course, poorer areas of town, as there are in any metropolitan locale, but these tend to be highly localized. There is a great deal of diversity in Gainesville, a factor which is boosted by the presence of the University of Florida which draws almost 3,000 international students (some of whom also bring their families) to the city each year. This is a southern city, however, and racial diversity is a way of life – though this is not to imply that it is always a smooth ride.

³⁵ There used to be a “shift 2”, which ran from 10 AM to 6 PM, but this was collapsed into shifts 1 and 3 over the last 12 months. The names never changed colloquially, however, leaving the shifts numbered 1, 3, and 4.

Despite these seemingly opposing factors, GPD strives to offer a “Service” style of policing to the city’s residents, workers, and business-owners.

Community is an important facet of Gainesville life. A return to the “beat” style of policing is evident in areas that feasibly allow it, including some of the heavy residential districts, larger apartment complexes, city parks, and the downtown area. Whilst not hesitant to make arrests if required, especially in public order situations, the preference of the GPD officer is to first attempt to reason with the offender, and to establish a rapport that will allow her to open a dialogue on the nature of the matter at hand. The GPD officer is generally not reluctant to get out of her car and meet the citizens of the town. She also tries to spend time with offenders, and to tailor her actions to the needs of her community with regard to arrest, citation, or warning. Deterrence is a large part of the GPD philosophy, and officers are all allocated their own vehicles that are often parked prominently in the communities in which the officers reside, as well as being used (in certain cases) whilst off-duty to maintain the image of a large police presence. In order to better illustrate the GPD style of policing, two types of crime and the typical GPD response to them will be discussed. Following the example of Wilson (1978) and Brown (1988), the following descriptions will focus on traffic violations and domestic disputes.

GPD and minor traffic violations

In the experience of this researcher, GPD officers on general patrol write far fewer traffic tickets than do their ASO equivalents. There is a dedicated traffic safety unit within the department that deals almost exclusively with matters of this nature, but GPD officers do not hesitate to use a traffic violation as a chance to get out of their car, identify the driver of the vehicle, and check for warrants. GPD patrol cars are equipped (as of February, 2004) with laptop computer terminals that allow officers to run license

plates and check on vehicles that they may suspect of having committed an infraction (such as having an expired decal). Traffic stops are made for the majority of witnessed violations, providing the officer is not on the way to a call to which she has been dispatched, and as there are typically a fair number of officers within the local area, this does not usually tax the personnel resources of the department too much. A back-up officer will also usually attend a traffic stop, if they are available to do so.³⁶

While they are not shy of making stops, the GPD officer will often use the opportunity more as a chance to give the driver advice on the driving infraction than to hand them a citation. Drivers are often stopped for broken or malfunctioning lights or turn-signals of which they may be unaware. Usually this will result in a “fix-it” ticket (which requires taking the vehicle to the police station for inspection after the problem has been corrected), if anything more than a verbal warning is deemed appropriate. However, if the attitude or demeanor of the driver is combative or aggressive, officers are far more likely to issue a citation. Citations may also be issued if the driver is a habitual traffic offender, or if they are on the edge of having drunk too much to really be driving. In this latter case, if the matter is truly borderline, it is not infrequent for officers (of both GPD and ASO) to give the driver a ticket for the original traffic infraction (rather than arresting them for DUI), and to wait with them until they are picked up to be driven home. This is often attributed to a liberal traffic judge who presides over the city and is

³⁶ Having a back-up for a traffic stop is almost standard operating procedure for most agencies, and is the case for GPD and ASO. Traffic stops have the potential to be highly dangerous situations as the officer is facing the unknown. Occupants of the car may have warrants, be carrying weapons, or simply be highly aggressive towards law enforcement officials, and matters of officer safety are a primary concern for administration and street-level law enforcement agents alike. In fact, it is not unusual for deputies and officers to have back-up at the majority of calls to which they are dispatched or that they self-initiate, when such back-up is available. Officers are also encouraged to call for back-up if nobody is on-scene with them, and they feel that the situation may require it.

hesitant to convict college students of DUIs, but the officers are also aware of the profound effects that this type of conviction can have on a person's life. Reprimands and counseling are preferred in this circumstance, with drivers being left aware that they were lucky not to be going to jail.

GPD and domestic incidents

Domestic incidents are usually treated in a similar manner by GPD officers. Unless a serious event has happened, such as physical contact or abuse, officers will usually take the time to counsel the interactants rather than perfunctorily taking the aggressor to jail. Victim Advocates' contact details are carried in all patrol vehicles, and these details are freely given out, if deemed necessary. Unless a crime has obviously been committed or one party is frightened or agitated, GPD officers will often be satisfied with separating people who continue to argue in their presence. This may require asking one of them to leave the location, and perhaps requesting that they not return until the following day. Unless a repeat call for service is made, or an appeal is made to the officers that they deal officially with the situation, an arrest by GPD for a domestic occurrence is extremely unlikely.

Whilst GPD undoubtedly aims at a "Service" style of policing, it must be remembered that this is a very active town with a widely diverse population. At certain times, GPD officers will certainly fall back on a more "Legalistic" approach to law enforcement, especially when trying to gain control of a situation that may be escalating. This may be seen with traffic offenders, at times, when the officers are aiming to teach them a lesson – a situation that may occur with some young drivers. Little tolerance is given to citizens who are aggressive in their behavior, either towards the police or

towards other citizens and the likelihood of being arrested in those situations is certainly increased.

For such reasons, it is perhaps more accurate to designate GPD as a “Service-Legalistic” style of policing, with “Service” being first and foremost the preferential method of law enforcement, but with “Legalistic” being more than acceptable if the circumstances should warrant.

GPD Approach to Policing

The Gainesville Police Department welcomes the citizens of Gainesville to Community Oriented Policing (COP). Community policing involves building a community-based partnership, where the police, the communities they serve, and other agencies band together in mutual trust to address contemporary concerns such as crime, fear of crime, illicit drugs, social and physical disorder, neighborhood decay and the overall quality of life in the community. The goal of community policing is to empower communities, so that they can help make their neighborhoods better, safer and healthier places in which to live and work - and in which to raise the children who are our future. [...] This means that every citizen in Gainesville has officers they can call to help solve problems in their areas.

(Gainesville Police Department website)

In 1985, Chief Wayland Clifton, Jr. began a Community-Oriented Policing program in the city of Gainesville. The COP program placed police substations in high crime areas, including the downtown area and the city’s major shopping area, the Oaks Mall. This allowed citizens to report any crimes of which they were a victim or witness in person to localized officers who were deployed to their zones. Another initiative was to combine the resources of the police department with those of other social service agencies and to work with the citizens of the community involved in an effort to rid the area of crime. To this end, GPD officers regularly attend neighbourhood patrol meetings and community events as representatives of the agency, but also as active and interested

members of the community. Such initiatives are directly within the philosophy of a COP scheme, as outlined above.

The zone-type organization of GPD allows the department’s administration to perform detailed analyses of the types of coverage and support that each individual area requires (e.g. Figure 2-3, Gainesville Sun, July 30th, 2006):

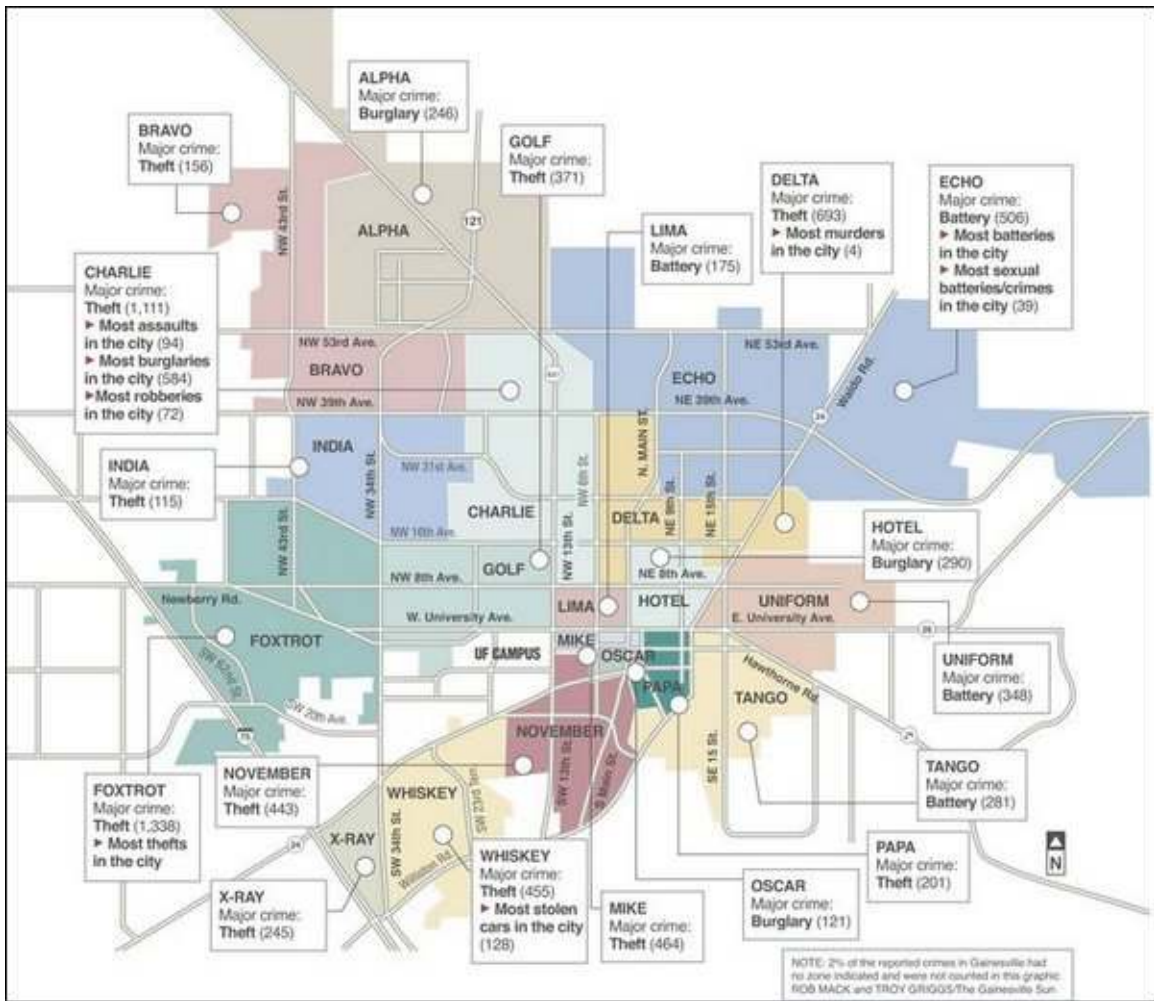


Figure 2-3: Crime Statistics by Zone

It is apparent by examining the deployment strategies of GPD officers that analysis of data such as this is of high importance in the organization and staffing of zones. For example, Charlie zone is shown above to have the most assaults, burglaries, and robberies

in the city, and to have a very high incident of theft. Probably for this reason, it also has by far the highest number of officers assigned to patrol in that area, with eleven. Echo and Whiskey zones are also high crime areas, and each of these has eight officers, compared to India zone, which has only three dedicated officers, but comparatively little crime.

While it is apparent that GPD prescribes itself to be a COP agency, it will be interesting to see how many of Skolnick and Bayley's (1986) four elements of COP (as detailed previously) they actually display:

- GPD certainly aims to involve the community in its duties, and makes a reasonable effort to do so. There are areas of the city that are more cooperative, such as the downtown area, which has a large faction of supporters keen to “clean up” the area and make it more attractive for businesses. However, other areas will, of course, be more resistant, and those with a large variance in race or social backgrounds (as seen, for example, in Echo zone) show less of a community-minded spirit and are, often, more resistant to police presence in their affairs. GPD does operate a Community Resource Division, however, with an officer from each district assigned to the position of Community Resource Officer. Such improvisations are made with the hopes of trying to overcome such problems as community concern and resistance:
- “The mission of the Community Resource Division (CRD) is to form a partnership with the citizens of Gainesville to prevent crime. Citizens and police officers mutually identify problems in the community and work together to create viable solutions. Through this type of cooperation, GPD operates with increased efficiency and citizens enjoy an increased sense of community awareness and an enhanced quality of life”, (Gainesville Police Department website). Although GPD still has one central police station, substations do exist throughout the city. Unfortunately, in the past three years of residence in Gainesville, I have yet to see either of the substations mentioned previously in operation, though it appears that the downtown station is, at least, utilized by the bicycle patrol unit so will show some officer presence at times. In a further effort towards decentralization, officers are also overseen by supervisors that are dedicated to their zones or districts.
- Proactive policing is highly encouraged by GPD. Foot patrol is seen in certain areas of the city, for example in high-crime apartment complexes and residential areas in Golf and Tango zones, and officers not assigned to 911 calls are frequently seen to be making traffic stops and contacting suspicious persons.

- At this time, GPD employs 17 Public Service Technicians, to answer non-emergency and non-confrontational calls, such as directing traffic, or taking reports of incidents not-in-progress. These PSTs also enforce parking violations, and are trained evidence technicians. There are not enough of these technicians, however, and it is frequently seen that officers from other zones are called in to answer “hot calls” whilst the designated zone-officer is embroiled in the paperwork of a minor traffic accident or theft report.

From the above description, it appears that GPD does indeed fully embrace the COP program, at least in its philosophy. As was shown, there are problems in each of the four elements confronting GPD, though solutions will require long-term commitment and continued support for the COP program. Administration in Gainesville is basically content with its policing service, however, and crime is not unreasonably high in most areas. It may require a change in either city or police administration to reinstall life into some of the flagging areas of the GPD community-oriented policing program.

While a COP philosophy is obviously at the forefront in the organization of GPD, there are also many instances of POP schemes and projects. These are mostly on the part of officers themselves, but are undertaken with assistance from citizens within their zones with whom they have made important contacts. While they are usually the first to be dispatched to activity in their areas, an important aspect of the GPD arrangement is that officers are not tied down to their zones. While the geographical allocations indicate responsibility for activity within that area, and officers are recognized for improvements made within their zones, they are free to patrol neighboring zones and to back up officers in other areas, if required. In fact, a current example of this flexibility drew a successful instance of POP application.

Until the recent shift changeover and reshuffle, it was not unusual to see the three officers of shift 3 weekends assigned to Whiskey, November and X-ray together, tag-teaming speeders and other traffic offenders. Aside from such order maintenance duties,

however, these officers also focused upon “hotspots” of crime that occurred in their zones. For example, prostitution along SW 13th Street was, until recently, a frequent cause of citizen complaints and drew a great deal of associated crime, such as drugs and theft. These three officers, under the survey of the November zone sergeant, targeted this area by questioning citizens with whom they had had contact in the past, such as known (former) prostitutes and drug dealers, company owners, workers and residents in the community, and located the hotels and businesses that were being used to front the operations. By flooding these businesses with police presence, increasing patrols of relevant areas, and making arrests and serving warrants on known offenders found in the vicinity, these officers cleared the prostitution problem to the point that citizen complaints about the issue were no longer made.

It will remain to be seen whether this example of POP is a permanent solution to this problem, or whether the crime will reappear when those involved realize that two of these officers are no longer patrolling the zones (P1 having been promoted to the downtown unit and P2 to the traffic bureau). It is definitely the case, however, that this instance of POP, self-initiated by the officers, met Eck and Spelman’s (2001) two criteria of being part of the routine duties of these officers, and reducing/eradicating the cause of repeat calls for service. Even if this problem does turn out to have been only temporarily dispersed, such actions serve to hamper the structures and contacts within widespread problems of this nature, and it can be hoped that such a hindrance will damage any formal organization of this crime zone that previously existed.

As the discussion above has elucidated, GPD can be said to operate a Service-Legalistic style of policing, which is firmly embedded in a Community-Oriented Policing program. This combination is highly effective and officers are satisfied with their work, as is the general community, for the most part. The position of Chief of Police is appointed, however, whereas that of Sheriff is elected. For the local sheriff's office, therefore, "agency image" is also going to be a huge concern. It will be interesting to note whether this consideration is evident in the style and approach to policing that ASO adopts.

Alachua County Sheriff's Office (ASO)

The Uniform Patrol Bureau is responsible for general law enforcement duties and preventative patrol. Uniform Patrol Deputies are responsible for the primary response to calls for service, traffic enforcement, street-level vice and narcotics enforcement, preliminary and follow-up investigations, and preventative patrol.

(Alachua County Sheriff's Office website)

Alachua County, according the U. S. Census Bureau, covers 969 square miles, and has a population of just under 220,000 people. The county seat is in Gainesville, and this is where the Alachua County Sheriff's Office has its organizational base. Other large towns in the county are Alachua, Archer, Hawthorne, High Springs, Lacrosse, Micanopy, Newberry, and Waldo, of which Alachua, High Springs and Waldo operate their own city police departments. Unincorporated areas under the jurisdiction of ASO are Jonesville and Haile Plantation.

The Alachua County Sheriff's Office (ASO) currently has 253 sworn deputies in its employ, as well as 196 detention officers working out of the Alachua County Jail and the Alachua County courthouses and 286 civilian support staff. Until recently, the sheriff of Alachua County was Steve Oelrich, who had held the position for 14 years. Sadie Darnell

was elected as his replacement on November 7th, 2006, and sworn in on November 14th to become the first female sheriff of Alachua County. Under this, obviously political, position of sheriff, however, there exists a whole series of ranks, as were shown previously, each of which has their own duties within the various divisions and bureaus that make up the organization.

ASO is divided up into the Operations Division (which is made up of the uniform patrol, criminal investigations, and juvenile services and training divisions), the Administrative Services Division, the Technical Services Division, and the Department of the Jail. Each of these divisions (which is commanded by an officer at the rank of Captain) contains a number of sub-departments and bureaus commanded by a Lieutenant or civilian equivalent, who are referred to as the Bureau Commander/Chief. This study will be concerned with Operations, and specifically with the 187 deputies that make up the Uniform Patrol Division. Patrol is comprised of the following sub-divisions: operational support, special teams, the traffic safety bureau, and the special operations bureau (which deals with drugs, organized crime, illegal weapons trafficking, etc.), and uniform patrol itself. It is this last division that is the focus of the rest of this section.

The jurisdictional coverage required by ASO is, obviously, quite substantial when compared to that of GPD. The whole county is divided up into ten zones (Figure 2-4), which include the area within the city limits. Although deputies are not usually dispatched into areas covered by GPD, they may be called upon, for example, to serve warrants, which are under the auspices of the Alachua County Court system and, therefore, the domain of ASO. There is usually only one deputy assigned to each zone per shift, though there may be an extra one, staff permitting, in zones 10, 9 or 5.

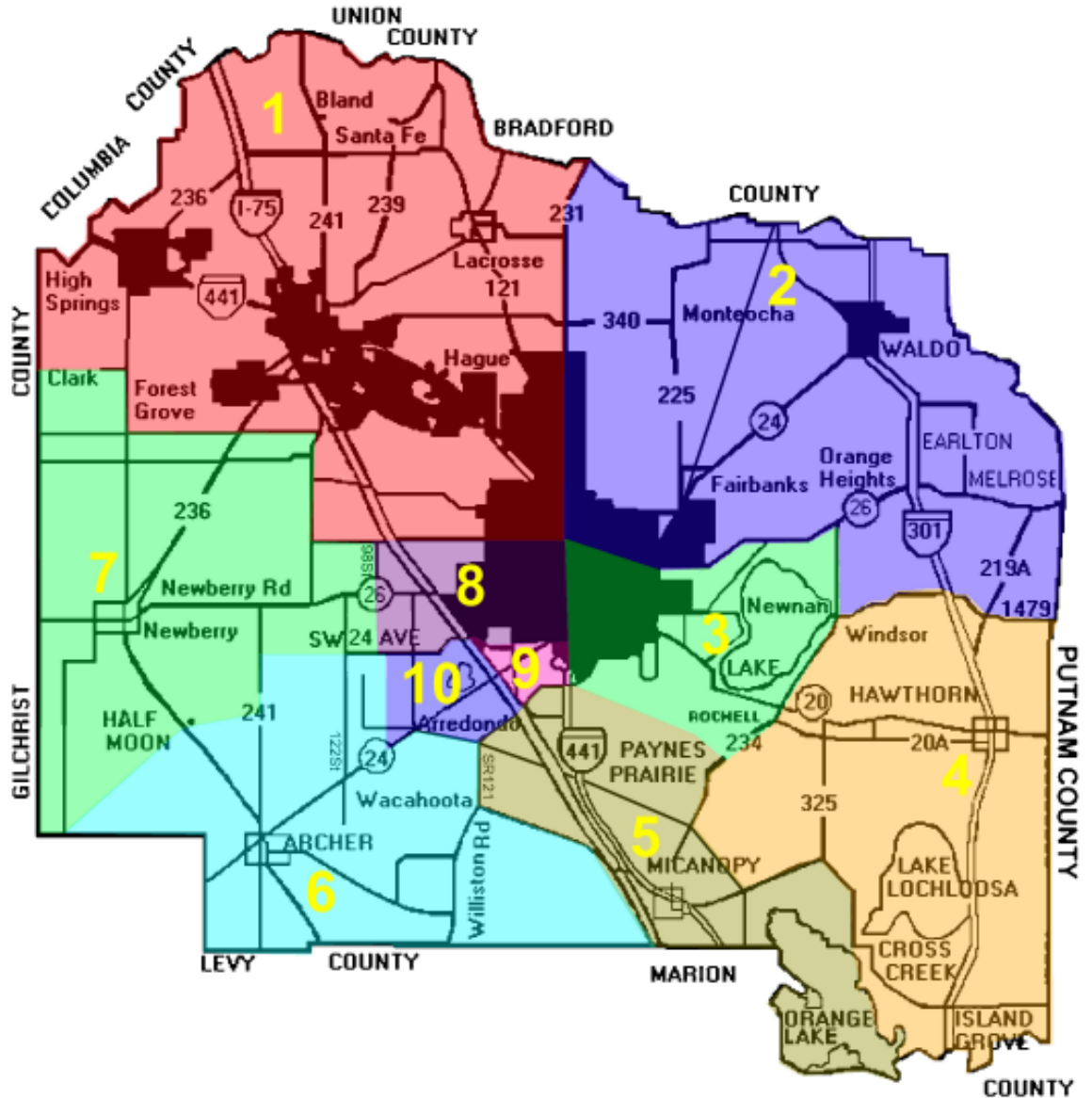


Figure 2-4: ASO Zones

Upon studying the map, it becomes clear that there is a definite philosophy with regard to the deployment and allocation of patrol personnel. Three very small zones (8, 9, and 10) are located in the centre of the county, all serving busy areas of the suburbs of Gainesville that are not part of the jurisdiction of GPD. The outlying zones, 1 through 7, all contain one of the major towns or cities of Alachua County, except for zone 3 which is heavily residential in its western section, making it a busy zone of its own accord. As

mentioned previously, Waldo, Archer and the city of Alachua (which is not noted on the map, but is located in zone 1 just east of the intersection of I75 and state road 441) all have their own police departments, so these comparatively remote areas of the county produce few calls for service through dispatch, though the deputy assigned to zone 6 will often, nonetheless, spend much of her shift in Archer. The deputies in zone 7 and zone 4 will generally centre themselves in the townships of Newberry and Hawthorne, respectively, but the other deputies normally patrol the shaded areas within their zones that represent the reaches of Gainesville's suburbs (with zone 5's deputy working mostly at the intersection of her zone with zones 10 and 9). Due to the sheer distance of travel required, it can sometime take deputies a long time to respond to distant areas of their zones, but as the higher ratio of calls usually comes from closer to the city, this deployment is both logical and effective.

Deputies at ASO work 80 hours every two weeks. This is arranged by working 12-hour shifts on Monday, Tuesday, Friday, Saturday, and Sunday during one week, and then on Wednesday and Thursday the following week. One shift during the two week rotation is assigned as a "short shift" in which the deputy is scheduled for just eight hours. There are three shifts that ASO deputies are assigned to: "Delta" shift (days) works 7 AM to 7 PM, "Bravo" shift (evenings) works 3 PM to 3 AM, and "Alpha" shift (nights) works 7:30 PM to 7:30 AM. Two teams rotate through these shifts over the two week period to give complete coverage every day. Special detail assignments are similar to those of GPD, and may include security details for local businesses, traffic safety details, policing of school zones, and "jump outs" – a crackdown method of drug control that will be mentioned in more detail below.

ASO Style of Policing

SERVICE: ACSO offers you the opportunity to serve your community in many different ways. In both certified and support positions you have an opportunity to assist others in need, provide protective services when necessary, and offer guidance and example to the youth of the community. You are also able to work in volunteer or extra duty jobs which enrich everyone involved.

(Alachua County Sheriff's Office website)

The administration and the deputies at ASO are very aware of their community and attempt to provide a "Service" style of policing where possible, as is evident in the above quotation taken from the Human Resources pages of the ASO website. Unfortunately, the reality of the issue is that the logistics, the wide variety of people from diverse communities and backgrounds with whom deputies make contact, and the associated time constraints coming from the large jurisdiction covered often make this impossible, as will be shown in the following discussion.

Typical ASO patrol is reactive in nature, though traffic stops form much of the proactive work of the deputy. Due to the vastly widespread areas that most of the deputies have to cover, the great majority of their shifts are spent sitting in their patrol cars going from location to location. All calls for service are taken extremely seriously, and response time is important, especially considering the distance that deputies are sometimes required to cover to reach the callers. Offenders are usually dealt with through the use of sworn complaints, citations, or arrest, though alternatives (such as advising and counseling) are also employed if appropriate. It is my own experience, however, that far more arrests are made per contact with ASO than with GPD, though this is almost certainly at least partially due to the differing populations with whom the two agencies regularly come into contact. Many of the people living in the outlying areas in Alachua County are living below the poverty line, and the racial and social diversity creates a

number of differing beliefs among the county's residents. Such situations will benefit from a strict adherence to a particular code (e.g. the law), rather than a variable set of solutions depending on officer discretion that has no community-based ideological backing.

Again, illustration of the policing style is probably best shown with examples of the methods typically employed by deputies when confronting minor traffic violations and domestic situations.

ASO and minor traffic violations

ASO deputies on regular patrol are very active with regard to making traffic stops. Due to the rather "spread-out" nature of their jurisdiction, much of the area that they patrol is rural and not highly populated. This creates fewer disturbances of the nature seen by GPD, for example, fewer calls regarding noise complaints or suspicious activity. Deputies use traffic stops to make contact with citizens, much like their GPD counterparts. Identities are checked, as are vehicles, and any suspicious activity is dealt with in a detached and professional manner.

A fair percentage of the ASO arrests for narcotics and illegal alcohol use are frequently the result of elementary traffic stops. Upon making the stop, deputies will typically assess the situation with regard to the likelihood of further action being taken. Drivers are almost always given citations for whatever reason they were initially stopped, but the deputy's further decisions will be made through her communication with the citizens, her judgments of the possible use of drugs or alcohol by the car's occupants, and her ascertaining the business that they may have in the particular area in which they were stopped. Almost all suspicions resulting in the discovery of further legal infractions are

acted upon. As this illustrates, ASO deputies maintain a highly “Legalistic” perspective when performing traffic stops.

ASO and domestic incidents

The ASO philosophy with regard to domestic disturbances is far less “Legalistic” than that seen with traffic violations, and much more in line with that displayed by GPD, that is, a “Service” approach. Upon arrival at the scene of a domestic, deputies will take the time to speak to all of the participants involved in the dispute. This is usually done by different deputies (personnel permitting) and with the interactants being separated as the various versions of the incident are gathered. Following this, deputies will confer and discuss what each has learnt, try to decide on a probable version of events, and then on a suitable course of action. As with GPD, unless express requests are made by a complainant, there is evidence of physical harm or the probability that the dispute may flare up again at a later time, deputies are reluctant to make arrests. More likely in this situation are the taking of statements from both parties that are filed under the incident’s report, and subsequent counseling of the combatants, offering advice with regard to the particular situation in which they are having difficulties. In this instance, the actions of ASO deputies are much more in line with a “Service” style of policing.

ASO deputies are required to respond to calls and to take action when in remote, rural areas of the county, and often they are left without back-up. For officer safety issues, in these kinds of situations it is often more rational to present the image of a strict representative of the law, rather than a caring advisor, though alternatives to the formal criminal justice process are applied in certain situations. From these kind of sentiments, and due to the geographical nature of the community that it serves, it logically follows that ASO probably fits into the “Legalistic” style of policing, as it is defined by Wilson

(1978). Following in the fashion started previously by the definition of “Service Legalistic” that was attributed to GPD, it is perhaps most suitable to describe ASO as “Legalistic-Service”.

ASO Approach to Policing

We take great pride in our agency and see the emergence of new technologies not only as additional tools to fight crime, but also as a better way for all citizens to become more involved in this effort.

By working together we can move forward into the twenty-first century with a feeling of great confidence knowing our common goal of reducing crime in Alachua County can be achieved.

(Alachua County Sheriff’s Office website)

As is clear from statements such as the one above that greets visitors on the home page of the agency’s website, the ASO administration is focused directly on the individual needs of its community. Pride is a driving factor at ASO, and this is shown in the manner in which deputies are trained and in the appearance of their persons and equipment at all times. As mentioned previously, ASO trains its deputies to beyond the standards required of Florida law enforcement departments, both in their initial “mini-academy” training (a six week program that ASO recruits follow after they finish the Florida Department of Law Enforcement academy), and at all levels thereafter. Regular inspections are conducted on all equipment and on the personnel themselves during their briefing sessions at the beginning of almost every shift. This sense of pride is one of the features for which the Human Resources department search in their hiring practices, as stated in the guidelines for those interested in employment with ASO:

At ACSO you will be working with some of the most professional law enforcement and support personnel in the area. Their pride in the agency and its capabilities are evident in the way they perform their jobs.

(Alachua County Sheriff’s Office website)

The inspection and recruitment procedures at every stage of the Alachua County Sheriff's Office organization help to maintain the image of the department as a professional and effective law enforcement agency.

Despite a number of statements on the ASO website (some of which are included above) that show the organization's commitment to their community, COP and its various requirements are conspicuously absent at the agency. Deputies perform little or no foot patrol, indeed the geographical character of ASO's jurisdiction would make this both ineffective and pointless, and there is no emphasis at the patrol level for communication and contact with the citizens of the county. While the Community Relations department of the agency is very active, as are the Victim Advocacy and Juvenile Relations bureaus, the street-level deputy has no expectations of contact placed on her beyond that of responding to dispatched calls and making self-initiated stops.

Deputies are supported by non-sworn personnel, equivalent to the position of the Public Service Technician at GPD:

The patrol deputies are supplemented by Field Service Technicians, who are civilian personnel trained to handle a variety of routine law enforcement-related duties which do not require the presence of a certified law enforcement deputy.

(Alachua County Sheriff's Office website)

These FSTs respond to non-emergency calls and perform traffic functions and basic administrative duties throughout the county. This allows deputies to respond to emergency calls and to perform, time permitting, some proactive police work.

One initiative that is in line with a COP approach, however, was instituted very recently at ASO. Since August, 2006, deputies have been assembling in two separate locations for their briefings at the beginning of each shift. Until this time, all deputies gathered at the headquarters in Gainesville, but now those assigned to zones 1, 6, 7, 8 and

10 (the “western” zones) meet for briefing at a new sub-station in Jonesville, a mid-size, unincorporated, primarily residential region between Gainesville and Newberry on state road 26 (in zone 7). The briefing is conducted through a live-feed simultaneously at both locations, with the lieutenant and one sergeant at the main headquarters, and the other shift sergeant with the western-zone deputies in Jonesville. It is clear that this is an effort on the part of ASO administration to establish a law enforcement presence in the new township, and to encourage confidence that the residents’ needs will be suitably addressed.

Whilst ASO deputies are, otherwise, not evincing a COP approach to law enforcement, there are certainly times when they are utilizing a Problem-Oriented approach. In certain areas of the county, for example, there is a large amount of drug activity. Zone deputies will alert the administration to these problems, and special details of “jump out” teams will be activated to help deal with the illegal activity. Acting on information from a variety of law enforcement and local sources, these teams will travel in unmarked cars to various locations throughout the county and draw out drug dealers. A large number of arrests are typical during an evening of this type of activity and a great deal of narcotics contraband and cash proceeds of the sale of such is usually seized.

Whilst the organization of ASO does not allow for it to happen on a constant basis, this type of “undercover activity” is also being incorporated into some of the general patrol duties of street-level deputies. On occasions when there are extra personnel to allow coverage of normal reactive duties, two deputies working together, for example the extra ones assigned to zones 5 and 9, will use unmarked cars to target known drug trading

districts in their zones. Similar results, though on a smaller scale, are produced as those seen on nights of performing “jump outs”.

ASO, then, can be shown to subscribe to a Community-Oriented Policing policy, but in actuality their methods are far more in line with a “traditional” or “professional” style of policing with opportunities taken, where possible, for a Problem-Oriented Approach to certain pervasive problems. This combination of styles is complimented by an almost parallel arrangement of a “Legalistic-Service” policing style in general patrol duties.

Law Enforcement: Conclusion

Total freedom in anarchy, total order tyranny.

Critchley (1967:xiii)

While there will always be resistance by some members of any community to the presence of law enforcement on any level, the research above has shown that, if such social control is necessary, at least a great deal of academic and professional research and experimentation is being put into the development of the most appropriate methods for the task. Available policing styles and approaches are widely variable, as was shown in the detailed analyses of local city and county police services. The choices made by these agencies with regard to their methodology and practices are profoundly tied to their underlying philosophies, but they are also constrained by the resources, community involvement, and the geographical and social natures of their jurisdictions.

Much thought has apparently been given to the most appropriate methods of law enforcement for the communities served by GPD and ASO. Although their actual practices may sometimes differ to their professed philosophies, both agencies have

adapted to the disparate natures of the jurisdictions in which they operate. This is true of many policing services through the United States, and the world. However, continued research is required on the part of both professionals and academics into possible improvements, both general and localized, that can be offered to citizens and communities in order to maximize the efficacy of law enforcement agencies, with the ultimate aim of improving the quality of life for the entire population.

Now that the main agencies with which the following research was undertaken have been introduced, it is appropriate to establish the theoretical framework within which the observations were conducted. The theories and some pilot studies undertaken in the field are the subject of the following chapter

CHAPTER 3 LITERATURE AND THEORETICAL OVERVIEW

Theoretical Considerations

In order for any empirical investigation to be undertaken, a framework for the data collection and analysis must be established. In this particular study, three pre-existing theories were taken as the baseline for the compilation and examination of observed interactions. These theories are Grice's Co-operative Principle (into which was incorporated Brown and Levinson's Politeness Principle) from the field of Linguistics, Turk's Norm Resistance Theory from the field of Criminology/Sociology, and Hardman's Derivational Thinking Paradigm from Anthropological Linguistics.³⁷ Each of these theories is introduced in detail below and examples showing how each was utilized to select pertinent data for analysis are given to illustrate how the guidelines within the theories were actualized in field observations.

It is important to note at this point that uniformed deputies and officers (rather than detectives or undercover officers) were specifically chosen for this research due to the fact that they typically have among the least training of any representative of the criminal justice system. Whereas judges and lawyers may rely on years of legal training and the support of their staff and law books during a case, these "front line" officers are expected to apply the law in face to face situations after merely 4-6 months of training, and to make immediate decisions based on comparatively limited knowledge. It is apparent,

³⁷ Due to the interdisciplinary nature of this current research, many terms will be unfamiliar to certain readers. For this reason, a glossary is provided in Appendix A as a quick reference to many of the theoretical constructs referred to throughout this research.

therefore, why they must rely so heavily on impressions of people and their intuitions. It is the philosophy behind this study that if simplified tools can be supplied to these officers during their early training in law enforcement, it may be possible to avoid instances of verbal and physical violence stemming from communicative misunderstanding and frustration.

Grice's Co-operative Principle

If you are ever arrested in the US, remember that what you say may not be as important as how you say it.

Cho (2001:11).

Grice's Co-operative Principle was originally proposed in 1975 to explain why speakers are able to implicate more from expressions than is explicitly stated, and is defined as follows:

...make your conversational contribution such as is required, at the stage at which it occurs, by the accepted purpose or direction of the talk exchange in which you are engaged.

Grice (1999:78)

Grice postulates that this communicative ability is aided by participants' unspoken adherence to four conversational maxims:

- Quantity
 - "Make your contribution as informative as is required (for the current purpose of the exchange).
 - Do not make your contribution more informative than is required."
- Quality
 - "Do not say what you believe to be false.
 - Do not say that for which you lack adequate evidence."
- Relation
 - "Be relevant."
- Manner
 - "Be perspicuous: Avoid obscurity and ambiguity. Be brief and orderly."³⁸

³⁸ Extracted from Grice, 1975.

Unlike rules, these maxims are often broken and it is here that implicature (i.e., what is meant, but not expressly stated) becomes prominent. “As hearers, we try hard to make sense of what other people say, even when this means reading far more between the lines than is in them...” Hudson (1980:115), that is, when a speaker/writer appears to have broken one of the maxims, their interlocutor searches for the motivation and implicature.

Relevance Theory

Grice’s maxim of Relation has been expanded and expounded into a popular associated principle:

Principle of Relevance:

Every act of ostensive communication communicates the presumption of its own optimal relevance.

Sperber and Wilson (1986:158)

In this work, the authors claim that “Relevance” (their interpretation of “Relation”) is the most fundamental principle in interaction and that it supersedes all other maxims. Although some researchers disagree with this view (e.g. Allen and Burridge, 1991), Relevance Theory has gained a large following in the field of Pragmatics. It is also “relevant” to the present discussion as part of the analysis of “Relation” in suspects’ responses to questions posed by police officers, and in their communicative style during such interactions.

Politeness

Politeness has not been extensively researched within the subject area of police-witness/suspect interaction, but the notion is widely accepted as being applicable to many areas of communication. Grice himself suggests that Politeness may be included as a further conversational maxim, to be exact, the “maxim of tact”, (Leech and Short,

1981³⁹). It will come as little surprise that Politeness is both expedient and expected when dealing with officers of the law. However, perspectives on politeness vary between people, speech communities, societies and cultures. For this reason, Politeness must be defined pragmatically, with reference to “some contextual norm of appropriateness,” (Leech and Short, 1981:309). This “norm” will be necessarily distorted in the unusual situation of police-suspect questioning, presenting something to be considered in the analysis.

Related to the notion of Politeness is that of “face”, which will surface several times in the analysis below. The Sociologist Erving Goffman, turning his focus to interpersonal communication, identified and defined the category of “face”, that is, “the positive social value a person effectively claims for himself by the line others assume he has taken during a particular contact”, (Goffman, 1967:5). This is further illustrated in the following:

Those participating in conversational encounters have to have a care for the preservation of good relations by promoting the other’s self-image, by avoiding offence...

Widdowson (1990:109-110)

This quotation encompasses the idea behind Face Theory, which concerns the preservation of self-image (cf. Goffman, 1955), a factor that is also an intrinsic component of Brown and Levinson’s Politeness Principle. Within this framework it is simple to see why structures such as euphemisms or concerns over political correctness

³⁹In a later work, Leech (1983) expands on this idea by including the Politeness Principle as a fifth maxim in Grice’s original framework. This Politeness Principle then contains maxims of its own, including tact, generosity, approbation, and so on. Brown and Levinson (1987) dismiss this theory, however, stating that these sub-maxims are not essential to all occurrences of communication and are, therefore, not valid maxims. They do not disagree with the inclusion of Politeness as a fifth maxim, indeed their framework works alongside that originally proposed by Grice (1975).

are encountered in everyday language (see Linfoot-Ham, 2005), and why it becomes difficult to converse on “delicate” subjects, such as race or sexual orientation. With every utterance there are possibilities of damaging the face value of the audience or one’s self and, therefore, Face Theory claims people are required to make concessions during communication (cf. Hudson, 1980). If the face value of one party is threatened, the communicative aim may not be fulfilled, and the speech act will be a failure. The use of avoidance strategies can help to circumvent offence through circumlocution or the softening of language to avoid embarrassment. With “face” as a contributing factor to Politeness in the analysis below, it is easy to imagine why violations of the Politeness Principle were so frequently visible.

Police questioning

A plethora of literature has been written on the subject of police inquiries and language use within legal circles, though very little has been written from a Pragmatics viewpoint to describe the language of police, suspects, or witnesses in the questioning process. Ainsworth (1993), a law professor, deals primarily with register control on the part of witnesses and several interesting points are attested. The most pertinent of these is that cautious use of language, characteristic of women and minorities, can lead to less-than-advantageous interpretations of their *Miranda* Rights - a serious consequence, indeed.

Issues of gender, minorities, and the Law are the topic of much further research into linguistics and the Police (cf. McElhinny, 1995, and Crosby and Nyquist, 1977). Though this is an important arena for further research, it is only indirectly relevant to this study and will not be the primary concentration. It will be apparent, however, that ideas highlighted in Ainsworth’s and Crosby and Nyquist’s studies (as well as others in this

discipline) are useful starting points for any legal and forensic linguistic analysis, and will be tangentially relevant to some of the cases encountered below.

Another major research area concerning language and the law focuses on police and bigotry or verbal abuse (cf. Cho, 2001, Delattre and Schofield, 1996, and Flintoff, 1996). These issues are more germane to this present study, and are also dealt with in recent books by Yeschke (2003) and Gudjonsson (2003). It is here that the questions of power and control become evident, leading into the main direction of the present study: how language may be used to a suspect's advantage – or may create further problems if used in the “wrong” manner - during confrontations with police.

As is apparent from the discussion above, there is very little direct research into the subject of Pragmatic theories and the Law. Other texts are nonetheless pertinent to this study for a variety of reasons, including Yeschke (1987) and Wirths and Bowman-Kruhm (1998).

Yeschke (1987) presents the reader with a guide for police interviewing. While most of the information included is directed at law enforcement officers, there are sections on “the interviewee” that are relevant to the present research. Yeschke (1987:133-135) lists types of interviewee personalities, ranging from the relatively benign “complainer” and “know-it-all” types to the “indecisive”, “unresponsive” and “scatterbrain” personalities, and finally down to the more dangerous “criminal” types which he divides into “sociopaths” and “psychopaths”. These may then, most relevantly, be classified into three “degrees of cooperation”: 1) the compliant, 2) the reluctant, and 3) the hostile. These categories, and the descriptions included are useful guides for the layperson in the types of analysis to be conducted below, however, it will be shown that

utilizing the five maxims in the analysis will give a greater precision to the task, and create more empirically observable behavioral distinctions.

Wirths and Bowman-Kruhm (1998) is a practical guide for the general public on how to deal with police encounters, and contains many strategies (supported by police officers) to ensure smooth and satisfactory questioning. As mentioned, the book is not intended as a linguistic analysis, but there is a large quantity of practical information included about stereotyping, profiling, and power play that is exceedingly relevant to this study and that may be adapted into further linguistic and pragmatic investigations.

The following sections describe a pilot experiment into the application of Grice's Maxims (and the Politeness Principle) in the field of "first contact" police questioning. While there is little comparable research, it is hoped that findings may be of use to researchers of forensic linguistics and to law enforcement officers and their training programs. The techniques used in this initial discourse analysis were later modified and applied to the main research project described later in this work.

Grice's Maxims and Law Enforcement: Methodology

It is unmistakably difficult to obtain live recordings of police-suspect encounters. However, videotaped data of precisely this kind is the main content of the popular, American television show "Cops", and excerpts from this show provided the basic data for this initial analysis.⁴⁰ It will be seen in these excerpts that: "Statements contain a wealth of information far beyond what the suspect or alleged victim intends to

⁴⁰ "Cops" is a "reality" television show that follows real-life law enforcement officers throughout the country as they go about their daily activities. Cameras (operated by civilians who have received police safety training) follow the officers as they engage in a variety of activities, ranging from interviewing witnesses and victims, to chasing fleeing suspects both on foot and in their vehicles. The show has been running on the FOX Broadcasting Network since 1989.

communicate,” (Adams, 1996:20), and that this linguistic and extra-linguistic information may affect the outcome of an encounter with the police.

There are disadvantages to any material that is being videoed, vis-à-vis the Observer’s Paradox (cf. Boxer, 2002, Schiffrin, 1994). However, it is hypothesized here that the nature of the encounter recorded in this particular set of circumstances will reduce this problem. This assumption is based on the fact that the participants being recorded were in an exceedingly serious situation that could affect the rest of their lives. Their handling of police questioning may lead to their release or arrest. The latter outcome could lead to a criminal charge and, thence, to criminal convictions and a criminal record. This is, unquestionably, a serious situation and for this reason it may be held that the presence of a camera was of less importance to participants than would otherwise be the case.⁴¹

Four excerpts from the show were analyzed. Two of these encounters led to the suspect being taken into custody (Cops 2 and 4), and in two the suspect was released (Cops 1 and 3). Three excerpts were taped in Buffalo, New York, and the other in Atlanta, Georgia. In an attempt to eliminate the gender variable, all suspects chosen for analysis are male, as are the police officers. The shows were transcribed for purposes of clarity and ease of analysis (see Appendix B), and Grice’s four conversational maxims and the Politeness Principle were applied to each excerpt. Adherence to, or breaking of, the maxims and the resultant outcomes are discussed below.

⁴¹ One other disadvantage with this particular type of material is that this show is intended to act as entertainment. The excerpts are, therefore, edited and the “exciting” parts of the interactions are kept for the final, aired version of each episode. This will certainly have an impact on the data that was available for analysis in each excerpt, though the outcomes and, therefore, the conclusions should be unaffected overall.

Police consultants

To provide an insider's view into this investigation, Deputies from Alachua County Sheriff's Office were interviewed during "ride-alongs", a set time during which a civilian is permitted to ride with deputies/officers and observe interviews first-hand during, for example traffic stops, and calls to domestic disturbances. Three ASO Deputies contributed to observations in this research and are referred to below as D1, D2, and D3. All are experienced, uniformed patrol officers in their mid-late twenties, comparable (as far as can be judged) with those appearing in the "Cops" excerpts. These Deputies supplied professional opinions on the extent to which a suspect's language use, and specifically their cooperation, or lack thereof, may lead to a resultant arrest or release, as well as the training and daily duties of a Deputy Sheriff or municipal Police Officer (two of the deputies, D2 and D3, were originally trained as city officers before moving to ASO). Observations made first-hand during ride-alongs also provided insight into police-witness/suspect interactions. Some of these were relevant to the current pilot study and, as such, are included in the analyses below, but these observation periods also became the basis for the main analysis project described in this dissertation and covered in the later chapters.

The time spent with these officers was an essential and highly focal part of the study. Few people outside of the police service have the misfortune of being involved in police questioning on a regular basis. For this reason, certain elements of the questioning process may be invisible to the casual observer, however, "Experienced officers know that by nature, everyone uses an often-unconscious mental process to justify their behavior..." (Napier and Adams, 1998:11). These "ride-alongs" and interviews provided

insights into the world of policing and methods commonly employed by suspects and law enforcement officers during questioning.

Possible problems in the methodology for this analysis may be encountered through the different geographic areas of the tapings and of the police officers interviewed:

...specific conversational implicature is culturally contingent, requiring much information about the social norms of behavior of the culture.

Ainsworth (1993:270).

Politeness “norms”, as mentioned previously, vary between situations. It is certainly possible that the degree or expectations of Politeness expected in New York may differ from that in Georgia or Florida. This must be taken into consideration in any conclusions drawn. However, as the crimes to be discussed may be prosecuted as felonies, it can be presumed that there should be little or no variation in the legal aspects of the study.

The Excerpts: maxim by maxim

In the following analyses, each of Grice’s maxims and the Politeness Principle is considered in turn with examples of breaking/adherence noted. It will be shown that certain of these conversational principles are more important than others when dealing with the police and, finally, that they may be ordered according to their significance in conversational exchanges of this kind.

Quantity

Adams (1996:18) states that experienced police officers are wary of people that give “extraneous information” in their testimony; such behavior is often a sign that a person is trying to disguise a certain piece of information by surrounding it in other, irrelevant facts. It may also be the case that they are simply talking to try and satisfy the needs for a response, but that they are over-extending due to the need to avoid the

particular matter at hand. Violations of this maxim, however, can be seen in all four of the excerpts, and in observations made during the ride-alongs.

In Cops 1 the “victim” (M1) has called the police to complain about his neighbor who has damaged his (M1’s) car whilst throwing old vinyl records into the air with his children. One of the thrown records strayed and landed on the “victim’s” car. During the conversation with the responding officers, M1 constantly breaks the maxim of Quantity by talking too much and too often. For example:

- 27. M1 - All these kids, these grown-ups, they’s, they’re destroying these little kids. The lady
- 28. over here, she can’t sleep. Her window’s busted by his nieces and nephews. Her window
- 29. right here is busted.
- 30. M2 - I don’t know about that.
- 31. C2 - Try and calm down. Try and calm down a little.

In line 31, the officer is talking to M1, and it is evident throughout the conversation that neither of the responding officers view this loquaciousness as being particularly helpful; they even make a joke about it later in the encounter:

- 94. M1 - It’s not the hood, or anything. It’s the principle. This been going on and on and on
- 95. and on. And you talk to the parents. It’s like the kids, the parents are the..., it’s vice versa.
- 96. C1 - Boy, Johnny why don’t you run for councilman around here?
- 97. M1 - I’m serious.
- 98. C1 - I am too.

A negative reaction to excessive verbosity can also be seen in Cops 2, where it is the “victim” again (M3) that over-informs the officers. In this case, M3 has called the police to complain about a youth (M6) who stepped out in front of his car as he was driving and punched the mirror, thereby breaking it:

- 8. M3 - Jumped out here and he starts swinging, so I punched him real hard one time and he
- 9. went out. Then his buddies started coming and I kicked him.

Apparently due to this over-informativeness, the officers soon turn their attention to finding M6 (the “suspect”) not with the intention of arresting him, but to question him with the aim of arresting M3 for assault. The officers’ reactions are not unusual or

unjustified, and may be based on the fact that: “People involved in crimes may feel the need to justify their actions,” (Adams, 1996: 18). In this same excerpt, a witness (M4) also paints M3’s actions as having been excessively violent. While the officers continue to search for M6 it remains, for a time, with the intention of assessing his injuries and possibly charging M3 with assault/battery. A violation of the maxim of Quantity may, in this case, have resulted in a serious charge being brought against the “victim”.

In the next excerpt, Cops 3, a woman has called the police to complain about her son who she claims threatened her with a knife. Again it is the “suspect” that regularly breaks the maxim of Quantity. For example:

- 37. M7 - I hate this, man, this ain’t nothing right, ain’t nothing...
- 38. C6 - Wait, wait. Come here. Let me talk to you, just calm down...
- 39. M7 - I just don’t...I’m moving it, I’m moving my stuff, man. The man pulled a gun out on
- 40. me too many times, man...

However, it appears that the officers overlook M7’s garrulousness as either due to his heightened state of distress or to possible drug use:

- 128. W2 - Vernon is on something. I don’t know what it is. Me and him gonna sit down and
- 129. talk. And when he on this stuff this the way he act.
- 130. C7 - Was he smoking or something?
- 131. W2 - He smoking. He smoking. Now he want to kill me. He don’t want to do no harm to
- 132. him. The harm is, is he want to do to me.

In Cops 4, a police car is flagged down by a man (M10) walking along the side of a street. M10 claims that the “suspect” (M11) brandished a firearm at him as he slowed his car to drive past. Following the pattern seen in Cops 3, it is again the “suspect” (M11) that gives excessive information, for example:

- 49. M11 - Because the gun was in my car, and he walked up to my car, and he asked me if I’d
- 50. pick him up. I told him ‘no!’. I don’t have any money to pick him up. He tried to pick me
- 51. up, and I told him ‘no’, and he looked in my car. That’s exactly what happened.

It will be shown below that this “suspect” provides the police officers with a variety of reasons to be suspicious of him. It is unlikely, however, that breaking the maxim of Quantity helped his case.

The trend for violating this maxim was also evident during ride-along observations where, to illustrate, two contrasting violations may be given. The first involved a “suspect” saying too little. D2 performed a highway traffic stop on a car breaking the speed limit by over 20 miles per hour. As required by the law, he gave the driver a written citation and explained her rights regarding the citation (the option to contest the citation in court, etc.). The deputy asked the driver if she had understood him, but received no response. He repeated his question, and again received only a stare as an answer. Eventually the driver indicated, non-verbally, that she had understood him, but from the moment the deputy had begun writing the ticket, this driver did not say a word. D2 related that this is not extremely uncommon and, while it would not affect the outcome of an encounter, it does nothing to promote a “suspect” in the eyes of an investigating officer.

The second observation of a violation of Quantity was during a domestic call, and involved a “victim” saying too much. Two roommates had been arguing and the disagreement had become physical. The “suspect” left the premises after hitting the “victim” and leaving a visible cut and swelling on her forehead, after which the “victim” called the police. Upon arrival, it was apparent to the deputies that the “victim” had been drinking quite heavily, so much so that D3 remarked to me that she was hindering his investigation by saying too much and repeating irrelevant information, thereby breaking the Quantity maxim, and also that of Relevance. It was apparent that the deputies, while

taking the appropriate and required action, were hesitant to condemn the “suspect” in this case simply on the basis of this “victim’s” account of the events.

While violations of this maxim are apparently common, it does not appear from the above accounts that this breach alone could affect the outcome of an encounter with the police.

Quality

It may seem obvious to most people, but “COPS HATE LIARS [sic.]” (Florida Police Officer Ray Wisher, 1999:38). Expanding on this issue, Wisher states, “Lying is a person’s way of avoiding responsibility, and since we are in the business of holding people responsible for their actions, liars give us fits.” Unfortunately, violation of the maxim of Quality is the most difficult for law enforcement officers to judge in a situation where parties may be attempting to conceal their guilt, or to hide involvement in an illegal act.

D2 related that the Police Academy provides training for potential law enforcement officers in both communication and interpersonal skills.⁴² “Communication Training” teaches officers how to deal with victims, witnesses, suspects, issues of officer politeness, and tactics for managing delicate situations (for example, how to approach victims of domestic violence or rape). “Interpersonal Skills Training” deals with aspects of an officer’s personal life (family, stress, misuse of alcohol or drugs, etc.), but also includes methods of identifying spoken or body language that may be indicative of a crime. For example, a victim of domestic abuse may be unwilling to indict their attacker in their

⁴² Law enforcement officers regularly re-certify in these areas, and in all others. As mentioned in chapter two, the duration of time between re-certification depends on the individual agency (ASO re-certify their deputies in communication and interpersonal skills every two months), and the risk factor of the training (e.g. weapons re-certification will occur more frequently than these communication classes as it is a more obviously dangerous aspect of the job).

presence, but may instead use eye contact to communicate with law enforcement officers. This aspect of their training is also a major tool for officers when assessing the flight-risk of a suspect that they are questioning. D2 informed me that extra-linguistic clues that may indicate someone is thinking of running include the suspect glancing around, tapping their feet, stretching, or scanning the surrounding area. During their training, however, deputies are warned that the observation and interpretation of body language is not an exact science. When in situations of stress, as is often the case when the police are involved, people may act differently than they would usually. It is often the case, then, that officers must rely on their own judgment and their interviewing skills to uncover any deception, (cf. Napier and Adams, 1998).

For the reasons stated above, it is impossible to be certain about any violations of Quality in the “Cops” excerpts. However, some assertions as to adherence to or breaking this maxim may be ventured on the basis of analysis of the discourse. For example, in Cops 1, M1 (the “victim”) does not appear to violate this maxim – as would be expected for a victim. The officers obviously believe him, and take the appropriate action, as requested by M1, despite his violation of other maxims. They are also relatively easy on the “suspect” (M2) as he admits his wrongdoing without any attempt at deception.

It would not be appropriate to guess at the Quality of statements in Cops 2, but there is strong evidence to suggest that the police officers involved in Cops 3 believe that M8, the “suspect’s” stepfather, violates this maxim when asked about the presence of a gun in his house:

61. M7 - Officer, you want that gun. Just go get a search warrant, he got an upstairs stash, he
62. got two of them. He got a Dillinger, and a .32 chrome.
63. C6 - You got a gun in your house, sir?
64. M8 - No, I ain't got no house.
65. M7 - I'm pressing charges.

66. C6 - You got a gun in your house, sir?
 67. M8 - No, I ain't got no gun in my house.
 ...
 78. M8 - He wants to kill her, and I'm not going let him do it. That's my woman, for twenty
 79. years...
 80. C6 - Sir, OK, so you was using a gun as protection?
 ...
 84. C6 - Can, can I search the premises for a gun?
 85. M8 - No, you don't wanna search my premises, but I ain't got none. I ain't got nothing to
 86. bring you...Why you wanna...
 87. C6 - You must have a gun up there, then...
 88. M8 - Why?
 89. C6 - He alleges you have a gun up there. So where's this gun at?

The tactic used by C6 in line 80 is known as “minimizing the crime” (Napier and Adams, 1998) and is a common tool in police questioning, serving to reduce a suspect's perception of their involvement in a potentially serious offence and, ideally, to induce a confession. When this tactic does not produce a result in this case, however, C6 asks to search the premises and is refused (lines 85-86). From his comment in line 87, it is clear that this police officer believes M7 is adhering to the maxim of Quality, whereas M8 is breaking it.

It is plainly the violation of the maxim of Quality that alerts officers so quickly to the “suspect” (M11) in Cops 4:

12. C9 - You got a gun in the car?
 13. M11 - It's my wife's. She left it in the car.
 14. C9 - Come on. Let's go back over here to the car.
 15. M11 - It's in my pocket. I'm going to take it to my wife.
 16. C8 - It's in your pocket now?
 17. M11 - Yes, sir.

This early attempt at deception immediately alerts the officers, and it is apparent that they are suspicious of him from this point onwards:

21. M11 - No. No. No. I didn't...I didn't point it at no-one.
 22. C8 - Then how they know you got a gun?
 23. M11 - I don't even know who that man is.

24. C8 - How did he know you got a gun?
 25. C9 - Put your hand up ... Put your hands up, man.

M11's lying technique is one that is familiar to officers of the law: "Liars prefer concealing the truth rather than fabricating an entirely fictitious story, (Navarro and Schafer, 2001:11). In this case, the gun possibly did belong to a "partner" – but the officer's clearly believe that M11 was using it illegally. They are probably also aware of other obvious lying tactics utilized, for example, "stalling" (as shown in line 21 above, cf. Adams, 1996) and "lack of contractions" indicating "excessive clarity" (cf. Navarro and Schafer, 2001), for example:

26. M11 - I swear to God on my life, I did not pull a pistol on him.
 ...
 45. M11 - I did not...
 46. C8 - Put your hands ...
 47. M11 - pull a gun on him.

A violation of the maxim of Quality is undoubtedly a serious matter. D1 emphasized that, if caught or suspected in a lie, police scrutiny of a suspect will definitely be heightened. D2 stated that an untruth, such as providing the police with a false identity, might put a person in jail.⁴³ Law enforcement officers clearly do not take a violation of this type lightly.

Relation/Relevance

In Cops 1, the "suspect" (M2) remains relevant throughout his statements to the police; however, the "victim" (M1) again violates this maxim. For example:

64. M1 - The first thing I tell them "Hey, go down there and play with the ball" I say, "Go
 65. down there and play with the ball". The first thing they tell me "My parents told me not

⁴³ Some of the deputies related stories in which suspects gave false names in order to avoid a warrant. In one case, a suspect – believing that he had a warrant out for him – gave his brother's name to the deputy. It happened that his brother had a warrant out on him, but the suspect had none. He was taken in to the jail and charged with providing a false identity. Evidently breaking the maxim of Quality really does not pay!

66. to play in front of my house". I don't want them in front of my house any more.

Again, as was the case with M1's violation of Quantity seen above, this lack of adherence to the maxim of Relation does little to promote the "victim" in the eyes of the responding officers. It is clear throughout this exchange that the police are losing patience with M1, and this may incline them towards being, perhaps, more lenient than they could have been on the "suspect".

The "victim" in Cops 2 again violates this maxim, offering further support for the officers' suspicions against him:

13. M3 - No he laid there. And then I left here to go up to the police station to tell the cops
14. about it, and you got like a hundred people waiting in line.

...

83. M3 - I mean, every time I come out, something's done, to my truck. I'm getting tired of
84. that...

85. C4 - And you think it's done by him, huh?

86. M3 - I've replaced three windows in my truck, my other Bronco.

Once more these extraneous comments appear to be added as an attempt at justification for a rather extreme reaction to someone kicking his truck and the violation of Relevance only serves to increase the officers' resolve that the "victim" in this case may actually turn out to be the perpetrator in a quite serious case of assault.

In Cops 3, the "suspect" (M7) adheres to Relation/Relevance, but the "suspect" in Cops 4 violates the maxim:

55. M11 - It was in my ... on my ... sitting on my console. It's my wife's gun. It's registered to
56. Lisa [bleep]. I'm a bounty hunter. I mean, you know.

M11's violation of Relevance is particularly severe here, and would have immediately alerted the officers. When asked, D2 stated categorically that anyone with a license to carry a gun, or any person attached to law enforcement (including bail-bonding, i.e., "bounty hunting"), would know never to carry a hidden weapon in this

manner unless they had a license to “carry concealed”. Without this permit, a weapon must be three steps away from possible use.⁴⁴

That the “suspect’s” irrelevant comments are telling of a greater guilt can be seen in the following:

57. M11 - It’s not mine, sir. I’m telling you.
58. C9 - I don’t care whose it is. It was in your pocket. Concealed. Loaded.
59. M11 - But there was no bullet in the trigger, or whatever you call it.
60. C8 - Doesn’t matter.
61. M11 - See. I didn’t know that. I’ve never. I’m a bounty hunter, I did not know this kind of stuff.
62. C8 - How do you not have a permit to carry a gun if you’re a bounty hunter?

The officers appear to be highlighting the violation of Relevance in this instance to demonstrate that M11 is attempting to conceal a violation of the maxim of Quality through his circumlocutions, specifically, they seem sure now that M11 is lying – and as above, a violation of the maxim of Quality is a serious matter.

It seems apparent from this analysis of the maxim of Relation/Relevance that Sperber and Wilson’s (1986) claim that Relevance supersedes the other maxims is definitely too extreme, at least in this context. However, it does serve as a clue to police officers of a suspect’s guilt when this maxim is broken. In Cops 2 and Cops 4, when the “suspects” violated this maxim they were put under suspicion, whereas those in Cops 1 and 3, who adhered to the maxim, were not.

Manner

In Cops 1, it is again the “victim” that breaks the maxim by repeating information and adding other pieces that are not clearly pertinent to the matter at hand:

⁴⁴ To illustrate what these three steps mean, D2 supplied the example that the gun may be in a zipped case, with the magazines separate, and closed in a glove compartment. The three steps would then be: 1) Open the glove compartment, 2) Unzip the case (this step is “gaining possession of the weapon”), and 3) Loading the magazines into the gun.

6. M1 - I just put a windshield in here yesterday. And he's throwing [bleep]. Two weeks
 7. ago... I just put one in the back here. Kids over here throwing [bleep]. I'm sitting here
 8. watching TV, me and my family, a record. Here's some of the record here, here's some
 9. over there. A guy came across the street pick 'em up say "I'm Sorry". Here's a [bleep]
 10. big dent here in my [bleep] thing. OK?

Adams (1996:18) states that honest people are "chronological and concise", which is clearly not the case with M1. The police, however, have no reason to doubt M1's honesty due to the fact that their "suspect" (M2), who adheres to this maxim as with all others, gives a succinct account of what occurred and answers the officers' questions clearly:

19. M2 - I was, it was, they were old records and we were just throwing them up the air and
 20. that. It hit the tree and then it came down on his car.
 21. C1 - How old are you?
 22. M2 - I'm 30, sir.

The "victim/suspect" in Cops 2 begins his account quite well with regard to Manner, however, his perspicuity begins to waver later in his story:

23. M3 - I was driving along here with Jay in the truck, kid was drinking a 40, as I came by
 24. he punched my mirror on my truck.
 ...
 25. M3 - Jumped out here and he starts swinging, so I punched him real hard one time and he
 26. went out. Then his buddies started coming and I kicked him.
 ...
 63. M3 - He didn't see me. And then I come home to get a paper, and I'm driving back, and
 64. he runs out in front of my truck. I thought he was going to dive in front of my truck. And
 65. he stopped and as I went by he popped my mirror, and then I spun around, and the kid
 66. goes 'What d'you hit me for?' And his hand's bleeding. I said, 'What d'you hit me for?'
 67. And I said, 'Oh, you want me to hit you?'. I threw it in reverse and backed up like I was
 68. gonna hit him.
 69. C4 - We had some people saying that, you know, you kicked him when he was down on
 70. the ground, too. Is that...
 71. M3 - I lost it, I blacked out.

At no point does M3 obviously flout the maxim of Quality, and his admission in line 71 indicates that he may be telling the truth. However, at this point in the excerpt he

remains a “suspect” of the crime aggravated assault, perhaps due to violations of Manner and other maxims, as seen previously.

Once more the “suspect” in Cops 3 (M7) adheres to this maxim, but again the “suspect” in Cops 4 (M11) breaks it:

72. M11 - Because the gun was in my car, and he walked up to my car, and he asked me if I'd
 73. pick him up. I told him 'no!'. I don't have any money to pick him up. He tried to pick me
 74. up, and I told him 'no', and he looked in my car. That's exactly what happened.
 ...
69. C8 - How do you not have a permit to carry a gun if you're a bounty hunter?
 70. M11 - I don't carry it, that's the point. My dad carries the gun, I just go with him. You
 71. know, that's my girlfriend's gun, you know, we bought it ... Actually, we just bought it
 72. the other day. She left it in my car.

M11's lack of clarity and ambiguous comments lead the officers to further violations of the maxim of Quantity. As with Relevance, it appears that breaking the maxim of Manner may be an indicator of Quality violation.

Politeness

Politeness is a major concern for law enforcement officers, so much so that D2 stated that obvious violations of this principle might lead officers to examine a case even more closely than they may otherwise have done. D2's reasoning is that a lack of politeness shows a lack of respect for law enforcement, and this may indicate a lack of respect for the law in general.

To illustrate: both D1 and D2 stated that when making a traffic stop they have decided before they stop their car, and based on the severity of the infraction, whether to give the driver a verbal warning (which is unrecorded), a written warning (which carries no penalty, but is recorded by the police), or a citation (which carries a record of the offence and a penalty). Deputies and Police Officers are trained in the academy to do

things in this order, reducing the risk of their being influenced by how the driver acts or looks, thus lessening any possible risk of their being influenced by, for example, a suspect's sex or race, or possibly by manipulation of the maxims discussed here.

However, this initial decision is usually indicative of the minimum that the driver will be cited for: violation of the principle of Politeness may increase the citation, for the reasons stated above.

In Cops 1, the "victim" (M1) has called the police looking for a favorable outcome to the situation, and perhaps hopes for an arrest that would induce changes in his living environment. However, in speaking with police officers M1 constantly violates the maxims shown above (he broke all except Quality), and also breaks the principle of Politeness by both swearing (shown by [bleeps]), and interrupting the officer and the "suspect" (M2):

- 73. M1 - I just put a windshield in here yesterday. And he's throwing [bleep]. Two weeks
- 74. ago... I just put one in the back here. Kids over here throwing [bleep]. I'm sitting here
- 75. watching TV, me and my family, a record. Here's some of the record here, here's some
- 76. over there. A guy came across the street pick 'em up say "I'm Sorry". Here's a [bleep]
- 77. big dent here in my [bleep] thing. OK?
- 78. C1 - Did you see who threw that on your car, sir?
- 79. M1 - Right over here. Right here.
- 80. M2 - It was an accident. It hit the tree...
- 81. M1 - You ain't got no business throwing it in the first place.
- 82. C1 - You threw it.
- 83. M2 - It was an accident...
- 84. M1 - Not over this way.

The outcome of Cops 1 is that the "suspect" (M2) is neither charged nor arrested for any crime. The incident was accidental, but D1 informed me that damage over \$300 is a federal crime; anything under that amount is a misdemeanor. This "suspect" could have been charged if he had lied about the event or attempted to conceal his actions. It must also be noted that it could be a potential result of M1's constant flouting of the maxims that may have worked against him. This cannot be proved, but it remains a possibility.

In Cops 2, the “victim” (M3) is eventually alleviated of his temporary classification as “suspect” when the original “suspect” (M6) is found. M6 is a mass of un-cooperation.

In just four lines, he violates all five maxims – focusing especially on Politeness, which is violated both verbally and physically, as is evident in C1’s exasperation:

- 95. M6 - No, no you ain’t got no [bleep] put me in no [bleep]. You ain’t got no right [bleep]
- 96. C3 - Don’t ... make a fist.
- 97. M6 - You got no right [bleep].
- 98. C4 - Now you’re going to jail, shut up.
- 99. C3 - Got to relax, man. What’s your problem?
- 100. M6 - You got [bleep] [bleep]...
- 101. C3 - Then don’t be, man...

Even given the extent of his aggressive actions and his violation of several of the maxims, M3 is not arrested in this excerpt. The reason for this is given plainly by the officers:

- 109. C4 - If this kid would’ve, you know, co-operated with us a little in the investigation, then,
- 110. you know, we might have been winding up locking up the complainant, but this kid’s
- 111. attitude was...
- 112. C3 - I agree.
- 113. C4 - ... he was strictly out raising hell today. Maybe there is a little street justice after all.
- 114. And, he’s going to jail for that.

Cops 3 is an example of adherence to the principle of Politeness. M7, though clearly troubled (and, as mentioned previously, allegedly under the influence of drugs), manages to maintain a profound air of Politeness throughout this encounter - even with his mother and stepfather who called the police on him. He is consistently cooperative with C6 and C7, calling them both “officer”, apologizing for bumping C6’s hand when he finishes his search of the “suspect’s” pockets (line 23), and swearing only once during this entire excerpt, despite his agitation:

- 10. C6 - Let me see your hands, young man.
- 11. M7 - I got a knife, I’m gonna throw it down...
- 12. C6 - Keep, keep your hands up, I’ll get the knife, keep your hands up. Why you carrying
- 13. around a knife like that?
- 14. M7 - The man just pulled a gun out on me.
- 15. C6 - Who just pulled a gun out on you?

16. M7 - Her boyfriend. I didn't do nothing...
17. C6 - Just be still, man...
18. M7 - ...didn't assault nobody...
19. C6 - Keep your hands up.
20. C7 - He live here with you?
21. W2 - Yeah, he live with me.
22. C6 - You can go...
23. M7 - Excuse me, officer.

Despite M7's possession of a weapon, his possible drug use, his obviously agitated condition, and his threats against his stepfather, this "suspect" is allowed to go free. This is especially notable as D1 informed me that arrests are highly likely in most examples of witnessed domestic violence – even between parents and children (as is the case in Cops 3).⁴⁵ It was shown, however, that the only maxim that M7 broke was that of Quantity. By maintaining his Politeness, Quality, Manner and Relevance, this "suspect" somehow managed to remain free – the officers do not either, however, arrest the stepfather (M8), even though he may have broken the maxim of Quality, and the "suspect" (M7) requested counter-charges to be brought against him for assault.

Cops 4 is a striking contrast to Cops 3 in that the focal participant (M11) is also very polite, but is detained. The officers in this excerpt were already prepared to arrest and charge M11 based on their own interaction with him when their dispatcher informs them M11 has an outstanding warrant for his arrest. He is consequently taken into custody. The key to the contrast between Cops 3 and Cops 4 appears to be the violation of the maxim of Quality. From this excerpt alone, it is obvious that Quality is the strongest of the five maxims when interacting with law enforcement officers and that violation of other maxims is a key indicator of covering up Quality violations that may be used to alert officers in their search to uncover the truth.

⁴⁵ The laws and police practices surrounding incidents of domestic violence are discussed in detail in the section on "Norm Resistance" later in this chapter.

Grice's Maxims: Conclusion

This is obviously an abbreviated study of an area with much more to offer. In Cops 2 and 4 above, “suspects” that obviously flouted maxims were arrested whereas those in excerpts 1 and 3, who adhered rigidly to (most of) the maxims, went free. It appears that suspects and witnesses who control themselves to behave within Grice’s and Brown and Levinson’s parameters stand a better chance of favorable treatment by officers of the law. Whether this would work for all cases is doubtful, but clearly it is helpful in borderline instances when officers’ judgment of the suspect and their actions is called upon.

It may also be deduced from the analysis above that there is a ladder of importance for the application of these maxims, at least when dealing with law enforcement officers.

This may be represented as follows:

1. Quality
2. Politeness
3. Relevance
4. Manner
5. Quantity

While it was shown that violation of the maxim of Quantity had little effect on the outcome of an encounter with the police, breaking the maxims of Relevance and Manner were seen to be potential indicators of guilt, creating suspicion in both ASO Deputies and the police officers in the excerpts.⁴⁶

⁴⁶ While it may eventually be shown that Manner could be placed higher on this list than Relevance, and the analysis above was indeed inconclusive in this area, the fact remains that honest people are generally focused on their interaction with police officers and may display this through Relevance – a fact attested to in the comments made by D3 above. For this reason, Relevance has been placed above Manner in the hierarchy. In support of this placement, this ordering was also given by D2 when he was asked to rank the maxims given only their definitions.

Much of the daily practice of law enforcement revolves around Politeness. Officers are trained in dealing with civilians and, as D2 stated, “the sirs and ma’ams of it”, but suspects and witnesses have no such formal preparation. Honest people, however, typically respect both the law and its official representatives, and this study shows that this respect is best conveyed by adherence to the maxims of Quality and Politeness.

Upon applying Grice’s maxims and the Politeness Principle in situations such as these, some very obvious patterns were shown. It is suggested that by equipping uniformed, “front line officers” with a few simple training categories and labels based on these maxims, first contact interviewing techniques may become maximally effective.

Norm Resistance

Sociologist Austin Turk introduced Norm Resistance Theory more than forty years ago (cf. Turk, 1966, 1969). It is relatively prevalent in the field of Criminology, though it has not been extensively tested due to its abstract nature and the difficulty in operationalizing the constructs that Turk suggests. Some recent studies have, however, been undertaken that use Turk’s Norm Resistance Theory in the arena of police-citizen interaction (e.g. Weidner and Terrill, 2005, Lanza-Kaduce and Greenleaf, 2000, Greenleaf and Lanza-Kaduce, 1995, Lanza-Kaduce and Greenleaf, 1994, and Greenleaf, 1993), and these empirical analyses have shown that the theory, once grounded with appropriate operational values, is extremely useful in predicting the possibility of overt conflict (i.e., “norm resistance”) between police and citizens.

Norm Resistance theory is situated within Criminology under the banner of “conflict theories”. Conflict theories stem originally from the work of Edwin Sutherland (cf. Sutherland and Cressey, 1966) on Differential Association Theory, which introduced the notion of systematic criminal behavior due to cultural conflict within a framework of

social disorganization. Turk's Norm Resistance Theory uses this idea of cultural conflict as the basis for criminality, that is, the values of one group (e.g. lawmakers, politicians, the dominant elite, etc.) are preserved at the cost of another (i.e., the less powerful citizenry) thereby creating a cycle of law, crime, and punishment: "Conflict theories emphasize the political nature of crime production, posing the questions of how the norms of particular groups are encoded into law and how, in turn, law is used as a means of domination of certain groups by others," (Messner and Rosenfeld, 2001:46).

In conflict theories, a single group achieves regulation over another through domination which is then supported and maintained by the legal establishment:

The key factor in criminalization, the assignment of criminal status to individuals, is the ability of some people to announce and enforce legal norms [...]. Consequently, the power of these persons and the manner in which they use their power are in the center of the range of interests of those who wish to understand and predict criminality and its consequences.

Turk (1969:xi)

In this way, Turk's Norm Resistance Theory sees law as a balance of consensus and coercion, which is upheld by the dominant parties. These societal roles eventually become "usual" and unquestioned verbal and behavioral patterns: "As long as people accept the inevitability of their social order, and operate within it with little or no questioning of why it should be at all, authority is secure," (Turk, 1969:44).

Turk's definitions identify groups of people, rather than individuals, and states that explaining the reasons that this finely balanced relationship and the subsequent possibilities may exist demands:

...understanding the ways in which class, ethnicity, gender, and other structural relations affect, and are reflected in, patterns of offender-enforcer interactions.

Turk (1995:17)

He goes on to say that authority relationships are inevitable between (and presumably within) these groups, with an inherent possibility of conflict. This is, simply put, the relationship between status and roles (cf. Lanza-Kaduce and Greenleaf, 1994). The two main groups of people to whom Turk's theory refers are the "authorities" - the dominant category, often law makers or enforcers - and the "subjects" - those who are affected by, but barely affect, the law (Greenleaf and Lanza-Kaduce, 1995) and who may be the ones who resist the enacted authority.

Cultural Norms and Social Norms

Turk's theory is one of the most complete in showing how social reaction in field encounters plays out – why discretion may be functional for law agents in reducing conflict and why some subjects resist.

Lanza-Kaduce and Greenleaf (1994:620).

Two of the primary concepts within Norm Resistance are those of "cultural norms", and "social norms". *Cultural norms* are the verbal formulation of values. With reference to the current research (police-citizen interaction) this refers to the laws as they are written, that is the publicized requirements as posited by the authorities or those with the power to do so. An example of a cultural norm in the field of law enforcement is the "drink-driving law", the Florida state statute for which reads that a driver is classed as being impaired if:

"...The person has a blood alcohol level of 0.08 or more grams of alcohol per 100 milligrams of blood; or [...] a breath alcohol level of 0.08 or more grams of alcohol per 210 liters of breath..."

The statute continues to give examples of how this should be punished, for example, fines, driving restrictions, or imprisonment.

Social norms, however, are actual patterns of action, to be precise, the law as it is enforced or typical patterns of behavior. In continuing with the example of drink-driving, this would include whether people actually adhere to the laws and refrain from excessive consumption (according to the state standards) before operating a motor vehicle, and whether, when stopped, violators of this law are actually punished according to the state standards by the law enforcement officials involved in the case.

Turk states that cultural and social norms never correspond completely (cf. 1969:42), and the degree of variation between the two categories within the groups of authorities and subjects themselves, as well as between the two groups and their separate belief systems, will produce differing levels of probability for overt conflict. To attempt to predict these levels, Turk posited four combinations of authority-subject evaluation⁴⁷:

- Subjects and authorities both act congruently with their cultural norms creating a close match between the cultural and social norms within each group. As these norms are often very different, the possibility for conflict is at its highest as both sides attempt to act according to their own strongly held beliefs.
- There is little/no agreement between the verbal actions and behavior of authorities and subjects and the cultural norms they hold. The possibility for conflict is at its lowest in this situation as neither group is likely to fight for something that means nothing to them on a cultural level.
- Congruence is present for the authorities with regard to adhering to their cultural norms, but incongruence exists for the subjects. In this situation the possibility of conflict is medium-high as the authorities' cultural view is backed by social norms of behavior, and they may assume that their dedication to their norms is matched by those of the subject to their own norms.
- "Incongruence between official norms and behavior among the authorities will reduce the chance of overt conflict because it deserves discretion", (p. 608). In cases where law enforcement officers are ambivalent about the law they are presented with, and where discretion may be exercised, there are more options available as an outcome, that is, discretionary force (the ability to choose whether or not to make an arrest dependent on the particular case presented, for example) is an option for the officer. Despite the fact that subjects may show a match between their cultural and social norms, the possibility of conflict is medium-low.

⁴⁷ The following is adapted from Turk (1966).

It should be emphasized that conflict is never inevitable in any of the combinations above. Even when the first situation is in effect, there is the possibility for both authorities and subjects to check their actions, either by adhering to the deferential norms posited by societal expectations (see “deferential norms” below) or through other measures, including a reliance on factors included in Turk’s second major set of categories “organization” and “sophistication”.

Organization and Sophistication

Turk includes the facets of “organization” and “sophistication” as elements that may contribute to or mitigate the possibility conflict. These categories intertwine with the combinations of social and cultural norms given above to influence the probability of Norm Resistance:

- *Organization*: This category is used to refer to levels of support for actions within a group, and how far this is integrated into the group dynamics. Turk assumes police have complex organization, whereas subject organization may vary according to their social circle. For example, if a subject is surrounded by supportive onlookers, the possibility of overt conflict is increased as the subject’s organization is high and their actions are encouraged, lessening the likelihood of compromise or submission (Weidner and Terrill, 2005). There may also be issues of face at stake in this situation that can prevent the subject from being seen by onlookers to back down to the authorities (see Muir, 1980, also Face Threatening Acts in Politeness Theory, cf. Brown and Levinson, 1987). In the same fashion, organization relates directly to the possibility of conflict being increased when multiple subjects are arrested. When this occurs, for example when both parties in a domestic dispute are arrested as “mutual combatants”, the subjects may unite in their

resistance to the authorities despite their previous differences (cf. Weidner and Terrill, 2005).

The category of organization also includes the complexity of relationships surrounding the subject(s). Again using the case of domestic violence as an example – and this category shall be addressed in detail below – law enforcement officers are frequently dealing with complex relationship networks of marriage or blood ties, and are classified as the “outsider” on top of having to deal with the events that are transpiring. Much depends, in these cases, on who called the police. If the “victim” made the call, the likelihood of their cooperation with authorities is higher than if an outsider placed the call and the victim, as well as the suspect, may see the responding authorities as intruding into personal and private family matters.

- *Sophistication*: This aspect of Norm Resistance comprises knowledge of others, which may be used to manipulate them, and the ability to implement this knowledge successfully. Turk again assumes that authorities have high levels of sophistication due to training and, where applicable, experience in dealing with a variety of situations that the average person would (typically) not witness on a daily basis. However, the levels of sophistication among subjects may vary according to their education, their criminal background (70% of people assaulting officers have criminal records, cf. Lanza-Kaduce and Greenleaf, 1994), their communicative and social abilities, and also due to their intoxication levels:

...it seems that conflict is more probable, the less sophisticated are the subjects who find themselves on the wrong side of a cultural difference defined as illegal by the authorities.

(Turk, 1969:59)

Conversely (though, perhaps, predictably), higher levels of sophistication among subjects lessen the probability of overt conflict due to the ability to assess the relative merits of their position with reference to that of the authorities’.

The level of sophistication among authorities may also be impacted, however, despite their education. Lanza-Kaduce and Greenleaf (1994) state that when officers move proactively (i.e., they respond to “on-view” incidents that they witness⁴⁸) they are less likely to be mentally prepared for the encounter or to have the time to plan their approach (cf. Greenleaf and Lanza-Kaduce, 1995, Greenleaf, 1993). This may serve to weaken and diminish their level of sophistication. In these cases, authorities are also more likely to be acting without back up – a vital consideration for many rural deputy sheriffs who, when working in the county, may have to wait a considerable time for support to arrive. These are considerations that such deputies must be taught to take into account when considering the level of their response to self-initiated, non-dispatched situations. In contrast to this, well-prepared (e.g. officers that are dispatched to a call) and sophisticated (well-trained and educated) authorities are less likely to “rely on their power to coerce”, (Turk, 1969:61).⁴⁹

Some variance does exist on the relative importance of organization and sophistication in predicting the possibility of Norm Resistance. Turk, relying on an instinctive knowledge of how his categories would be realized in practice, says:

⁴⁸ These proactive situations are addressed in the following chapter, and will be referred to throughout the rest of this study as “unexpected” interactions.

⁴⁹ Widening the research possibilities by using first-hand observational data, Weidner and Terrill’s (2005) study of police-citizen encounters in Indianapolis, Indiana, and St. Petersburg, Florida, allowed the inclusion of a variety of subcategories of sophistication. They found that five of these areas affected the possibility of overt conflict: i) subject intoxication, ii) officer education, iii) officer experience, and iv) whether the suspect was in conflict with other on-scene, and v) suspect disrespect.

The available evidence suggests that skill in avoiding head-on collisions in social interaction is more crucial than the degree of organization in affecting the chance of authorities-subject conflict.

(Turk, 1969:59)

However, Greenleaf and Lanza-Kaduce (1995) found exactly the opposite effect in their empirical investigation of police data from Charleston, South Carolina, specifically that organization has more impact on Norm Resistance than does sophistication, though they emphasize that more research in this area would be needed in order to draw any firm conclusions.

Norms of Deference

...resistance is more likely when race and age deference norms counter the positional authority of officers.

(Lanza-Kaduce and Greenleaf (2000:221)

Lanza-Kaduce and Greenleaf (2000) explores “norms of deference” in detail, though these authors also introduce the notion briefly in their earlier works (cf. Greenleaf and Lanza-Kaduce, 1995, Lanza-Kaduce and Greenleaf, 1994, Greenleaf, 1993). It is suggested in these studies that societal norms of deference are constantly in effect, and that these norms are both subconsciously adhered to and expected. These typically include the deference of females to males, blacks to whites, younger people to their elders, and lower socio-economic classes to those who are wealthier. Lanza-Kaduce and Greenleaf (2000) specify that Americans have been socialized to accept and work with these norms on an everyday basis.⁵⁰ When extrapolating from these norms of deference, it is possible to hypothesize that overt conflict is more likely when the authorities come under the categories of female, black, young/inexperienced, and/or lower class. Similarly,

⁵⁰ This socialisation process is a major factor in the Derivational Thinking paradigm which is introduced later in this chapter.

Lanza-Kaduce and Greenleaf (2000) also predict that Norm Resistance will be less likely when the authority of officers is reinforced by social norms of deference, that is, when the officers are older than the subjects with whom they are dealing, and/or are white and/or male.⁵¹ The likelihood of conflict according to expectations derived from these values is given below (Table 3-1, adapted from Lanza-Kaduce and Greenleaf, 2000:225), where negative numbers refer to higher possibilities of conflict, and positive ones to lower possibilities:

	Subject younger, non-white	Subject older, non-white	Subject younger, white	Subject older, white
Authority younger, non-white	0	-1	-1	-2
Authority older, non-white	+1	+1	0	0
Authority younger, white	+1	0	+1	0
Authority older, white	+2	+2	+2	+2

Table 3-1: Balance of Positional Authority by Age and Race
Lanza-Kaduce and Greenleaf utilize their norms of deference categories in

empirical studies on the interaction between police and citizens, with special attention given to cases in which the expectations are broken, particularly those of age and race.⁵² In these cases it is often seen by authorities that the official position of the officer/deputy goes unacknowledged by the subject who, instead, focuses on their age, sex, or race (cf. Martin, 2001), a situation that may safely be assumed to promote Norm Resistance.

⁵¹ Whilst Weidner and Terrill (2005) mostly support Lanza-Kaduce and Greenleaf's (2000) predictions with regard to the contributions of organisation and sophistication, their findings disagree with this assertion that conflict is less likely when authorities are supported by social norms of deference.

⁵² These categories were chosen due to data restrictions (i.e., police reports) that failed to yield enough cases where the authorities were female, and that did not typically include the category of socio-economic class.

Previous studies also acknowledge this process in action (cf. Fyfe, 1981, Geller and Karales, 1981), revealing that black officers use force more than their white counterparts, as do inexperienced officers when compared to those with more time on the job.

In this way, predictable examples of problems relevant to Norm Resistance that may be encountered by law enforcement officers will be those surrounding race and/or gender issues, the age of responding officers, as well as their experience in law enforcement. The social and cultural norms of a middle class, middle-aged, white male attempting to assert his point of view against those of a young, lower class, black male are likely to be a valuable consideration for law enforcement officers attempting to assess the validity of a statement, the possibility of overt conflict, and in the prevention of frustration that may lead to such physical altercations.

Following the discussion above, Norm Resistance is actualized in this study as the observation of verbal or physical resistance against the “positional authority” (cf. Lanza-Kaduce and Greenleaf, 2000) of police officers. To clarify, this will be seen as direct resistance to the law enforcement official as a representative of the legal system, as opposed to Politeness violations which will be directed at the police officer herself on a personal level. Examples of Norm Resistance, therefore, may include resistance to arrest, attacks on the law itself manifested as verbal argumentation that obstructs the law enforcement official, or physical or verbal resistance directed at the police officer as she attempts to undertake her official duties. It was following these guidelines that the category of Norm Resistance was activated in the witnessed police-citizen interactions, and examples of this are given in the following sections.

Norm Resistance and Domestic Violence

Domestic calls require police intervention into personal relations. Deference factors such as age and race may become more salient when “outsiders” attempt to intrude among friends and family members.

Lanza-Kaduce and Greenleaf (2000:233)

Domestic violence calls for assistance have traditionally been amongst the most dangerous for law enforcement officers. Although previously used FBI data on calls for assistance from 1970 were misinterpreted for a number of years (cf. Hirschel et al, 1994⁵³), it remains that they rank quite highly in the number of officer injuries.⁵⁴ In fact, Uchida and Brooks (1988, cited in Greenleaf, 1993) assert that domestic calls made up only 5.3% of police activity in their analysis of calls in Baltimore, Maryland, but that they resulted in 25% of assaults. Since the seventies, when concerns for officer safety became highlighted, certain measures have been taken to reduce the inherent risks associated with responding to “domestics”. These include the habitual dispatching of multiple officer units to domestic violence calls, and a greater emphasis on linguistic and behavioral training on handling such calls, both at police academies and in continual in-service training required of law enforcement. Whilst recent studies have shown that responses to domestic calls are not creating the same number of officer injuries as were previously reported (cf. Hirschel et al, 1994), it is unclear whether this is actually a result of the misinterpretation of the previous data, or a result of these subsequently implemented training programs.

⁵³ Misinterpretations included, for example, the types and numbers of cases classified as “domestic”.

⁵⁴ This refers only to officer injuries, and is not to be confused with the number of officer deaths that occur in the line of duty. The highest level of deaths among law enforcement officers comes from responding to robberies (cf. Hirschel et al, 1994, Greenleaf, 1993).

The reasons for the inbuilt danger in responding to calls regarding domestic violence are many. As mentioned previously, officers in such situations are often viewed as outsiders and intruders into a family situation: "...[the domestic call] places authorities in positions where they must confront general American privacy norms about the family and the home that are combined with norms of male dominance," (Greenleaf, 1993:55). Typically, families do not involve the law in their own disputes (Greenleaf and Lanza-Kaduce, 1995), so it is often outsiders that call for aid, imposing authorities onto the situation and its participants. In addition to these considerations is the basic nature of the call. Statistically, domestic violence entails a man abusing his wife/female partner. In these cases, "the most telling of all attributes of the battering man is that he feels inadequate and sees violence as a culturally acceptable way to be both dominant and powerful," (Gelles and Strauss, 1988, cited in Greenleaf, 1993:4). This violence may not be limited to the female involved, however, and any intrusion into the domain, or "castle", of the type of male stuck in this kind of mindset entails a high possibility of being met with resistance and/or violence.

Policy changes with regard to domestic violence directly affect the possibility of overt conflict occurring on scene. For example, many states are turning towards a pro-arrest policy that encourages officers to make an arrest at domestic violence calls. Some states, including Florida, have implemented mandatory arrest policies for domestic violence. In these states officers are required to make an arrest with all domestic violence cases in which the primary aggressor in the conflict can be determined. Changes of this kind increase the possibility of overt conflict (Greenleaf, 1993) by limiting the discretion available to the officer and forcing the law enforcer's cultural and social norms to

become congruent in situations where the norms of the subject are almost certainly going to be different. In reality, however, direct observation of domestic violence calls during this current research revealed that officers and deputies frequently disregard this policy (in non-serious instances) by finding some way to work around it (see also Greenleaf, 1993, where similar happenings were observed in Savannah, Georgia). For example, when classifying the call as something other than a “battery” no arrest is required, or by determining somehow that one of the parties involved is not typically a resident at the address at which the assault took place, the “domestic” aspect of the call may be removed. Deputies state consistently that mandatory arrests in some cases would serve only to exacerbate the situation, resolving nothing – they also emphasize, however, that arrests are routinely made where the aggressor is easily identifiable, either through accusation, confession, or through the evidence of visible injury or defensive wounds to one party.

Real-life Examples of Norm Resistance

Since the norms of deference are crucial in maintaining the balance of the authority-subject relationship, it is less likely that older subjects who assault their family members will acquiesce to younger officers.

Greenleaf (1993:57)

The example of Norm Resistance given below occurred at the end of 2005. The deputy concerned (hereafter referred to as D4) is young (25 years of age), inexperienced (with less than two years with the Sheriff’s Office), white, soft-spoken, fairly educated (2 years of college where he majored in music), and both insightful and intelligent. He has been a part of this research project since he went solo at the sheriff’s office, a little more than one year previous to this incident, so his practices are well-known to this researcher. During his normal patrol on this night, D4 was dispatched to a domestic disturbance at a

home in a wealthy neighbourhood. The complainant was a woman (white, mid-40's) and the suspect was her husband (also white, late 40's). The male involved was a professor of Chemistry at a local university and had just returned from a conference. Upon his return, he had found the house to be in disarray. He held his wife, who worked in the home, accountable for this situation and an argument had ensued revolving around the fact that it was her "sole responsibility" to keep the house clean (presumably to his standards, as D4 stated that the house appeared to be clean and tidy, aside from items that the husband had thrown around the residence). The argument had escalated and the man had "laid hands on"⁵⁵ his wife a number of times, whereupon she had dialed 911.

When D4 arrived on the scene, the man was extremely agitated, "highly strung", and appeared to still be in a volatile state of mind.⁵⁶ He continued to shout at his wife from across the room where he had been told to stand, as well as at D4. He also continued to pace continuously around the area. D4 separated the woman and man, and took upon himself the task of interviewing the suspect while his colleague got the details of the event from the victim. The suspect was highly resistant to D4. He mentioned at many times that he was a professor, that he had a doctorate, and "implied" (again D4's words) that, due to his age and youthful appearance, D4 could not possibly understand the situation. This is an obvious employment of techniques recognized by Martin (2001) where the authority status of the law enforcement officer is attacked or not recognized by the suspect, and reverse norm deference categories are instead highlighted, presumably to

⁵⁵ The exact nature of the contact was uncertain. D4 said that the woman alluded to physical abuse, but never actually told him what had really taken place. The suspect denied all claims of abuse against his wife.

⁵⁶ D4's exact term to describe the mental and physical state of the subject was "wired".

enforce an air of superiority of the suspect above the station of the law enforcement officer:

Older subjects were less willing to accept younger officers in a norm enforcer-violator relationship [...] the police are expected to treat older citizens with respect; however, the aged are frequently less deferent toward the police.

Greenleaf (1993:168)

As will be seen in the following discussion of Derivational Thinking, this behavior is not unusual among white males as they attempt to assert themselves against resistance, especially those who are educated, of a higher socio-economic class, and carry with them the CHESWAM⁵⁷ attribute of “entitlement”, and its associated ranking structure. It is apparent, from this exchange, that this man plainly saw himself as “ranked” above both his wife and the deputy in front of him, equally with regard to social power, and also with authority, displayed by his education and age.

As can be seen from the discussion above, it would have been extremely easy for this exchange, and the associated Norm Resistance, to have escalated to overt, physical conflict. The deputy’s cultural norms and social norms were, in this case, closely matched. He was planning on arresting this man once he had determined beyond doubt that he was the primary aggressor in this encounter.⁵⁸ It is apparent also that the man’s cultural and social norms were also closely matched – but that they did not match those

⁵⁷ University of Florida professor M. J. Hardman (personal communication) puts forth this acronym for Culturally Hierarchical, English Speaking, White, American Male as the epitome of “entitlement”. It is often the case that many males fitting this description have never been “the minority” or faced opposition to their hierarchically marked social status.

⁵⁸ Klinger (1994) disputes the widely held notion that overtly hostile subjects are more likely to be arrested in any case than those who are less hostile with law enforcement officers. He states that when “hostility” falls within the realm of “legally permissible” behavior (p. 477), hostile subjects are only more likely to be arrested “because they are more likely to commit crimes against and in the presence of the police, not because their demeanor connotes and lack of respect for police authority,” (p. 489).

of the authorities. The man's cultural norms (i.e., stated laws) were that he demanded a certain level of cleanliness and housekeeping from his wife and that, if these expectations were not met, he had the right to punish her as he saw fit, that is, he envisioned himself as the "authority" in his home. In this situation, therefore, his social norms (i.e., behavior) matched these cultural norms. He was enforcing and reinforcing his expectations and requirements by beating (i.e., "punishing", according to his framework) his wife for her infraction of his rules ("laws"). As was seen in the discussion of Turk's Norm Resistance, when both authorities' and subject's cultural and social norms are congruent within themselves, but incongruent with each other, the possibility of overt conflict is highest.

As it turned out, this situation did not escalate to overt conflict – at least not physical conflict (the subject did, as mentioned above, verbally attack D4 on a number of occasions). Given Lanza-Kaduce and Greenleaf's (2000) table of norms of deference reversals and reinforcers (Table 3-1), however, this particular situation balances the authority position of the young, white officer when dealing with an older, white suspect perfectly, giving it a "0" value (Table 3-2):

	Subject younger, non-white	Subject older, non-white	Subject younger, white	Subject older, white
Authority younger, non-white	0	-1	-1	-2
Authority older, non-white	+1	+1	0	0
Authority younger, white	+1	0	+1	0
Authority older, white	+2	+2	+2	+2

Table 3-2: Example of Balance of Positional Authority by Age and Race⁵⁹

⁵⁹ Adapted from Lanza-Kaduce and Greenleaf, 2000:225.

It did take a great deal of time to calm this particular subject, however, and required an extraordinary effort on the part of D4 to diffuse the situation. It is evident from his background that D4 is not a stereotypical officer. His background in music, education and soft-spoken nature are variables that cannot be controlled. He is, on a personal level, atypically sensitive (given my own knowledge of officers) and more likely to take time to uncover the reasons behind an event, rather than just “clear the call”. These factors may have contributed to the way in which this call was handled, though it is impossible to quantify the effect. It is interesting, however, that in this example both Turk’s (at least with regard to verbal conflict, and also with the overt possibility of the escalation of physical conflict) and Lanza-Kaduce and Greenleaf’s predictions were borne out.

Norm Resistance: Conclusion

That some gifted policemen have learned how to restore order peacefully under these circumstances points to the possibility that artificial means – particularly training and enhanced language skills – can be developed in police departments to diminish violence and to increase the probabilities of skilful handling of these critical incidents.

Muir (1980:52)

It is apparent from the discussion above that research into the probability of overt conflict, specifically “Norm Resistance”, using concepts and categories such as those suggested by Turk’s theory may have direct and transferable affects on officer training and education, dispatch habits, and official policy making with regard to law enforcement and arrest requirements. Greenleaf (1993:6) says that, “...police officials at all levels remain convinced that proarrest policies are effective.” As was shown above, however, such policies, when upheld by law enforcement officers, force responding officials into congruence between their cultural and social norms, thereby (albeit intentionally) diminishing their discretionary abilities and (presumably unintentionally) increasing the

possibility of Norm Resistance. In states such as Florida, where mandatory arrest policies exist in cases of domestic violence, this possibility must certainly be considered when matters of officer safety become an issue. Statistics, as well as common sense, illustrate the importance of research into these areas. For example, Greenleaf (1993) notes that almost 59,000 officers were assaulted in 1988 in the United States, and 801 were killed between 1980 and 1989 (discounting the 713 that died due to accidents occurring during performance of their duties). It can only be assumed that these numbers have increased in the past 17 years.⁶⁰

Greenleaf and Lanza-Kaduce (1995:582) maintain that, "...future researchers should also explore data sources other than official records, perhaps by conducting observational studies." They go on to say that police reports, being a source of information for officer supervision, disciplining, and lawsuits often cast a favorable light on the officers concerned, and that some aspects of the case may be overlooked in the typical course of an investigation, presumably due to the fact that they are not required to be included in the official report procedures. It should be remembered, also, that law enforcement officers are human. They are, therefore, fallible. Despite their training, certain parts of their reports may be given less emphasis than others. In the first-hand observations conducted during this research, the category of "place of employment" that is required of suspects, witnesses and victims was extremely frequently overlooked for some reason. Other categories, such as driver's license number, were also sometimes forgotten. Except when issuing traffic citations, it is infrequent that officers are writing directly onto an official report. Each case presents itself with unique and differing

⁶⁰ In 2004, the Department of Justice reported that there were 675,734 sworn law enforcement officers employed in the United States.

nuances that require individual attention and care. It would be unreasonable to expect officers to include aspects such as “socio-economic standing”, for example, in their reports when these characteristics are not always directly relevant. It is, therefore, the responsibility of researchers to undertake their own studies if these characteristics and their effects are to be assessed. It is for this reason that the primary data for the following research project and analysis is hundreds of hours of first-hand observation of police-citizen encounters, undertaken by a single researcher (to maintain consistent qualitative levels), with multiple agencies in both the US and the UK, spanning a period of three and a half years.

Turk (1969:42) states that conflict may be averted and diverted by uncovering, “ways in which to coordinate their [subjects’] behavior and increase the similarity of their language.” Greenleaf (1993:43) adds to this, “Turk views the “firstline enforcers,” as those who have the greatest impact on criminality.” It is to this end that this linguistic study of police-citizen interaction is undertaken, with special reference to uniformed officers and their daily duties and expectations. The recognition for linguistic skills and training by Turk and others is obvious, as is the fact that education of the authorities is viewed as being crucial: “...officers who are not trained in intervention subtleties may provoke aggressive, territorial responses in citizens,” (Bard and Zacker, 1980, cited in Greenleaf, 1993:59). This sentiment is echoed frequently and stresses the need for officer training in “sophistication” and, specifically, linguistic and language skills:

It is important to appreciate the unusual skills of eloquence which policemen in authority need if they are going to escape the violence implied by the neighborhood beef.

Muir (1980:52)

Derivational Thinking

To act in a way that is both sexist and racist, to maintain one's class privilege, it is only necessary to act in the customary, ordinary, usual, even polite manner.

Russ (1983:18)

The third theory to be introduced in this study comes from research in the field of Anthropological Linguistics. In a work that echoes and expands Russ's statement above through the use of linguistic theory, Hardman (1996:25) states "Language and culture are on a feedback loop" and, as such, English serves to maintain its dominance over women (and other minorities) by adhering to three built-in linguistic postulates⁶¹ that make up the Derivational Thinking (DT) paradigm. These linguistic postulates make up "the major structuring and selection grids for the perception/cognition within any language/culture", (Hardman, 1993a:42). The three postulates for English are specified within this framework as:

- Number (use of singular/plural structures, with the plural derived from a "base" singular form, marked in nouns, pronouns and verbs/syntactic agreement) with a premium on "singularity", *one* god, *one* spouse, and so on;
- Ranking comparative/superlative;
- Sex-based gender (with the feminine form derived from the masculine "root". Hardman (1993a:44) states, "[T]his postulate permeates every level of grammar, and has reflexes in the culture".)

These structures are so firmly embedded into English that speakers (even the most devout feminists and social activists) do not realize that they are using them, or if they are

⁶¹ Hardman (1996:25) defines a linguistic postulate as "a theme or motif that can be found in almost all the sentences of a language, a feature that is used repeatedly by the language to organize the universe". It is important at this point to note another observation made in an earlier article by M. J. Hardman: "[P]ostulates are learned, they are not part of the common human heritage", (1993a:44). This means that it is only English speakers that are victims of the DT paradigm given in this study (though many Indo-European languages also show signs of DT). Other languages and cultures may formulate matters in entirely different ways.

conscious of them it is almost impossible to formulate meaning and communicate without them. The worldwide community of English speakers works together (albeit mostly unconsciously) to reinforce these postulates that, like the phonemic system, are built into the linguistic system of a native speaker by the age of six:

One of the factors that make it so difficult for us to perceive sexism, let alone free ourselves of it, is that sexism is deeply embedded in our grammar in such a way that we are mostly unaware of its daily impact.

Hardman (1996:25)

The danger of these structures is that, as our language forces us to see the world in sexist terms, social relationships and interactions follow this same framework which is patterned and strengthened continually in each and every interaction – a framework that reveals a troubling conceptual underpinning. There is hope, however, and observing and accepting these constructs as being problematic can be a major step toward the understanding of daily happenings, the acceptance of people of other cultures, and the consideration of their perspectives.

One example of DT awareness and a suggestion for a way to halt the DT cycle is given by Hardman (1999) in her article “Why We Should Say “Women and Men” Until It Doesn’t Matter Any More”. In this piece, the author notes that the presence of DT in everyday English speech means that order matters – whether it be at the most basic word level, at the sentence or paragraph, or even at discourse levels of communication. This means that in common collocations, such as “men and women”, the first item ranks more highly due to the postulates of hierarchy and number, which in this case – as in many others - feeds into the third postulate that states that women are derived from the male

base.⁶² She concludes that, by balancing the perception of ranking with that of female-from-male derivation, “the phrase “women and men” comes as close as is possible in English to an equal linking of two items” (1999:1).

The use of “men and women” in English is, of course, rife and it can be surprisingly challenging to apply the reordering: “[t]his structure is a syntactic statement of the actual precedence in life: that it is difficult to change both reflects and reinforces the societal order”, (Hardman, 1996:28). This is only one of many practices that reinforce DT structures and the suppression of minorities in the language, however. Another example includes the naming practices favored in Western cultures during which, by taking the husband’s name, any possibility of noting matrilineal ancestry is effectively erased in each generation upon being wed (cf. Boxer and Gritsenko, 2005). As Hardman (1993b:260) expresses, “Naming is empowering”, and by removing a woman’s name and exchanging it for her husband’s, the empowerment rests solely with one half of the pairing.

A further example of DT in practice is the use of the “generic he” pronoun – which is anything but generic (cf. Falk and Mills, 1996, and Martyna, 1980). This was noted earlier in this study with the recognition of the predominance of “generic he” in the literature on law enforcement. While such professions do remain, at this point in history, male-dominated, female officers are in existence and use of the “generic he” in these cases (and all others) requires females to decode utterances to establish whether they are

⁶² As Hardman herself notes, this strengthening of one postulate by another happens frequently in English: “While grammatical items can be analyzed singly, they do not occur singly, which is why they also act as mutual reinforcers”, (1996:26). Another example of this is seen in the way that singular is seen as “best” (an example of ranking reinforcing singularity) in our culture, as everyone strives to be “number one” (cf. Hardman, 1993a).

included. Such practices ultimately imply that to be human requires being male, and “leave girls and women always on the edges, always uncertain as to belonging”, (Hardman, 1996:28).

On a linguistic level, these occurrences may seem trivial or unimportant. When it is understood, however, how language pervades and controls thoughts and deeds in society, as was mentioned in the introductory chapter of this study, the frightening power of such constructs can truly be appreciated. Clear examples of this pervasiveness from many different fields are given below as the concept of Derivational Thinking and its applicability to the current research is introduced in detail.

Export of Sexism

Derivational thinking relates not only to our construction of sex relations but, because it gives us the template for all human relations, is also the underlying mechanism which keeps us racist, that makes diversity so difficult to understand, and which leads to our imperialist behavior abroad.

Hardman (1993a:252)

The DT postulates affect and infect perceptions of women, minorities and may also taint our views of other cultures. Our DT blinders may have – and historically have already had in encounters with formerly unknown societies – huge and far-reaching effects on the societies with which Western colonizers and missionaries make contact. Oyèwùmí (1997) gives a clear example of this occurrence in an African society during a period when Christian missionaries (believing that they were “saving the savages”) imposed gender roles on a society in which none had previously existed. This is not an isolated event, unfortunately, with similar happenings being recorded in the Indian sub-continent (cf. Norberg-Hodge, 1991), and also in the Andes (cf. Hardman, 1993b, 1988), among many others.

The example of the Andes is representative of what has happened throughout the world – and what continues to occur to this day. While the Western “conquerors” of the Jaqi were Spanish speakers, the events (and the deeply rooted Indo-European sexist outlook) are unfortunately similar to those perpetrated by the English speakers that “civilized” the Yorùbá speakers in Oyèwùmí’s analysis of Western Africa, and the Ladakhi communities in Norberg-Hodge’s book *Ancient Futures*. It is the Jaqi example that shall be used here to illustrate the concept of the export of sexism.

The traditional Jaqi culture is one of equality. Women and men and their respective tasks are complementary, “both believed to be equally necessary to a viable human community”, (Hardman, 1994:151). Upon the arrival of Western conquerors, however, notions that were rooted deeply and conceptually within the Indo-European framework challenged these ideals. One manifestation of this is that women were required to take their husband’s names, a practice previously unheard of in the culture. This presented a huge difficulty within Jaqi society with regard to property ownership where the owner shares the name attached to the land. As women took their husband’s names they would, consequently, lose their rights to this land. Babb (1980) gives a particularly violent example of the effects of this imposition in her account of the Vicos Project – a venture run by Cornell University. Through the naming practices imposed by Westerners, women in Vicos, Peru, were losing rights to property that belonged to them by virtue of birth and inheritance. In Babb’s example, a woman came to a Vicos Project meeting to protest the loss of her land. Her husband was told to silence her, but did nothing as local custom dictated that he had no right to control her in any way. The (American) anthropologists

eventually threw the woman bodily from the establishment, presumably as a “demonstration of the modern, developed way to treat women”, (Hardman, 1994:158).

Other, more subtle, ways of suppressing women took place throughout this region, many focusing on the children of the society as those who would continue the legacy of sexism and oppression. As Western-styled schooling was introduced, foreign teachers – as was their common practice - treated children differently according to their sex-based gender (cf. Martyna, 1980). As a direct result of this differential treatment, girls appeared to perform badly in their classes and their family members, who believed school to be an equal opportunity establishment, blamed the girls themselves and withdrew them from classes. This action compounded the new gender issues in the area as young, educated men took on the more powerful and prestigious jobs based on their higher educational achievements, thereby relegating the women to positions that required them to be dependent on men.

Countless cultures throughout the world are being affected in this way. By studying examples such as these, it is evident to the interested and aware Western observer that this is happening and that such impositions must cease in order to curb the export of sexism. It is perhaps more difficult, however, to notice that these constructs are continuously being created and reinforced in our own culture. In order to illustrate the pervasiveness of the problem, a number of different areas are introduced below. Whilst not directly relevant to the following study, this section serves the multiple purposes of demonstrating the wide-spread nature of the DT postulates, highlighting examples of Derivational Thinking in different facets of everyday life and showing how they may be

identified, or how they may simply be absorbed as commonplace communicative structures by the (typically unaware) language user.

DT in Fiction

Most people who read fiction will agree that the most believable stories are those to which a reader can relate. The vast majority of novels, therefore, are based within a society that resembles our own. There are writers, however, that defy this viewpoint in their works. By turning society around and creating new systems that either challenge or paint caricatures of Western norms, features of our own lives are highlighted where they may otherwise have been left unobserved to compound DT issues on a continual basis. Three works that create such challenges shall be introduced briefly here to illustrate the DT constructs. In all three, by foregrounding aspects of our culture that may otherwise be unnoticed, the authors draw our attention to DT occurrences that, when we are forced to notice them, seem absurd and make us question how such things could be allowed to continue in the “civilized” and “advanced” society that we inhabit. Whilst LeGuin’s (1984) *Always Coming Home* is set in a version of our own world, in the realm of science fiction anything is possible. In *Egalia's Daughters* (Brantenberg, 1985) and *The Maerlande Chronicles* (Vonarburg, 1992) two authors turn DT around and create radical new portrayals of societies that emphasize and ridicule practices that we, in our own world, endure daily.

In Gerd Brantenberg’s (1985) *Egalia's Daughters* the reader is presented with an often humorous, but nonetheless believable, society in which women (or *wim* as they are called in the book) are the “breadwinners”, the politicians, the soldiers, and the general workforce. Men (or *menwim*) spend their time looking after the *wim*-folk, taking care of the children, and beautifying themselves. *Menwim*, following women in our own culture,

attempt to reverse nature's requirements for the natural male/*mafele* body by becoming small, weak, and soft creatures, whereas the *wim* are tall, strong and proud. It is the traits associated with femininity in our own society that come under scrutiny in this tale. For example, the *menwim* curl and treat their beards and hair, they strive to attain unnatural body shapes that adhere to cultural ideas of attractiveness, and they are required to wear restrictive *pehoes* on their penises upon reaching puberty. By associating these behaviors with men/*menwim* (as opposed to attributing them to women as they are actually performed in our own culture) Brantenberg brings into sharp focus the ridiculousness of their nature.

From this basic description, several ways in which the author has tried to overcome the ideas posited in DT are evident. While number and the ranking comparative are still evident, it is the *wim* that are seen as absolute power, the number one provider for the household, and the head of the family. It is, however, the author's use of language to derive the male from the female that compounds her imagery. *Wim-menwim*, *fele-mafele*, and other innovative vocabulary, such as *spinnerman/Spn* ("mister/Mr."), *lordies* and *gentlewim* (ladies and gentlemen) serve to alter the reader's perspective of societal representation. These basic changes – at the level of DT – allow the reader to see (and to *notice*) parallels that exist in our own society.

When the *menwim* are mistreated in *Egalia's Daughters*, it is (at first) unfathomable – how could "men" be treated that way? However, the examples of mistreatment in the book are unexaggerated samples from the daily lives of women throughout (at least) the English-speaking world. Women are treated as objects, sexual possessions, servants, and generally inferior to men on a regular basis – but when the reader sees this happening to

“men” the true severity of the crime is finally appreciated. Consider, for example, the occurrence of such crimes as fraternity gang rape (cf. Sanday, 1990). This occurrence is, unfortunately, not uncommon and is covertly accepted (though, of course, not explicitly condoned) by not just the fraternities, Greek societies, or universities, but by society as a whole – including women. It is expected at the very least, and we are not surprised when it happens. When Petronius (a male/*menwim*) is raped in *Egalia's Daughters*, however, the horror of the experience is magnified, and the perspective that should be applied to all rape cases is restored. This is just one small way in which this novel, through the use of perceptual shift, focuses upon and pinpoints contemporary societal problems in the real world.

In *The Maerlande Chronicles*, by Elisabeth Vonarburg (1992), a similar effect is achieved, but by very different means. Maerlande society is again controlled by women, but this time it is due to the past mistakes of men. The world's natural resources are gone (due to the Decline), and genetic mistakes have resulted in the birth rate of women greatly outnumbering that of men. Men in this book are simply providers of sperm. They are “farmed out” to Families throughout Maerlande to donate their semen, and are treated as cattle. There are very few “individual” men featured in the book, the story focuses entirely on the women who are being educated, making the advances in science and discovery, and controlling the politics of the Families throughout Maerlande.

As was seen in *Egalia's Daughters*, Vonarburg inverts the DT ranking system – women are clearly superior to men, and the few men that do make a mark (e.g. Toller) are depicted as exceptional creatures – as women are required to be in our own society in order to excel and be noticed (cf. Russ, 1983). The male character of Toller serves to

illustrate many of the categories that are oppressing the men in *The Maerlande Chronicles* by breaking the mould. He teaches in Wardenberg (requiring acknowledgement of his agency, but making his achievements anomalous within the context of this novel), and he is independent (with a lack of models for such behavior).

Toller is an exception to the rule, however, and the female-dominated ranking system is evident in the political makeup of the book and unchallenged by the isolated achievements of such men. It is the obvious, innovative vocabulary use that compounds these ideas, however and, as with *Egalia's Daughters*, the masculine is derived from a feminine base, such as *explora*, *renegada*, *courria*, and *Capta* are the normal forms of such words. When Lisbeï, the lead character, is confronted with the masculine forms of such words during her travels, she finds them uncomfortable and unnatural – a striking parallel to the DT framework in which we exist, where the feminine forms “actress”, “police-woman”, and “hostess” are required to show that the person being referred to is not male, that is, not the default value.

From this brief discussion, it is evident that these novels create a reality in which the values of our own society are brought to light through inversion. By creating worlds in which women are the “unmarked” category, from which men are derived, the books pinpoint areas of injustice that exist throughout the “civilized” world, and that occur in our ordinary, daily lives. *Egalia's Daughters* and *The Maerlande Chronicles* both capsize this dominance by presenting worlds where male dominance does not exist – in fact it would have been incomprehensible for characters in either book to understand the concept.

While the notions of number and ranking are maintained in both, they are applied to women instead of men. Women in both of the novels are the leaders of the societies; they are the workers, the politicians and the lawmakers. Both novels turn the category of sex-based gender around, however, and in similar ways. Gone is the notion of the female derived from the male, and in comes the category of the female as the norm, with male derivatives plaguing the characters as “unnatural” and “uncomfortable” labels. It is through such manipulation of vocabulary that the creation of a woman-run society is made believable. And it is through this language that the oppression of males may be seen, highlighting female oppression in our own society.

In a different turn, Ursula LeGuin’s novel *Always Coming Home* is set in a world based on that of our own. The chronological setting of the novel is kept deliberately vague, however, using verbiage such as the following, which is characteristic of LeGuin’s clever manipulation of the English language: “The people in this book might be going to have lived a long, long time from now in Northern California” (1984:A First Note). She goes on to say that in her fictional ethnography, “the difficulty of translation from a language that does not yet exist is considerable”!

In her description and history of *Kesh* life (the people around which most of the book is set), LeGuin depicts a society of equality and equanimity that is, nonetheless, neither unbelievable nor necessarily idyllic. Based around a spirituality that focuses itself on nature and harmony with the environment, the *Kesh* life is depicted without the ranking hierarchy of gender that exists in our own society, and with a level of community that defies the necessity of singularity usually required by English. The narrative of the character of “Stone Telling” (a three-part tale that is punctuated by short stories, dramas,

sayings, and histories of the *Kesh* and their neighboring societies) is rather difficult to read at first, mostly due to the unusual use of language. The sentences, whilst appearing to be in English, do not follow the patterns to which we have become accustomed. Once the flow of the story is underway, however, the gentle yet powerful imagery and language manipulation that LeGuin continuously provides make the work a fine example of English without many of the usual occurrences of DT.

The People of the Condor provide the contrast to the *Kesh* society in *Always Coming Home*. After lulling the reader into a relative sense of well-being, LeGuin transports Stone Telling to her father's land – a patriarchal and comparatively savage society that limits the freedoms of its people, especially the women and lower socio-economic classes. Though the contrast creates a sense of exaggeration, reflection on the Condor society reveals that it is really very similar to that in which we exist. Women were forbidden from the places of worship (the *heyimas* in *Kesh*, called *daharda* in the City of the Condor), with a single higher being, “One”, being the creator and governor of the universe. LeGuin writes that “women and foreigners and animals[,] have nothing to do with One at all; they are purutik, unclean, dirt people”, (LeGuin, 1984:200), an attitude that is evident in many of the religions existing today, and in many of the attitudes held by “civilized” nations towards other cultures.

Many of the sentiments of the book are included in simple proverbs or sayings attributed to the *Kesh*. For example:

- “Nothing can make water better”, (p. 312).
- “Owning is owing, having is hoarding”, (p. 313).
- “If there was only one of anything, it would be the end of the world”, (p. 311).
- “Like and different are quickening words, brooding and hatching.
- Better and worse are eggsucking words, they leave only the shell”, (p. 313).

The last two of these sayings are blatant commentaries on the DT principles of singularity and the ranking comparative. Though LeGuin and Hardman have never discussed Derivational Thinking, it is apparent through the works of both women that these are issues in English and in the societies that the language controls. It is also evident that both advocate addressing these problems, either through powerful language manipulation in fiction that raises our awareness about our own society, or through academic linguistic research and suggestions for innovative, affirmative action.

Whereas the realm of fiction (especially science-fiction and fantasy) allows the reader to escape the confines of Derivational Thinking for a while, reality will always need to be faced at some time. Unfortunately, here it is more difficult to avoid the tangled web of DT concepts and the associated effects.

Real-life Examples of DT

One obvious application of the DT framework is observable in the politics of English-speaking countries. Take the current situation in Iraq as an example that is in the forefront of many people's minds at this time in history. The basic fact exists, and has now been admitted, that the US (and its allies) had no provable motive to enter the country in the first place (i.e., there was no evidence of weapons of mass destruction in Iraq). However, the hierarchical element of DT, as well as the ranking comparative, decrees that there must be one world leader – and that leader must be the biggest, “baddest”, most aggressive, richest, and most egotistical of all the world countries. That country may go against sanctions given by the UN (a council set up precisely so that something of this nature should never happen) to prove its supremacy, its ranking absolute status as the strongest, most powerful country in the world. This is a highly disturbing, real-life example of the power of DT. Without the vocabulary to talk about

these issues, however, activists all over the country and the world struggle to protest the invasion, their ill-expressed points bouncing off deaf ears and neutralized by the clever rhetoric of the White House: “Neutrality is not an option [...] to question the appropriateness of a military response, is to remove oneself from the side of goodness”, (Rediehs, 2002:77). From such statements as this (of which there were many) it was clear to the entire world that if a person or country was not *with* the United States and its “War on Terror”, then it would be considered as being *against* it and, thus, declare itself an enemy of the most powerful nation on Earth.

The above is a specific example of DT in action on a large scale, on an international field, where people of all nationalities are still dying. There are many more cases, however, where an appreciation of another culture – founded, for example, on an understanding of DT – could help to reduce friction between societies before such drastic action was ever taken. Wagner’s (2001) *Sisters in Spirit* gives one example of a misconception that could have been avoided by an appreciation of DT constructs.

In a study of early American feminists, such as Elizabeth Cady Stanton and Matilda Joslyn Gage, Sally Roesch Wagner drew the conclusion that much of their inspiration came from their close association with First Nation Haudenosaunee (misabeled as “Iroquois”) women. Without an understanding of DT constructs, however, the author, and many others besides, labored under the wrongly reasoned notion that the Haudenosaunee women provided such a role model because they were liberated. It was true that they made their own decisions. It was also true that they were not under the rule of men. It was further true that they owned property and rights over their own bodies. The

Haudenosaunee women were not liberated, however, simply because they had never been “unliberated”.

By looking through a Western framework at accounts of the lives, rights and responsibilities of Haudenosaunee women, it is easy to falsely categorize them as having attained all the rights that Western women desire. However, following the African perspective of Oyèwùmí (1997), we must strip ourselves of our notions of dominance and liberation and realize that the Haudenosaunee women had what they had simply because that was what they had always had – to turn a clumsy phrase! Their rights and responsibilities were part of their history and of their culture. They were not granted to them, they were required of them. By seeing the world through the eyes of modern, American women, or through the eyes of the early American feminists that are the focus of her book, Wagner falsely categorized the situation of the Haudenosaunee woman as liberated – an ignorance that she realized late in her works and that had profound effects on her subsequent studies.

While it is undoubtedly true that Wagner’s work would have been greatly improved (in her own opinion) had she realized that her cultural framework was affecting her writings in this way, it remains, however, that her work is still to this day marginalized and unseen by most people. While there are a multitude of reasons for this, the main one is the fact that she was a woman, and writing at a time in which real history was being created by soldiers and politicians (all men). In her book *How to Suppress Women’s Writing*, Russ (1983) provides the reader with an extensive list of further examples of the containment of women’s writing throughout history – including much contemporary evidence. While it may be claimed that times have changed since Jane Austen wrote

anonymously, since the Brontës wrote using male pseudonyms, and since the era of George Eliot, the same cannot be said of modern writers such as Amy Tan and Margaret Atwood, Suzette Haden Elgin and Ursula LeGuin, who are still marginalized and withheld from the mainstream of popular authors simply because they belong to minority groups.

Having had experience in the book trade, it is evident that the vast majority of bestselling authors are men. The reason for this is quite simple. Women will read female and male authors; it is an unusual female author, however, that can attract the male reader. To illustrate: Anne Rice has obtained cult status with her series of books: *The Vampire Chronicles* (cf. Ramsland, 1997). Her male readership is largely comprised of gay men, however, due to the homoerotic overtones of her work. Few heterosexual men could derive pleasure from the works simply due to this fact. This effect was illustrated perfectly in the recent viewing trends surrounding the release of the “gay cowboy” movie *Brokeback Mountain*, based on Proulx (1999), a beautiful story (and a film that won an Oscar for Best Director) that was shunned by a huge majority of “straight” men due simply to its subject matter.

Even (or perhaps especially) the domain of children’s literature is not immune to the effects of DT. J. K. Rowling had to write her novels with a male protagonist (Harry Potter), as boys would never have read about a female wizard, and half of her potential audience would be lost simply due to cultural mores. Many science fiction and mystery writers who are women use only their initials to avoid being identified immediately as a woman (as was also true of Rowling), including C.S. Fielding, C.J. Cherryh and P.D. James. Obviously, the false categorization and double standard of content, as well as

other categories of suppression, given by Russ are still much in evidence against women in modern literature. The fact that these categories and the DT postulates are observable in these domains is evidence that they are functioning and supported in modern cultural practices throughout society. Unfortunately these happenings are not limited to literary realms and other usages can be much more dangerous.

Politics, histories, and publishing/reading trends provide easy examples of Derivational Thinking. Surely, though, it should be expected that the educated factions of society would be a little more removed from such unjustified treatments of other people. Unfortunately, this is not the case. In scientific and academic writings, Kray (1990) and Cohn (1989) introduce extreme examples of DT frameworks – some of which are incredibly dangerous in the way that they serve to separate and protect people from the ways in which destruction and war may impact real people with real families and real lives.

Kray's (1990) "Never Cry Bull Moose" offers an ingrained example of sexism in scientific writings. By performing a detailed discourse analysis of a nature article featured in *National Geographic*, Kray uncovers the depths of sexism rooted into the very structure of the piece. Through evocative male imagery, the ordering of the text to create a male hero, and the lack of identity given to female participants of the piece, the "cow moose's" agency was continually denied in favor of the "bull" (pardon the pun!). The female is portrayed as the antagonist to the male protagonist throughout, and this printed evidence of DT provides another example of the diverse ways in which women are continuously dominated and suppressed by men. While this illustrates that learned, scientific writing is not immune to the powerful pull of DT, it is, perhaps, not overtly

dangerous or life threatening – at least at this level. It is a short extension of this, however, that leads to the path taken in the following article.

The evidence presented by Carol Cohn (1989) in her article “Sex and Death in the Rational World of Defense Intellectuals” is far more apparent in its threats to human life. As a social experiment, the author undertook a summer workshop on “nuclear weapons, nuclear strategic doctrine, and arms control, taught by “distinguished defense intellectuals”,” (1989: 127). Writing about her experiences, the author introduces the reader to the male dominated world of nuclear research. In order to distance themselves from the actual effects of the research in which they are engaged, the nuclear technicians and engineers create a web of metaphor that is often highly graphic, focusing on a disturbing mixture of images from fields such as sex, family, and religion – all seen from a dominating male perspective. In noting the linguistic tools utilized by these scientists, it became apparent to the writer that outsiders who did not employ these terms were unable to communicate within the inner-circle. She found herself utilizing the expressions in order to be taken seriously, a technique that was highly successful to the point that Cohn herself began to become immersed in the cold, objectification of the dangerous and powerful industry that is nuclear weapon research.

To the outsider, the possible effects and death-toll of a nuclear blast is a cost that would be impossible to bear. However, the consistent use of euphemism and metaphor to dehumanize the actions and results of their work serves to protect the men (and they were mostly men, as observed by Cohn) as they “improve” and “hone” their creations – referred to as “babies”.⁶³ The use of such terms, and the persistent employment of

⁶³ The creators of bombs were called “fathers” in the centre in which Cohn did her research. “Fathers” hoped that their “babies” would be “boys” rather than “girls” meaning that they would produce successful

acronyms, was something that Cohn had to learn quickly in order to become part of the “in-group”. She noted that, when mastered:

The words are fun to say; they are racy, sexy, snappy. You can throw them around in rapid-fire succession. They are quick, clean, light; they trip off the tongue. You can reel off dozens of them in seconds, forgetting about how one might just interfere with the next, not to mention with the lives beneath them.

Cohn (1989: 144).

It is in statements such as these that the true danger of the distancing and camouflaging techniques used in such industries is truly realized. It should be evident that these distancing techniques are not limited to the nuclear industry, for example medical and nursing terms are full of such language. While these may be claimed to protect the medical practitioner from the, often distressing, side effects of their work, they also objectify the person with which the professionals are dealing. This often has the effect of dehumanizing the patient, leaving them feeling dissatisfied with the interaction that they have received with people who are of optimal importance to their life and situation at that moment. This is a concern that is also of heightened importance for law enforcement personnel, which is, of course, the main focus of this work.

DT and Police-Citizen Encounters

In the police-citizen encounter, the DT postulates are of heightened importance. This is a stressful situation, which may have far-reaching outcomes for the people involved. All of the DT postulates are relevant on a cultural, social, and linguistic level in each and every interaction of this nature – and all will relate to truth detection during the interaction. For example, domestic disputes often revolve around female-male derived

blasts rather than being duds. Those wishing to disparage one researcher’s achievement stated that he was not actually the “father” but rather the “mother” of one bomb. They stated that he had not had the ideas himself, but attributed them to a colleague who had “inseminated” him with them, whereafter he had merely “carried it”, (cf. Cohn, 1989:141).

“power and control” issues, and these elements are expressed verbally during interviews, both explicitly as well as being implied. An understanding of the interplay of the DT postulates can be highly applicable for an officer thrown into such a situation, both to uncover the true story, and to maintain or restore harmony.

An example of Derivational Thinking in action occurred recently whilst observing with GPD. On the way to investigate the theft of some laundry from a washing machine, the officer with whom I was working (P3) was diverted by Dispatch to a local bar to investigate an incident of sexual battery. A woman had run into the bar in a disheveled state and told patrons that she had been raped. Someone had called the police, and this P3 was dispatched as the primary responder to the scene, meaning that it was his responsibility to make contact with the victim, and to coordinate other officers that arrived on the scene, as well as to contact CID (detectives) and Forensics, if necessary. Upon our arrival we observed that the woman was white, approximately fifty years of age, and obviously distraught. P3 brought her out of the bar and sat with her on some benches outside to establish what had transpired that night. She stated that she had been attacked by a man with whom she had been staying and that she had escaped from the house when he had left to go and buy some beer.

When the ambulance services arrived, it was related to the officer by one of the medics that the woman was homeless, a well-known drug user and prostitute in the area, and that she had made claims of being sexually assaulted on previous occasions. The detective dispatched to the scene was dismissive of the case, but P3 followed each and every step that was required of him in any case of sexual battery. He was obviously upset that others were dismissive of the woman’s claims, simply because she was a drug user

and prostitute. To him it did not matter who she might be, if she had said “no” to the man she was accusing, the case must be treated as assault.

This particular case is a fine example of all three of the DT postulates. Most cases in which the police are involved revolve around singularity: one version of the truth, and the struggle for each to assert their singular linguistic and cultural perspective on the situation. If two (or more) conflicting stories are given, it is always a great effort for law enforcement personnel to uncover the “truth” – this is especially difficult as each person will have their own version of the “truth” (depending on their own histories, perspectives, and expectations). It may even be the case that, although the versions told do not match, they are actual retellings of the truth as seen from the perspective of the person telling it. This principle is shown in “Miller’s Law” (Hall, 1980:46), which states that, “[i]n order to understand what another person is saying, you must assume it is true and try to imagine what it could be true of.”⁶⁴ Singularity, therefore, is very often a troublesome DT concept in truth-detection and the unraveling of a case.

The quotation above from psychologist George A. Miller, known hereafter simply as “Miller’s Law”, will be a focal aspect of much of the following research, and will resurface throughout the analysis and subsequent discussion. Its importance is impossible to summarize fully without running the threat of trivializing the concept, but with regard to law enforcement its value is immeasurable. A great many police officers are instilled at the academy and/or field training level with a cynicism towards many of the people with

⁶⁴ This statement is included as one of “Miller’s maxims”, a list of requirements for the “efficient use of the human mind,” (Hall, 1980:46). Other examples of his maxims include: “The mind is a mismatch detector. It is easier to see what is wrong than what is right”, “People do not usually try to disprove their own ideas”, and “Stereotypes are easier than statistics. People believe in correlations that do not exist and overlook correlations that do”.

whom they come into contact. Whilst the reasons for this may be comprehensible (many members of society with whom the police have to interact *will* lie to them or otherwise try to conceal information), it is far from being excusable (many members of society with whom the police have to interact will *not* lie to them or otherwise try to conceal information). This cynicism will inevitably block a law enforcement official from seeing aspects of an account given to her as being a possible a retelling of events from another person's perspective. If an officer is searching for untruths it is not a difficult assumption to make that, given the focus of her search, much factual information will be overlooked as unimportant. If, on the other hand, an officer can enter a first-contact interview with the purpose of "truth detection" foremost in her mind, it will be possible to uphold Miller's Law and, subsequently, to enable a perspective that allows for differing interpretations of events. This will greatly aid in the task of "active listening"⁶⁵ on the part of the officer and will create a smoother communicative experience for the citizen, thereby lessening the likelihood of miscommunication or conflict. As Miller's Law recurs throughout this current research project, it will be seen that its simple, yet incredibly powerful message, is entwined with all of the DT postulates, and also with the Cooperative Maxims and matters of Norm Resistance.

With regard to the next DT postulate, that is the female being derived from the male, the vast majority of sexual battery cases involve a woman being forced to perform or endure actions that are desired by a man. There are many societies of the world in which rape was introduced alongside the introduction of English, or another Indo-

⁶⁵ "Active listening" is a major part of the work of Suzette Haden Elgin (e.g. 2000) Elgin's works also include titles in the "Gentle Art of Verbal Self Defense" series (for example, 1992, 1990), which are directly relevant to this study.

European language. This is true of the Jaqi society of the Andes, which was discussed above. Hardman (1994:157) states that “[R]ape was apparently unknown in the Jaqi societies; there is no easy linguistic way even of speaking of it, no name for it”, and in her extensive research among the Jaqi, which spans more than half a century, she notes:

I have not found a single anti-woman joke in any Jaqi language, nor any general anti-woman sayings [...] The words that cluster around women are those having to do with creativity or productivity or usefulness in work, in art, in people.

Hardman (1996:30).

This is certainly not true of English where a study of terms used as sexual euphemisms reveals an astounding number that relate to women in comparison to those that refer to men: “there are approximately 1,200 terms for ‘vagina’, 1,000 for ‘penis’, 800 for ‘copulation’, and around 2,000 for ‘whore’”, (Linfoot-Ham, 2005: 229).⁶⁶ With the spreading of Spanish in the Andes, however, jokes and sayings that degrade women and their status are becoming a common occurrence – but only when the men shift into Spanish: “...a whole new genre of oral literature has been developed to warn young women of this danger from Spanish speakers”, (Hardman 1994:157). It is still impossible for such discrimination to occur in the native tongue. This is dangerous to the culture because “with the loss of the native language comes the loss of the native perspective; women become objects of ridicule”, (Hardman, 1994:156). From this example, it is clear how sexual battery and rape is affected, perhaps even produced, by the DT framework of language, and how female-from-male Derivational Thinking is relevant to every incident of sexual battery.

⁶⁶ These figures are reinforced by analysis of Shakespeare’s vocabulary. In his plays, Shakespeare used 45 synonyms for “penis”, 68 for “vagina” and an impressive 275 for “copulation” (Partridge, 1968).

It is the third postulate, ranking, displayed by the emergency services attending to the victim and the detective on scene in this case that is particularly interesting. Since she was homeless, a drug user and had a history of prostitution, the immediate inclination was to downgrade her story and the seriousness of the accusation. Although she received the medical treatment given to any victim of this kind, the attitudes displayed towards her were obviously grudging. She received little or no compassion from the attending medical technicians, and was told to sit down and be quiet on a number of occasions.

Regardless of whether her allegations of assault were founded, or not, applying Miller's Law requires that the "truth" of the situation be considered. It was obvious that the woman was agitated and uncomfortable. Perhaps the truth of this situation was simply that the woman was alone and in need of attention – that she needed her voice to be heard by people that should listen. Our society has created a cultural hierarchy that places drug-users, transients, prostitutes and women on a lower level of society, however, and as each of these labels was attributed to the victim, her ranking and the associated concern for her and her well-being slid down step by step.

The difference in levels of response to such a case is also culturally ranked through the DT framework. In a very recent observation with ASO, a call was received from a young woman who had dialed 911 stating that she had been sexually assaulted. The deputy with whom I was working (D5) dispatched himself as the primary to the scene as we were not far from where the incident had occurred. The victim in this case was 17 years of age, white, and lived in a reasonably nice neighbourhood. Within minutes - having run code⁶⁷ from their previous locations - there were large numbers of deputies

⁶⁷ "Running code" is the term used for responding to an incident using lights and sirens. This is surprisingly rare in the United States, as the "tort-culture" ensures that emergency services exercise extreme caution at

and K-9 units surrounding the house, some carrying shotguns, as they fanned the area to try and locate the suspect. Despite the fact that information was passed to the sergeant controlling the scene that this young victim may have had mental issues, and that her roommate stated that she was, in fact, a “pathological liar”, the response to this incident was vastly different to that shown above. It must be noted that the responding agencies to these two attacks were not the same; however it was evident that the young, educated, white girl who was assaulted in her house in a prosperous neighbourhood warranted a full search and locate team, whereas the 50-year-old homeless prostitute and drug-user did not.

Derivational Thinking: Conclusion

Derivational thinking pervades our perception and our thinking within English; constant energy is required if we wish to think otherwise.

(Hardman, 1999:1).

It can be seen from the quotation above, and from the preceding discussion that to change the attitudes reflected and reinforced by DT structures cannot happen overnight. It is also apparent to the concerned observer, however, that change can be effected, and that even raising awareness reduces the effectiveness of the subconscious controlling effects. This must happen in order for all people in our society to be realized for their full potential as humans, regardless of their sex, age, socio-economic background, personal histories or race. The DT framework, through our linguistic habits, pervades our life and our cultural outlook and perspective – we are “looking through lace”, to utilize a metaphor from the science fiction writer Ruth Nestvold (2004). Until we can clear our

all time for fear of being sued if they should have any kind of accident when responding in this way. This is, interestingly, not the case in Britain, where “priority runs” (also known as “running with blues and twos”) are seen much more frequently.

vision of the constant, clouding obstructions, DT will continue to affect our society and culture. This is a difficult, but not insurmountable challenge – and it must be remembered that every little effort helps, even on an individual level. Hardman (1996:32) concludes that, “as we change our language, thus also do we change our thinking and, sentence by sentence, the social environment in which we live.” We must certainly never give up, especially in areas of society where contact with citizens, and the outcome of such encounters, leaves huge and far-reaching effects.

Theories: Conclusion

The examples given above with each theory are intended to illustrate how each may be utilized and applied to “real-life”, and the remainder of this research will utilize the theories in the situation of police-citizen encounters. It is obviously not a straightforward matter to attempt to meld these vastly differing theoretical perspectives, but it should also be apparent that, if this can be achieved, the usefulness of the results to the field of first-contact interviews would be extensive and important.

Now that the historical context and the theoretical backdrops for the research have been established, the following chapter considers methodologies that are available to the discourse analyst, discussing their advantages and disadvantages and their usability with regard to this particular communicative situation.

CHAPTER 4 METHODOLOGY

Introduction

Given the sensitivity of material and the inherent spontaneity of the first-contact interview, methodological considerations with regard to data collection are particularly important. In order to retrieve a high quality data set of a large enough size upon which significant analysis – both quantitative and qualitative - could be performed certain guidelines were followed. The discussion below introduces the peculiarities of the “first-contact interview” as a speech event, and proceeds to discuss the chosen approaches to the analysis given the variety of methodologies of Discourse Analysis available. The chapter concludes with a detailed description of how the data was actually collected, stored, managed, and analyzed.

The study of units of language beyond the sentence is known under the umbrella term of “Discourse Analysis” (DA). While DA is not a method of analysis itself (cf. Boxer, 2002), there are a wide, and ever increasing, number of methodological approaches that are included within the discipline covering the analysis of both spoken and written data. Fairclough (1989) states that he believes DA may be a new “cross-discipline” gaining insight from a variety of academic fields, including linguistics, cognitive psychology, anthropology and sociology – a viewpoint that is certainly supported by the present research project and its theoretical underpinnings. Some of the DA approaches differ so profoundly from each other that it is perhaps surprising that they should be grouped together at all, but when the vastly differing selection of spoken and

written occurrences of possible natural language production are considered, it is apparent why so many methodologies are utilized. There are also, of course, overlapping and repeating aspects within several DA approaches. Listing each methodology individually is not to suggest that they are integral and autonomous units that have grown independently of each other (which is plainly not the case), but is simply a method of comparing and contrasting the variety of possible choices available to the analyst.

This chapter addresses and describes two of these methodologies, giving an overview of each, the techniques involved in collecting the required data, suggestions as to how analyses are performed using the approaches and, finally, an assessment of how each may be applied to a particular speech event: the first-contact interview. Before such an assessment can be made, however, it is necessary to discover what is meant firstly by a “speech event”, and then to further specify what the speech event of a first-contact interview entails.

Speech Events

...speech events are activities which are par excellence communicative and governed by rules of speaking...

Jaworski and Coupland (1999:26)

In addressing the notion of a “speech event” it is initially desirable to define the term itself. One classification is suggested in the quotation above from Jaworski and Coupland in the introductory chapter of their *Discourse Reader*. Such definitions derive historically from the work of Dell Hymes (cf. Hymes 1962, 1972a, 1972b) and his analytical methodology known as the Ethnography of Communication.

In an attempt to break from the Chomskyan perspective, which studied discrete units no longer than a sentence, Hymes shifted focus to language beyond the sentence,

and began to illuminate the societal rules and expectations within which members of speech communities are expected to perform. To this end, he catalogued basic procedural units in the communicative process and created a three-way classification of speech and communication (adapted from Hymes, 1972b):

- **Speech situations:** these are the largest units for the analysis of discourse and comprise the social and physical setting of the utterance, for example, a meal, party, or conference. This category provides only the scene in which the utterance takes place, and is not itself governed by speech rules.
- **Speech events:** these are activities during which “speech plays a crucial role in the definition of what is going on – that is, if we eliminate speech, the activity cannot take place”, (Duranti, 1997:289, cited in Jaworski and Coupland, 1999:26). Examples of speech events include interviews and telephone calls.
- **Speech acts:** these are the smallest elements of Hymes’ units of analysis. Schifffrin (1994) states that Hymes does not explicitly define this category, but she claims that they include acts that may be defined by their illocutionary force (e.g. commands), or those that cannot be so defined (e.g. jokes). This seems to further complicate the “lack of definition”, but the category of “speech acts” was further expounded in linguistic analysis and are addressed briefly below.

For the purpose of this research, it is the middle category of “speech event” that will be the focus. It must be noted, however, that speech events are intrinsically tied to both speech acts and speech situations, being comprised of one or more of the former, and being part of, or comprising, the latter: “[S]peech events are subject to cultural rules of usage that are determined by the speech situation”, (O’Grady et al., 2001:539).

The First-Contact Interview as a Speech Event

In sociolinguistics, a domain refers to a sphere of life in which verbal and non-verbal interactions occur.

Boxer (2002:4)

As illustrated by the above quotation, the first-contact interview may be said to comprise one type of speech event within the “domain” of institutional speech. There are rules and patterns that the interview follows, and these are, in turn, governed by the

typical expectations within a society of any face to face interaction. Each domain differs from the next, however, and the first-contact interview offers a few interesting variations in expectations and interactive acceptability that may not be found in other communicative domains.

Most people hope never to find themselves in the situation of having to dial 911. Even fewer people aspire to be the reason for the 911 call being made. There are, therefore, unusual circumstances surrounding the first-contact interview. Tensions may be higher than usually found in typical face to face interaction, and this may affect the flow of the communicative experience. There are also two different situations that this domain may in turn create: the expected first-contact interview (i.e., an interview resulting from a 911 call for assistance), and the unexpected first-contact interview (an encounter that is the result of a self-initiated stop by the law enforcement officer). The categorization of the interview into one of these subheadings will have direct and observable results on the tensions levels and the subsequent communicative outcomes.

The expected interview

In the expected first-contact interview, a caller places a call to the emergency service line, which is, in the United States, 911.⁶⁸ The caller will request assistance of some kind, either for police, fire, or ambulance (or, in certain areas, for the coastguard, mountain rescue, etc.). For the remainder of this study, however, only police interviews will be discussed. After a time, a law enforcement officer makes contact with the caller who is expecting and anticipating her arrival in order to address an existing issue.

⁶⁸ The emergency number, interestingly, differs from country to country. In the United Kingdom, for example, the number is 999. While 911 and 999 are the more popular numbers throughout the world (probably due to historical patterns of colonisation), others also exist. To take an example from each continent, in Taiwan the emergency number is 119, in France it is 112, in Egypt 0, in New Zealand 111, and in Peru one would call 011.

In this case, the first-contact interview may be expected to be relatively smooth – at least in the beginning. The caller is awaiting the officer and while they may be in some agitation, these feelings are not generally directed towards the responding officer. As these types of interviews progress, however, frustrations on the part of both the citizens involved and the law enforcement officials may manifest themselves (especially with regard to the legal actions law enforcement officers are able to undertake). This type of frustration can lead to communicative misadventures, but it is usually the case that the interactions between 911 callers and the responding officers are relatively uneventful as the officer seeks to address the caller's concerns.

The unexpected interview

In one type of unexpected interview, a caller places an emergency service call at which point the law enforcement officer is often dispatched to a different location than that from which the caller is located. An example of this type of call is a noise complaint. In this situation a caller, who is being disturbed by the excessive volume of music, TV, or conversational exchanges, from another location, will ask for an officer to be sent to the place from which the disturbing noise is being emitted. The caller may or may not request contact from the responding officer.

A second kind of unexpected first-contact interview occurs during traffic stops (and in other cases where the officer herself witnesses an infraction and chooses to self-initiate a response). As with the noise complaint example provided above, this evokes a similar, unexpected contact between the officer and the citizen subject. In these cases neither the responding officer nor the citizen has a great deal of time to prepare themselves for the interaction, and this presents a very different scenario from that encountered in the expected first-contact interview.

In the unexpected interview, therefore, the law enforcement officer is required to make contact with a party who is, more than likely, not expecting or anticipating her arrival. Surprise visits from uniformed officers may, of course, elicit a wide variety of reactions (from surprise to hatred to refusal to answer the door, etc.) depending on the activities and beliefs of the interviewee. As will be seen in the following section, whether the interview is expected or unexpected will affect the progression of the speech event.

The Structure of the First-Contact Interview

Regardless of the details of the (un)expected interview definitions, there does exist a definable structure for first-contact police interviews where, as Zimmerman (1984:211) states, a “recurrent social occasion” is created in which stages in the speech event are sequentially ordered in a discernible pattern that exists across first-contact interviews. It is following the work of Zimmerman (1984, see also Firth, 1995b) and his research with 911 call centers that the following five-part sequencing of speech acts for first-contact interview speech event is suggested:

- I) opening/identification
- II) complaint/request
- III) interrogative series
- IV) remedy/response
- V) closing

Whilst Zimmerman’s datasets were the initial calls made to emergency lines, the situation facing the responding officer is of a similar type to that facing these call takers, and Zimmerman’s categories can be extrapolated to this situation. The details will be demonstrated as each stage of the speech event is addressed below.

Opening/identification

In this portion of the interview, the participants identify themselves and each other and place the participants of the exchange within the expectations of the speech situation, which will, of course, depend on the nature of the “call”.⁶⁹ In the first-contact interview speech event, there also exists what is termed by Schegloff (1979) as the “pre-beginning”.

In the pre-beginning, the institutional backing of the law enforcement officer may be either recognized and deferred to by their interlocutor, or dismissed before words are even traded.⁷⁰ Either of these decisions will have an effect on the latter stages of the exchange. This pre-beginning is especially salient in the unexpected interview. To continue with the example of a noise complaint given above, when the offender hears a loud banging on their door followed by the words “Alachua County Sheriff’s Office”, the immediate response will depend on their recognition of, and reaction to, the institutional authority of the deputy. For example, they may turn down their music before answering the door, apologize to the deputy for the disturbance, promise to keep the noise down from this point forward, and wish the deputy a good night as she leaves. On the other extreme, however, they may hide their stash of cocaine under the sofa cushions, retrieve their firearm from the bedside cabinet and refuse to admit the officer. Of course this latter

⁶⁹ The term “call” is universally used by the officers that were observed during the extent of this study, regardless of their agency, or even their country, of origin. It is a noun referring to each time they are dispatched by the call centre to attend a scene or event, for example, as used in the structure TO BE+on/at+”a call”.

⁷⁰ On some occasions, simply the uniform and presence of a patrol car is enough to elicit a response in the pre-beginning stage. This is sometimes evident in traffic stops where, faced with the sight of a uniformed officer and flashing lights, people unused to dealing with such situations may begin to cry or, typically in the case of foreign-born citizens (especially those from Asia or South America), they may revert to what they know from media portrayals of American police or their home police services and exit the car with their hands up, or turn immediately to face their car putting their hands on the hood as they exit. Such overreactions are rarely warranted on a simple traffic stop.

situation would rarely happen (though the former is quite common), but it is useful to illustrate how the pre-beginning sequence of the speech event may have a profound effect on the rest of the exchange.

As the opening stage of the encounter takes place, it is evident, in both Zimmerman's original study of call centers and in this present analysis, that the law enforcement representatives are fairly easily identifiable as either the call taker or the "uniform" responding to the call. It is, however, still necessary for their interlocutor to make themselves and their position and attitudes known. This is, as mentioned previously, what is established in the opening stage, thereby setting the scene and establishing the framework for the rest of the event.

Complaint/request

At this level of the speech event, the reason for the initial call is either provided, restated, or confirmed/denied by the call taker and/or the attending officer. Call takers establish the caller's complaint(s) and decide upon the severity of the offence in order to dispatch officers with the required urgency. Despite the fact that the responding officer has already received some basic information from her dispatcher regarding the situation into which she is entering, this information must, nonetheless, be repeated and confirmed by the caller upon contact. Alternatively, the reason for the encounter must be identified and confirmed/denied by the officer herself in the unexpected interview situation (e.g. locating the area from which the excessive volume is emanating for the noise complaint situation and assessing the actual severity of the infraction). It is at this stage that the expectations of the caller are conveyed, the extent of any crime committed is initially assessed, and the context for the call is established.

Interrogative series

For both call takers and responding officers the interrogative series is the portion of the first-contact interview at which a mutually accepted description of the event being reported is achieved with the caller/interviewee. This will be more detailed for the officer, as decisions regarding immediate action are made, including calling for back-up units, paramedics/ambulances, or supervising officers, and details of any witnesses, victims, and suspects are gathered. At this stage the nature and extent of the call and any crime that has been committed is clarified. A discussion of expectations on the parts of both the police and the citizen(s) is usually also incorporated into the series.

Remedy/response

Following closely the interrogative series, and at times incorporated into the discussion of mutual expectations arising from that stage, the remedy and response level establishes how exactly the call is to be handled. For the call taker in a call centre, this stage may simply be a declaration that an official will be dispatched to the location. For the law enforcement officer on-scene, however, this can be an extremely delicate part of the speech event.

In certain cases it is decided at this point that police involvement is not appropriate to this particular set of circumstances - often due to the fact that it is simply a “family affair” in which no party is at risk⁷¹ - which can be extremely frustrating for the caller.

Other responses may include declarative acts (that may or may not be accompanied by

⁷¹ An example of this was observed one night when a young woman called the local sheriff’s office saying that her husband had kidnapped their child. Unfortunately for this caller, the child was in the custody of a parent that had legal rights over her, with no ruling by any judge or agency to the contrary. The child was also in a safe environment, being asleep at her uncle’s house with her father in attendance. The mother was unable to enter the residence by force, however, so unable to retrieve her child herself. The responding deputy was also powerless in this situation to enter the residence (though the father did voluntarily permit him to enter to check on the child’s wellbeing), or to remove the child.

appropriate actions), such as the arrest of one or more parties involved, or the issuing of citations or verbal warnings. Negotiation may also take place at this stage through discussion of the acceptability of the response, with satisfaction being based on the expectations and the outcome with regard to all of the parties involved, meaning the citizens (being the callers and/or interviewees) and the police.

Closing

In both the call centre and on-scene the closing stage of the speech event involves a “coordinated exit from the call” (Zimmerman, 1984:214). Often this entails a restating of the caller’s rights to make contact with the agency at a later time if such events were to re-occur, but it may also include a declarative warning to offending parties, such as “keep the noise down”, or “do not return to this area tonight”.

As is evident from this description of the first-contact interview, speech is a social activity. As such, it is apparent that the contextual and cultural expectations of parties in any speech event will affect and shape the exchange within the institutional setting and speech situation of that particular speech event. It is also evident that the first-contact interview is a speech event within the domain of institutional discourse and, as such, provides a rich and fertile arena for a detailed analysis. With a comprehensive description of the speech event defined, it is possible to introduce the DA methodologies chosen for this particular analysis for effectiveness in describing, perhaps further defining, and analyzing the speech event.

Methodological Perspectives

Hymes (1962) argued for an empirically viable sociolinguistics focusing on specific situations of speaking rather than on speech communities as analytical wholes.

As suggested above, each particular set of circumstances in sociolinguistic analysis requires individual and precise attention. In introducing the methodologies to be used, a brief overview of the history and theoretical underpinnings of each approach is given, the methodological requirements and techniques are briefly addressed, and the approach's suitability for the task at hand, that is the analysis of first-contact interviews, is discussed.

Ethnography of Communication

...an ethnographic approach to discourse seeks to discover and analyze the structures and functions of communicating that organize the use of language in speech situations, events, and acts. Knowledge of these structures is part of our communicative competence: what we say and do has meaning only within a framework of cultural knowledge.

Schiffrin (1994:185)

The Ethnography of Communication (EC) approach to discourse analysis (sometimes also called "Ethnography of Speaking", cf. Boxer, 2002) is a methodology for linguistic analysis with its roots in Anthropology and Linguistics, and is frequently associated with cross-cultural analyses (Levinson, 1983).⁷² Stemming primarily from the work of Dell Hymes, whose primary writings in this area were during the 1960's and '70's (many of which are collected in Hymes, 1972a⁷³), EC is a holistic approach to language analysis:

[Ethnography of Communication] is concerned with community members' perceptions and representations of their own culture; therefore, it must be able to describe everyday, ordinary uses of speech in addition to such phenomena as patterns of dialect and language use and ritualized speech events.

Boxer (2002:13)

⁷² EC is especially interesting within the realm of cross-cultural analysis in that it has been frequently applied to less-frequently studied societies, rather than the Western societies in which most linguists live and work (cf. Hudson, 1980).

⁷³ See also Bauman and Sherzer (1974), a valuable collection of EC papers, and Heritage (1984).

EC encompasses and influences aspects of a multitude of other approaches to DA, including Speech Act Theory's use of "constitutive rules", and the "contextualization cues" of Interactional Sociolinguistics (cf. Gumperz, 1999, 1982, and Goffman, 1999, 1967), but it adds the central aspect of "culture" to the analysis.⁷⁴ The approach is deeply functionalist, which was a movement, as mentioned previously, that attempted to break from the Chomskyan formalist view of "linguistic competence", that is, to study language as a "process" rather than as a "product" (cf. Sapir, 1933). To this end, Hymes (cited in Schifffrin, 1994:8) defined communicative competence as "...the tacit social, psychological, cultural, and linguistic knowledge governing appropriate use of language, including, but not limited to, grammar", thus defining a "communicative competence" that is employed in EC research (see also Gumperz, 1984).

As will be evident at this juncture, EC requires the study of speech to be part of a wider social interaction, specifically, "[t]he meaning of speech for particular speakers in specific social activities...", (Boxer, 2002:12) with reference to social backgrounds and variables, such as age, or social standing. Unlike some other theories (e.g. Speech Act Theory, cf. Searle, 1969), however, EC does not assume or accept a fixed list of functions, instead keeping its inventory open to the discovery of new and possibly unique language uses within a "speech community" – a concept defined by Hymes (1972a:54) as "...a community sharing rules for the conduct and interpretation of speech, and rules for the interpretation of at least one linguistic variety".

Hymes' views perceive communication as a "process", building on interlocutors' individual, subconscious knowledge of their culture and their ability to access and apply

⁷⁴ According to Schifffrin (1994), in EC "culture" is both cognitive (i.e., what is known), and social (i.e., the social and cultural elements that are combined to delineate communicative events).

the culturally-bound expectations and beliefs that surround each and every speech situation. This process builds the cultural context, thereby creating a two-way relationship, as noted by Schiffrin (1994:139): "...the way we communicate with each other is constrained by culture [...], but it also reveals and sustains culture". In order to identify and analyze individual speech events (as defined above, a categorization system that grew from the ideology behind EC), Hymes proposed a framework, known as the SPEAKING grid. Hymes (cited in Levinson, 1983:279) defined a speech event as a "...culturally recognized social activity in which language plays a specific, and often rather specialized, role...", and his classification helps both to frame, and to compare/contrast communicative events:

S	Setting Scene	Place, time, physical circumstances Social occasion
P	Participants	Addressor-addressee; Performer-audience; Questioner-answerer; Sender-receiver
E	Ends	Outcome, goals or purpose of event (e.g. transmission of knowledge)
A	Act sequence	Content and form, particular to the message concerned and its use
K	Key	Tone or manner Mood
I	Instrumentalities	Type of channel of discourse (speech, writing, etc.) Form of speech, style (dialect, etc.)
N	Norms of: Interaction Interpretation	Conventions, specific language properties Construal of norms within particular culture
G	Genre	Textual categories of speech event (e.g. poetry, narrative, conversation, etc.)

Table 4-1: Hymes' SPEAKING Grid

As is apparent from the SPEAKING grid, there is far more to understanding and successfully producing a language (as well as to analyzing communicative practices and intentions) than a simple understanding of the grammatical rules.

As would be predicted, the notion of context (including the participants involved, outcomes desired, etc.) is central to EC, which requires an “emic” understanding of the speech community’s culture and belief system.⁷⁵ Essential to this is the philosophy that “context itself is not random and disorganized” (Schiffrin, 1994:347, see also Garfinkel, 1967), but is built up of components that are conducive - sometimes imperative – to the communicative act. Understanding communicative intention, then, entails unearthing what members “know” that allows them to converse effectively, that is, their “communicative competence” (cf. Hymes, 1972a, and Stern, 1983). One aspect of this competence is, “...sociocultural knowledge affecting speech behavior in particular contexts [that] is below the level of consciousness of community members,” (Boxer, 2002:12.). Discovery of such unconscious behavior necessitates long-term study of a speech community to uncover the “matrix” of meanings, values, and beliefs underlying the language use:

Since such matrices pervade and organize a great deal of life within a particular society – and since that are culturally relative – the ethnography of communication requires extensive fieldwork within a community as well as comparisons between communities.

Schiffrin (1994:12)

⁷⁵ “Emic” refers to meaningful units within a cultural repertoire (such as the *phonemic* inventory of a language), and this is contrasted with “etic”, which are the possible units, some of which may not be relevant to the particular situation under study (as with the entire *phonetic* inventory of speech sounds, many of which are accessed as meaningful units only within particular languages). Essential to this distinction is the fact that contrasts between “emic” aspects of a language are the usual foci of analysis, and that the culture of a language will permit categorisation of these elements that are hugely different from the scientific, linguistic divisions. As such, what becomes important is not necessarily where the lines are drawn, but where users of the language *believe* that they are drawn. For example, in the realm of language sounds, the use of aspiration is seen as “unimportant” in English and requires specific exercises in order for a native speaker of the language to be able to identify its existence and its placement. This is not true in other languages (including many of the Andean Jaqi languages), however, where aspiration may have a contrastive function and directly affect meaning. Nonetheless, whereas aspiration may be “perceived” as a non-important factor of English, speaking without it would certainly sound unusual and, perhaps, foreign.

Ethnography of Communication methodology

In EC the absolute requirement is face-to-face (Boxer, 2002), naturally occurring data (Levinson, 1983), and the main sources of such data are participant observation and the ethnographic interview (as explored in the influential text by Spradley, 1979), as well as plenty of observer introspection (Hudson, 1980). As mentioned above, this approach requires intensive and thorough knowledge of a community and its values and expectations in order to attempt to learn what the speech community under examination already intrinsically knows – a task that is further hampered by the inability of members to identify and define the facets that are of interest to the EC researcher.

As the purpose of EC is to uncover community members' subconscious knowledge, EC researchers perform a series of friendly, in-depth ethnographic interviews with native consultants that disguise the interview's "explicit purpose", "ethnographic explanations" (reasons for questions, explanations of native terms, etc.), and "ethnographic questions"⁷⁶ (e.g. descriptions of certain speech events, and in what contexts these may or may not be expected to occur). Due to the fact that EC demands such intense cultural knowledge, it is essential that the interviewer is both skilled in interview techniques, and that she build a strong rapport with her consultants: "...such analyses depend upon extensive familiarity with speakers and with their culture", (Schiffrin, 1994:9).

Ethnography of Communication and the first-contact interview

As is the case with many other Discourse Analysis methodologies (for example, Interactional Sociolinguistics and Conversation Analysis, cf. Schegloff (1999, 1972), Jefferson (1984), Sacks (1999), and Schegloff and Sacks (1974, reprinted in 1999)),

⁷⁶ These terms are taken from Spradley (1979:59-60).

Ethnography of Communication is often noted for its lack of generalizability and universality (Boxer, 2002, Schiffrin, 1994). However, critics, such as Brown and Levinson (1987) focus on the lack of cross-linguistic claims for universality. If EC were applied consistently within one speech event that, in turn, exists within a single sub-culture (for example the first-contact interview) many cultural and social variables that prevent such generalizations may be eradicated. Within this setting "...one cannot only generalize the particularities, but also particularize the generalities", (Hymes, 1974:9), an undertaking that will be useful as the researcher begins to describe a speech community.

As universalities (or at least "typicalities") within the first-contact interview framework begin to be observed, these may be applied as training tools for law enforcement officers as they study the nature of interpersonal communication (a unit of education that is already incorporated into basic training academies). Such observations and training routines may assist in maximizing the efficiency of this type of speech event, simultaneously reducing the possibility of communicative frustrations. This may be hoped to evolve into a firmer grasping of key interpersonal/intercultural notions such as "difference versus deficit" (Romaine, 1994:195) as people from differing backgrounds and cultures come ever more frequently into contact with each other.

Another of the major concerns with EC is the length of time that is required to really observe and understand the speech community being analyzed. The requirements to fully achieve this understanding are illustrated in the following:

By participating in a wide range of activities endemic to the life of a particular group of people, one attempts to replace one's own way of thinking, believing, and acting with a framework in which what is done by the members of another group starts to seem "expected" and "natural".

Schiffrin (1994:140)

This process was seen in the discussion of Carol Cohn's (1989) research in the nuclear weapons industry in chapter three, and can be a daunting prospect for any researcher. When analyzing a particular cultural event or, in the case of this paper, a speech event that is endemic to a particular sub-culture, it is nevertheless invaluable to gain such insight and knowledge into the motivations and reasoning behind these exchanges. Spending time with the officers as they go about their duties, as well as in social interaction (such as meal breaks or social events) can familiarize the researcher with the sub-culture that is specific to this type of high-risk occupation. This will also assist in creating a sense of "in-group" acceptance that is crucial to an EC approach to analysis (as supported by Cohn's work), but is extremely difficult to achieve in traditionally exclusive societies, such as policing.

If these conditions can be achieved, it is apparent that EC may be a highly effective method of analysis for the first-contact interview, and that it may facilitate the extraction of a number of useful training tools for the advancement of interviewing practices within law enforcement.

Critical Discourse Analysis

It is not enough to uncover the social dimensions of language use. These dimensions are the object of moral and political evaluation, and analyzing them should have effects in society: empowering the powerless, giving voices to the voiceless, exposing power abuse, and mobilizing people to remedy social wrongs.

Blommaert (2005:25)

As may be evident from the quotation above, Critical Discourse Analysis (CDA) is not so much a methodology for the study of discourse, but a philosophy (or "orientation", Locke, 2004) that may be applicable to any of the methodologies described previously, should the researcher choose (cf. Boxer, 2002). Practitioners of CDA use a wide variety

of methods of discourse analysis to uncover and expose inequalities, injustices and discriminations that exist within the social construct of everyday language. That these structures can be found, it is said, is evidence that they exist within the minds of participants, making them social realities (cf. Van Dijk, 1993): "...language is a part of society; linguistic phenomena are social phenomena of a special sort, and social phenomena are (in part) linguistic phenomena", (Fairclough, 1989:23). In this way, language and society are in a reflexive relationship, making the study of language as an independent unit a pointless exercise in futility (Schiffrin, 1994). The true power of these linguistic discourse patterns, however, is that they are used by dominant classes who have access to the dissemination tools necessary to maximize exposure to their beliefs. Such broadcasting is continued until the dominant group's ideologies become normalized⁷⁷:

...what is involved in dominance are the questionable conditions of legitimacy or acceptability, including what is usually called 'abuse' of power, and especially also possibly negative effects of the exercise of power, namely social inequality.

Van Dijk (1993:250)

Occurrences such as this are frequently seen in political discourse, where the extreme notion of declaring war on another country, for example, eventually seems inevitable to many of those who repeatedly hear the political rhetoric supporting such action.⁷⁸ In cases such as these, it is the goal of CDA to "denaturalize" such discourse influences, drawing attention to them as powerful and manipulative tools on a large and dangerous scale: "The concern of the critical discourse analyst is to identify, discuss and

⁷⁷ This occurrence mirrors that of the normalising of the consensus-coercion balance (also by the dominant social group) in Austin Turk's Norm Resistance Theory discussed in chapter three.

⁷⁸ This theoretical fashion is also followed in the marketing industry where constant exposure to a product, movie, or song, is forced by advertisers, thereby creating a strong image in the minds of the consumer.

expose misinterpretations and discriminations in discourse as a tool for social change”, (Caldas-Coulthard, 1993:197).

Some of the influential researchers in CDA include, for example, Norman Fairclough (e.g. 1999, 1989), Ruth Wodak (e.g. 1999), Roger Fowler (e.g. Fowler et al., 1979), Teun Van Dijk (e.g. 1993)⁷⁹, though much other DA work has been done in various institutional settings (e.g. Firth 1995a, and Bell, 1995). Whilst the specific foci of these analysts vary tremendously, they all share the underlying philosophy that epitomizes CDA – social beliefs, meanings and injustices are displayed through discourse use and patterning, and revealing and suggesting alternatives to these structures may assist in emancipating oppressed groups throughout the levels of society⁸⁰:

...a careful analytic interrogation of the ideological categories, and the roles and institutions and so on, through which a society constitutes and maintains itself and the consciousness of its members [...] criticism analyzes the processes of construction and [...] offers the possibility that we might profitably conceive the world in some alternative way.

Jaworski and Coupland (1999:33)

Stemming from work in functional grammar (i.e., “Hallidayan”, as opposed to “Chomskyan”, linguistics (Blommaert, 2005, Halliday, 1978)), CDA broadens the realms of linguistic research into social and political activism through a critical understanding of underlying values. In order to begin comprehending how this ambitious achievement hopes to be accomplished, and the particular approach that CDA takes, it is perhaps first

⁷⁹ Other prominent researchers include Caldas-Coulthard (e.g. 1993) whose extensive work on gender inequality utilizes CDA brilliantly, and Hutchby (1999) who applies CDA in an institutional setting to show how power is managed in combative talk situations.

⁸⁰ This philosophy is also shown directly by Hardman in her Derivational Thinking paradigm discussed in chapter three, in which she advocates creating awareness of such underlying linguistic forces as being the first stage to changing them.

helpful to define the term “critical” as it is used by practitioners in the area. The following is a thorough accomplishment of this task:

Critical means distinguishing complexity and denying easy, dichotomous explanations. It means making contradictions transparent. Moreover, critical implies that a researcher is self-reflective while doing research about social problems.

Wodak (1999:186)

It is to these goals that true critical discourse analysts aspire, through a multitude of analytical techniques.

True to its Hallidayan roots, much CDA research utilizes the clear categories of description that have evolved from work in the field of systemic functional grammar (cf. Halliday, 1985), including a focus on cohesive techniques within texts. Fairclough (1992) organized his suggested method of analysis under four distinct headings: vocabulary, grammar, cohesion (e.g. connectives and argumentation, cf. Halliday and Hasan, 1976), and text structure (turn-taking, topic selection, etc., cf. Locke, 2004). To these Fairclough also added the further properties of “politeness”, which was discussed in the preceding chapter as being relevant to this study.

Where other methods of DA may consider their work to be complete when an account of linguistic phenomena has been made using such analytical categories, the goal of CDA is to take the role of social researcher one step further. This is done by suggesting and advocating change in the patterns of inequality uncovered and the social values that underlie them: “...sociolinguistics describes language use but does not recommend action. Critical Discourse Analysis makes a direct effort to translate into action the societal problems exposed by the analysis”, (Boxer, 2002:7).

Critical Discourse Analysis methodology

The first step in CDA is to identify an appropriate text for analysis. This may be written or spoken, and should be reasonably lengthy. Suitable domains of choice for CDA include: politics, ideology (e.g. racism, cf. Lacour, 1992, Van Dijk, 1987), economics (a favorite topic of Fairclough, e.g. 1989), advertising and commercials, various aspects of education (including literacy), media language (e.g. Caldas-Coulthard, 1993), gender (cf. the Derivational Thinking paradigm, and other works by M. J. Hardman, e.g. 1999, 1993), and institutional discourse (including various aspects of negotiation, cf. Firth, 1995a/b, police-citizen interaction, e.g. Linfoot-Ham, 2006, and work on courtroom discourse, e.g. Cotterill, 2004).

The selected text is then examined for politically and socially salient features “which are constitutive of the (re)produced power relations without often being evident to participants”, (Jaworski and Coupland, 1999:497). These features may include nominalization (e.g. “Trespassers will be prosecuted” – no mention is made of who is performing the prosecution and, therefore, that party retains a lack of responsibility for such actions), passivization (for example, consider the impact of the following hypothetical news headlines mentioned previously: a) “Innocent citizens were killed”, and b) “American soldiers killed innocent citizens”), and sequencing (e.g. compare “employers quarrel with unions” and “unions quarrel with employers” (Jaworski and Coupland, 1999), statements that, though their meaning should be identical syntactically speaking, carry very different interpretations), though many other features and categories are utilized from the field of Pragmatics, DA, Conversation Analysis, Psychology, Rhetoric, and Stylistics, to name but a few (cf. Blommaert, 2005).

While these classes of textual analysis are popular and effective, the actual tools employed for each investigation should be individually selected and combined for the task at hand. The CDA analysis may then proceed on three levels: i) description (utilizing analysis methods such as those detailed above), ii) interpretation (where an understanding of the discourse and its purpose is sought), and iii) explanation (or “therapy” (Wodak, 1989)). At this point, researchers can draw attention to uncovered patterns within the text, thereby performing the tasks of defamiliarization and consciousness-raising with the purpose of stirring social recognition and action: “Critical discourse analysts need to see themselves as politically engaged, working alongside disenfranchised social groups”, (Jaworski and Coupland, 1999:35).

While huge advances have been made in the field of CDA and the social advances achieved (e.g. in feminist linguistics, cf. Cameron, 1992), there are, nonetheless, criticisms of the approach. Chief among the critics is Henry Widdowson (e.g. 1998) who engaged in an exchange with Norman Fairclough over three issues of the journal *Language and Literature* (cf. Widdowson, 1995, 1996, Fairclough, 1996). Widdowson’s main concerns with CDA are the lack of theoretical guidelines incorporated into the approach, and he claimed that CDA distorted lines between concepts and methods. The most severe of these infractions is, Widdowson proposes, the collapse of the two disciplines of Pragmatics and Semantics, to the point where Pragmatics actually ceases to be a relevant consideration: “[t]exts are found to have a certain ideological meaning that is forced upon the reader; the function of a text can be deduced from its meaning, and whatever is ill-intended will also be ill-received”, (Blommaert, 2005:32). In this way, Widdowson claims, the critical discourse analyst’s own interpretations are imposed onto

the reader (a criticism that is also shared by Verschueren (2001, cited in Blommaert, 2005) and Slembrouck (2001)). Although some researchers advocate an awareness of personal beliefs and values as shaping the impetus behind critical discourse enquiries (Wodak, 1999), if the results truly do become bias, it could be perceived as a rather hypocritical practice when the philosophy of CDA is taken into consideration. Despite such concerns, it is doubtlessly the case that CDA has a place in the analysis of a wide variety of texts, either as a discipline in itself, or as a compliment to other choices of approach.

Critical Discourse Analysis and the first-contact interview

As Schiffrin (1994:31) states, "...the analysis of language use (cf. Saussure's parole) cannot be independent of the purposes and functions of language in human life", and this is extremely relevant in the case of research into the first-contact interview where the purpose and function of the speech event may have profound and extensive effects on a person's life. If there are underlying imbalances that consistently appear in the conduction of first-contact interviews, it is a serious matter that requires immediate attention:

...the problematic of language and power is fundamentally a question of democracy. Those affected need to take it on board as a political issue.

Jaworski and Coupland (1999:35)

Whilst the basic premise of this statement is undoubtedly true, there is a very important facet of the CDA argument that Jaworski and Coupland are ignoring, that is, that it does not have to be the affected that act to change social injustice – anyone can rise to the task. In areas of public service that are constantly in the public eye, including law enforcement, those in command are constantly searching for ways to improve not only

their efficiency, but also their methods in gaining the results that their industry requires, as well as their self-image in the community in which they operate. By applying CDA to first-contact interview analyses, the public-information departments of police organizations will have tools with which to assure the public that the imbalance of power inherent in this type of speech event will not infringe on their civil rights and liberties, or to address any imbalances observed or reported. In this way, CDA analyses of first-contact interviews may have a preventative effect toward the appearance of the social injustices it is designed to uncover.

One final issue that should be mentioned with regard to CDA and the first-contact interview is something that stems from Van Dijk (1993) regarding the nature of power as being “jointly created”. Whilst it is true that dominance within society is certainly an important issue, especially when dominant parties are abusing the influence that they hold, such power is not simply visible from the “top-down”. There are, on occasions, examples of power being seen from the “bottom-up”, specifically, resistance and opposition to dominance. Although this is mentioned only briefly by Van Dijk, it could be of the utmost importance to the current research, especially in cases of resistance towards law enforcement officials (i.e., Norm Resistance), most often found in the unexpected first-contact interview.

It is apparent from this discussion that CDA would certainly have some merit and effect in the field of first-contact interview analysis, though this needs to be undertaken in combination with other, more defined methodologies that will create the guidance and scrutiny required for officer training and advancement. CDA will certainly be a useful tool in investigations into claims of the abuse of power by officers, though. As more and

more police vehicles are being fitted with cameras that record interactions between police and citizens in certain situations⁸¹, CDA analysts may find a place as consultants in the Special Investigations Bureaus of policing agencies that deal with such allegations.

In the above descriptions of the Ethnography of Communication and Critical Discourse Analysis, it is evident that these approaches offer methodological and analytical features that will be advantageous to research into first-contact interviews. If the goal of this study is to provide training tools for law enforcement officers, both at the basic (or “academy”) level of instruction and at more advanced levels of training into interpersonal communication offered through in-service training, these techniques could provide discreet categories that would aid in the endeavor. The next task is the operationalization of these theoretically defined categories into modules for the schooling of those who, frequently, have little or no college education. This will require simplification and labeling of certain constructs, though care would need to be taken not to over-generalize or trivialize any of the classes of interaction.

Methodology and First-Contact Interviews

With the methodological preferences decided, certain requirements were established for this study to be undertaken and for an appropriate and suitable dataset to be collected. In keeping with the Ethnography of Communication methodology, it was necessary for this researcher to attempt to become immersed in the subculture of policing. Over a period of thirty-eight months, observations were undertaken with a number of

⁸¹ The quality of these recordings at this time is, typically, not very clear. Whilst they may be useful in analyzing interaction for a critical discourse analysis, they would be insufficient to provide the detail required for either Interactional Sociolinguistic or Conversation Analysis transcripts.

different agencies. As mentioned above, GPD and ASO were the main participants in this study, and almost 900 hours of ride-alongs were taken with these organizations. The total number of observation hours approached 1200, with 200 of the remaining hours being primarily spent with British agencies over an intense, six-week period in the summer of 2005, and the remainder occurring with the University of Florida Police Department. Observations with GPD and ASO were undertaken in 10 or 12 hour periods (i.e., throughout an officer's entire shift) once a month with each agency between December, 2003, and February, 2007. Though slightly differing approaches were taken with each of these contributors, certain variables were kept consistent for the sake of the data. For example, all observations were made on evening shifts ("shift 3" (5PM to 3AM) with GPD, and "Alpha shift" (7:30PM to 7:30AM) with ASO). This was an important factor due to the fact that crimes committed during the day differ extremely from those encountered at night, as do many of the circumstances involved.⁸² For the most part, the researcher attempted also to interact primarily with just a few senior officers (i.e., Lieutenants, Captains and Majors). By maintaining this stability, the researcher was known to senior officers as being "friendly" (i.e., not intending to "demonize" the work of their officers or the agency), careful and sensible with regard to personal safety (that is, not likely to get herself or the agency into difficulties by behaving thoughtlessly or

⁸² For example, night-time crimes often revolve around social activities (bars, clubs, family time etc.), or require the cover of darkness for their commission (as is the case with many assaults and burglaries). It is evident how many of these could not be witnessed during daylight hours, but it is also the case that the addition of intoxicating substances (such as drugs and/or alcohol) adds to the possibility of such infractions, and these are, typically, night-time activities.

The daytime tasks of officers are also different, particularly in agencies operating under Community-Oriented Policing programs. For example, attendance at community gatherings and meetings, visits to local businesses, and school duties would all be undertaken during the day. Whilst being extremely worthwhile pursuits, these activities were not the focus of this research, however, and performing night-time observations allowed maximal potential for the researcher to observe first-response interviews.

impulsively at a crime scene) and, therefore, could be assigned to active and interesting zones of the city and county – a requirement that allowed the maximum potential for collection of large amounts of useable data.

In order to attempt a broad understand of one agency, their habits, preferences, and general practices, each ride-along with GPD was undertaken with a different officer. In this way, after approximately six months, the officers on shift three (on both rotations) became accustomed to the presence of the researcher and an “in-group” status was achieved. This was evident when officers began volunteering to be observed, something that would otherwise not be witnessed.⁸³ As with the work undertaken by Cohn (1989) in the nuclear weapons industry, the language of the subculture was a necessary requirement for this acceptance. By understanding that a “signal 50” meant a traffic stop and that being “10-97” meant that the officer had arrived on the scene of the call (and being able to use such terms accurately with the accompanying officers), many of the questions and clarifications that would draw attention to the researcher as being an “outsider” could be avoided.⁸⁴ In this way, this researcher became familiar to the officers and was included in the police-police interactions surrounding cases.

A slightly different strategy was undertaken with ASO in an effort to become more fully accepted by a select group. Over the entire research period, ride-alongs with ASO

⁸³ As a general rule, officers and deputies are not keen on the ride-along program. It can be uncomfortable to spend ten or more hours in a car with an unknown person. However, police work can also be, at times, quite tedious. When the observer is known to the officer, and someone recognized to be friendly, it can be pleasant to have another person in the car. Once this level had been reached with the shift 3 officers, it was apparent that the “in-group” status required of an EC investigation had been reached.

⁸⁴ The same caveats as those displayed by Cohn are required to be restated, however. When talking with the officers about a “signal 29X” it is difficult to remember that this means someone has been sexually assaulted, and that a “signal 7” represents the end of a *real person's* life. These distancing techniques have their purpose, but the dehumanising aspect of the “racy, sexy, snappy” language (Cohn, 1989:144) must be acknowledged.

were made primarily with just three deputies (D2, D4 and D5), each for a little more than a year. Unlike GPD, ASO does not rotate their shifts, so this researcher spent more than three years working with the same shift⁸⁵, and dealt with the same lieutenant and sergeants for much of that time. By spending extended periods with these three deputies (twelve hours per shift over periods of many months) a comfort level was achieved that permeated through the rest of the alpha shift personnel. When other deputies witnessed how at ease the “main” deputies were around the researcher, they also relaxed, thus allowing entrance to the “in-group” of this shift.

With both agencies the researcher also had the opportunity to socialize, on some occasions, with officers or deputies outside of the work/research environment. This served to cement the camaraderie and trust levels required of the EC methodology and to attain a deeper level of understanding of the particular subculture surrounding the policing profession. Whilst not directly observable in the data, it can be alleged that taking part in such activities allowed more pressing questions to be asked of the officers, and that the familiarity with an individual personality or with the way that a particular partnership between two deputies worked allowed an enhanced comprehension of the interview process from the perspective of the law enforcement official. This knowledge could be transferred into an (almost) intuitive understanding of the contextual aspects of the first-contact interview (i.e., those represented on Hymes’ SPEAKING grid shown above), a deeper appreciation of the appropriateness and competence levels existing in this particular communicative environment, and an overall “emic” understanding of the

⁸⁵ In fact, at the end of the research period only one deputy had been on the shift longer than this researcher! This meant, however, that as each “rookie” deputy went through their training the researcher was present on the shift and an established part of the roster if they came to be assigned to this team.

situational peculiarities – all of which are valuable elements to empirical research undertaken utilizing a methodology based on the Ethnography of Communication.

Aside from the work with ASO and GPD, observations or interactions were also undertaken with the University of Florida Police Department, Santa Fe Community College Police Department, and the Orange County Sheriff's Office (totaling approximately 50 hours). Furthermore, in order to perform a cross-cultural comparative analysis, approximately six weeks were spent working with five different policing services in Wales and England. Almost 200 hours of one-to-one observation time was spent with these British officers, and the comparative analysis of this data, as opposed to that observed solely with the American agencies, is given in chapter six.

Insofar as the CDA aspect of the study is concerned, the object of this research is to suggest training and preparatory methods that would enhance the performance and efficacy of the first-contact officer, but nonetheless maintain equanimity by allowing the hearing of all voices in the exchange to their satisfaction (cf. Hardman and Taylor, 2000). As was mentioned in chapter three, Miller's Law (Hall, 1980) advises that, when faced with seemingly unbelievable information, hearers should attempt to understand the viewpoints and reasoning behind the assertions, that is, to understand what the statement may be true *of*. This is but one way in which this current research and the methodological and consequent training suggestions adhere to a CDA perspective. Some voices simply need to be heard, whereas some will contribute viable and useful information to the uncovering of underlying truths relevant to a police enquiry. By training officers to actually *hear* what is being said to them, instead of simply looking for answers to predetermined questions, the frustrations evident in many first-contact interviews may be

bypassed in favor of a feeling of achievement on the part of citizen participants, and the interviewing officers. It is also possible, as mentioned in the discussion of CDA above, that imbalances in the power structure that lead to police abuse or corruption may be evidenced in this type of analysis. Whilst no clear examples of this were witnessed, it was certainly the case that, in this researcher's opinion, a number of violent exchanges could have been avoided had officers involved been aware of the "listening" aspect of the interview process.

In observing the first-contact interview, no recording devices were permitted to the researcher. For this reason, the primary method of data collection was through field notes that were taken following each encounter and which, despite an ever-evolving system of abbreviation, filled an entire notebook. Upon returning to the patrol car, a short summary of the events, participants, context, and any further relevant information was written, and each case was considered with regard to evidence of any maxim or DT postulate violation, and for evidence of any Norm Resistance. These field notes were then input into a spreadsheet, with binary values attributed to the maxims, postulates, and Norm Resistance. Statistical analysis was eventually possible upon completion of the data collection to ascertain which of these factors co-occurred with violations of Quality and instances of Norm Resistance. A total of 428 calls were witnessed during the observation phases of this research, 80 of which occurred in the UK and the remaining 348 being in the United States (an example of the data is given in Figure 4-1).

As can be seen in this spreadsheet, the DT postulates were separated as to whether they had occurred as part of the actions of the citizen or of the officer participant in the interview. This was an essential distinction and will be shown to be extremely important

in the subsequent analyses. The column of “self initiated” allows for the extraction and data sorting according to whether the interview was expected or unexpected, according to the definitions given previously in this chapter. An identifier for each officer was included in the table, as was a link to a separate spreadsheet that holds the detailed account of each call (both have been removed for confidentiality in the example).

ID	Date	Agency	Zone	Nature of Call	Quan.	Quality	Rel.	Manner	Pol.	Ranking by Police	Ranking by Citizen	Number by Police	Number by Citizen	Gender by Police	Gender by Citizen	N R	Self Initiated
1	1/16	ASO	9	Open container	1	0	0	0	0	0	0	0	0	0	0	0	1
2	1/16	ASO	9	911 Hang-up	0	1	0	0	0	0	0	0	0	0	0	0	0
3	1/16	ASO	9	Noise complaint	1	1	0	0	0	0	0	0	0	0	0	0	0
4	1/16	ASO	9	Domestic dispute	0	1	0	0	0	0	0	0	0	0	0	0	0
5	1/16	ASO	9	Speeding	1	1	1	0	1	0	0	0	0	0	0	0	1
6	1/16	ASO	9	Noise complaint	0	0	0	0	1	0	0	0	0	0	0	0	0
7	1/16	ASO	9	Traffic disruption	0	1	0	0	0	0	0	0	0	0	0	0	1
8	1/16	ASO	9	Noise complaint	1	0	0	0	0	0	0	0	0	0	0	0	0
9	1/16	ASO	9	Traffic stop	1	0	1	1	0	0	0	0	0	0	0	0	1
10	1/16	ASO	9	Speeding	1	1	0	0	0	0	0	0	0	0	0	0	1
11	1/30	GPD	M	Tag light	0	0	0	0	0	0	0	0	0	0	0	0	1
12	1/30	GPD	M	Illegal U-turn	1	0	0	0	0	0	0	0	0	0	0	0	1
13	1/30	GPD	M	Noise complaint	0	1	0	0	0	0	0	0	0	0	0	0	0
14	1/30	GPD	M	Illegal tender	0	0	0	0	0	0	0	0	0	0	0	0	0
15	1/30	GPD	M	Traffic accident	0	0	0	0	0	0	0	0	0	0	0	0	0
16	1/30	GPD	M	Trespass	1	0	0	0	0	1	0	0	0	0	0	0	0
17	1/30	GPD	M	Expired tag	0	0	0	1	0	0	0	0	0	0	0	0	1
18	1/30	GPD	M	Traffic stop	0	0	0	0	0	0	0	0	0	0	0	0	1

Figure 4-1: Example of Data Collected

Although there are plenty of cells in this spreadsheet containing “0” values, that is, showing no evidence of maxim violation, DT postulate abuse, and/or Norm Resistance, it will be seen that there were than enough examples in the entire dataset to make strong suggestions with regard to real-life correlation of these theoretical features. The total number of witnessed violations of each maxim and postulate is shown below:

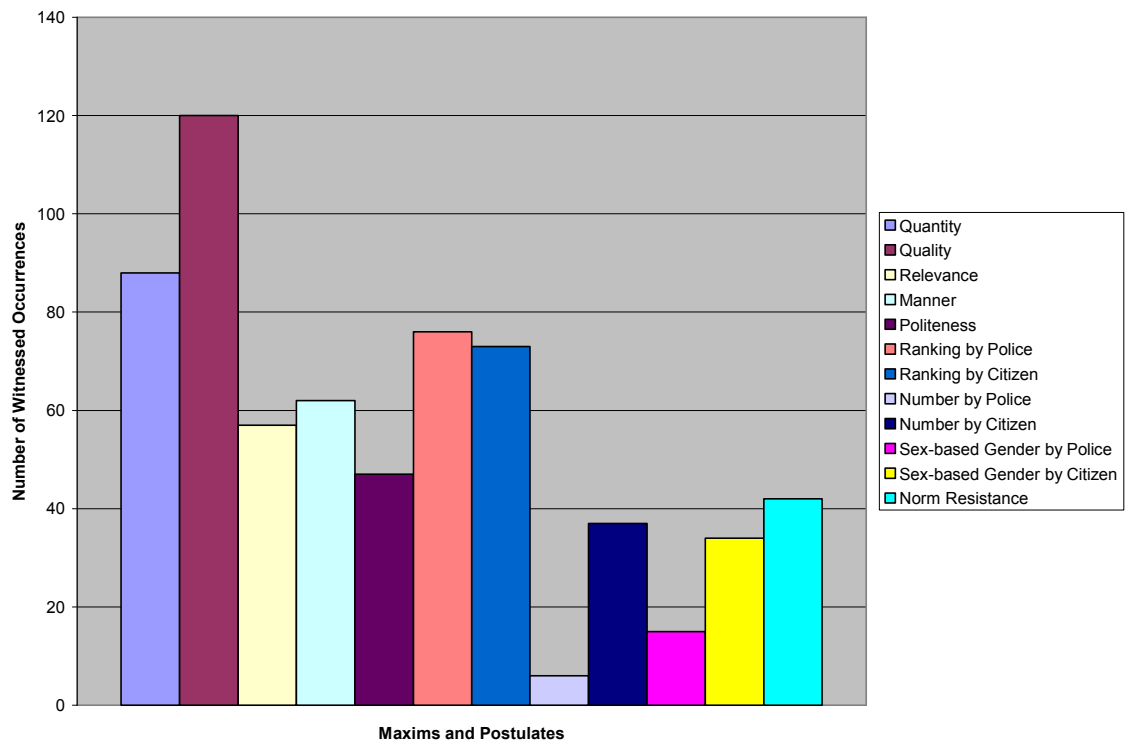


Figure 4-2: Maxim and Postulate Violations

As may be seen in this graph, a very sizeable dataset of maxim and postulate violations were witnessed in the observation stage of the study. Totalling 657 incidents over the 428 first-contact interviews, the evidence is overwhelming that violation and conscious flouting of these linguistic and cultural frameworks are a common aspect of the communicative process, as least in this particular situation. Perhaps most (or maybe perhaps least) surprising in this initial show of data is the extremely high occurrence of

violations of the maxim of Quality. With a total of 120 evidenced examples (32 more than Quantity, the next-most frequently witnessed), it is apparent that Quality violations are an active and integral part of the first-contact interview, and a matter that definitely needs to be addressed in the training of interviewing officers.

With these goals and aspirations in mind, the following chapters introduce the data collected during the observations and detail some of the patterns uncovered. Chapter five deals solely with observations made with US policing agencies, whereas chapter six introduces and discusses the findings made with British police and compares how these may differ to those observed with the American agencies. Within these chapters differences observed between the expected and unexpected (i.e., officer initiated) first-contact interview are discussed, and suggestions for the correlations and findings made. Much of what is introduced in chapters five and six are the quantitative results of “number crunching” and data analysis. Chapter seven presents an overview of the results from a qualitative perspective, with special reference to ideas for the training and preparation of law enforcement officers in the first-contact interview. It is in this chapter that the full significance and purpose of this research may be understood.

CHAPTER 5 THE UNITED STATES: DATA, ANALYSIS, AND DISCUSSION

Introduction

In this chapter, as is suggested by its title, the data retrieved during observations of first-contact interviews in the United States is presented, analyzed, and discussed. The first of the following sections introduces data concerned with violations of the maxim of Quality (i.e., issues of lying or the provision of accounts incompatible with those provided by other suspects/witnesses⁸⁶), the next segment addresses examples of Norm Resistance that occurred in the data, and the final part of this chapter discusses both Quality and Norm Resistance once more, but with reference to differences in their frequency in expected as opposed to unexpected interviews. Each section details quantitative results of the data analysis, but also gives descriptive examples of genuine occurrences witnessed whilst observing with the North American agencies to illustrate the theoretical constructs.

Quality Violations in the US

Of the 348 North American calls witnessed, 104 of these (a staggering almost 30%) showed evidence of Quality violations committed by one of the citizen interactants in the

⁸⁶ In many cases, as was mentioned in the account of Grice's Co-operative Principle, breaking the maxim of Quality may be difficult to uncover. In some cases, as was shown in the pilot study given in chapter three, the violation is apparent, but in others it may not be so clear. It is frequently the case, however, that opposing or incompatible versions of an incident are given during the first-contact interview. Barring minor mismatches that may be due to differing perspectives (and taking into account Miller's Law) the occurrence of such opposing or incompatible accounts are deemed in this study to be a violation of the maxim of Quality by one of the parties involved. For the purposes of this research it is unnecessary to attribute the violation to any of the suspects, witnesses or victims in the interviewing process and, therefore, no attempts are made to assess the veracity of one account against that of another.

exchange. Many examples of such violations were the provision of conflicting accounts of events about which the responding officer is enquiring, though some were outright untruths uncovered through the interview process. Many times a Quality violation is uncovered through the use of modern technology, for example, some drivers claim that they have not been drinking though their blood alcohol levels tell a different story. One young man detained for suspected DUI after rear-ending another car stated clearly that he had not been drinking, but asked to stop the Field Sobriety Test as he claimed that he was too drunk to properly perform any of the tasks. Quality violations are a major part of the first-contact interviewing process, however, as the consequences for being discovered in a crime (or, for that matter, a lie) are, indeed, serious. Many interviewees prefer to take their chances with the first-contact officer and, doubtlessly, this ploy is successful for more than a few of the lucky perpetrators.

This inclination to protect the truth is suspected frequently by law enforcement officers, but without the appropriate tools they are powerless to do anything about it. One example of this occurred whilst observing with GPD one evening. A report had been made that a man in his mid- to late-twenties had entered a bar and stolen the tip money that patrons had left on the counter as gratuities for the staff. The description of the man was that he had mid-length blond hair, and was wearing blue shorts and a Hawaiian shirt. A suspect matching this description was seen by P3, and he pulled over to question the man. Upon making contact, the interviewee was immediately irate and combative towards P3, stating that he had already been stopped by another officer and questioned about this crime. P3, unsure of whether the man was telling the truth and aware that the man's assertion could be a very effective tactic to avoid further questioning, proceeded to

enquire as to the man's whereabouts and destination, despite the threats of an official complaint of harassment. After a short time, P3 let the man leave, having no probable cause to hold or to search him. Upon leaving the scene of the interview P3 stated that he was unsure whether the suspect had been the perpetrator of the theft, but that he was sure that he was "guilty of something".

In this research, the situation above was repeatedly observed. In surveying uniformed officers in their questioning of subjects, it is immediately obvious to the interested researcher that certain individuals pique their interest more than others. It may not, however, be obvious to the untrained observer why this should be the case. The officers and deputies are very quick to put their suspicions down to "body language", such as lack of eye contact or shifting of the feet. Whilst this is undoubtedly part of what forms their intuitions it is, as will be apparent by this point, the hypothesis behind this study that underlying linguistic clues in such exchanges may be uncovered through a careful application of Pragmatic and Criminological theories of interaction. It is hypothesized in this study that police officers are employing a subconscious application of these cues in their interview techniques, and that these are major contributors to the "gut feelings" of suspicion, as evinced by P3.

One method that may be useful in preparing these officers in the task of truth detection⁸⁷ is to analyze which other, more easily identifiable, conversational features may co-occur with observed Quality violations (Figure 5-1).⁸⁸

⁸⁷ The term "truth detection", as opposed to "lie detection", is used throughout this study in an effort and attempt to forefront the sentiment behind Miller's Law. As mentioned in the introduction to Miller's Law, if performing a "lie detection" task, officers will be searching for untruths. It is hoped that by undertaking "truth detection" these officers may be more open to understanding what the statements of their interviewees may be true *of*, as was seen in chapter three with the example of the sexual assault charges made by the homeless woman.

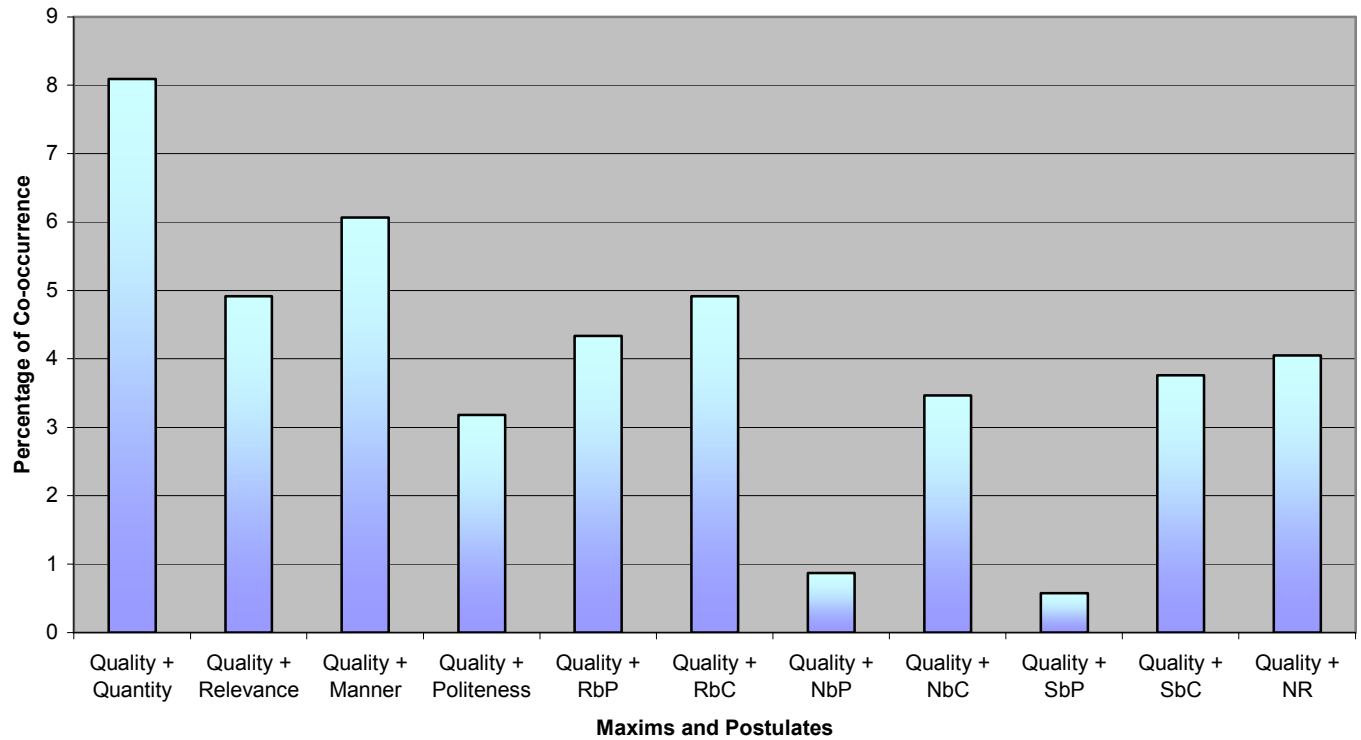


Figure 5-1: Co-Occurrence of Quality Violations with Other Maxims and Postulates in the US⁸⁹

As can be seen in the chart, one major indicator signaling a possible Quality violation is a violation of the maxim of Quantity. In fact, of the 71 Quantity violations witnessed, 28 of these were accompanied by *perceivable* violations of the maxim of Quality.⁹⁰ This is particularly useful as flouting the maxim of Quantity is extremely visible and, therefore, a relatively simple indicator to the interviewing officer to pay special attention to the account that she is being given. This is a tactic already employed

⁸⁸ In order to standardise results, percentages were used rather than total numbers in analyzing the data. In this way, the results for the North American and British data may be compared, despite the fact that the amount of witnessed first-contact interviews was different.

⁸⁹ In the figures of this type, the following abbreviations are used: RbP=Ranking by Police; RbC=Ranking by Citizen; NbP=Number by Police (i.e., singularity); NbC=Number by Citizen; SbP=Sex-based gender by Police; SbC=Sex-based gender by Citizen; NR=Norm Resistance.

⁹⁰ Again, as at all times when dealing with the maxim of Quality, the notion of the *perceivable* violation must be emphasised. Some Quality violations will have escaped me during the observations in much the same way as they escape the interviewing officers.

subconsciously by many law enforcement officers, though it is also taught to them in the academy that being questioned by police is a tense situation for most people, and becoming uncharacteristically loquacious is often simply a pointer that the interviewee may be nervous. An example of this nervousness was frequently seen in traffic stops where the citizen talked (often) incessantly to the officer as they were writing the citation. This was common, and officers are trained to engage citizens in conversation at this time with the dual purposes of gleaning more information that may be pertinent to the current stop and further investigation, and also to make this (albeit inherently taxing and unwanted) experience as pleasant as possible and to alleviate the citizen's anxiety.

The next strongest co-occurrence in this category is that of Manner, which may prove to be a little more difficult to pinpoint without a foundation in linguistic training. However, if an officer can be shown how to consciously perceive that someone is being unclear, perhaps through a non-concise or non-chronological telling of events, violation of Manner could also be an indicator (as was seen in more than 6% of the total cases observed) that the truth is being flouted for some reason. An example of violation of the maxim of Manner was given on an occasion whilst observing ASO – and an example that could never hope to be repeated! D2 (with whom I had, at this time, been working with for more than a year) was questioning a suspect in a case of petty vandalism. The suspect kept changing his story and altering the details that he provided in response to D2's enquiries. Eventually D2 ceased his questions, looked at the suspect, and told him that he knew he was not telling the truth as his Manner was "all wrong". He went on to tell the suspect that honest people generally give clear details in a precise order, and that he had done none of the above. As the suspect attempted to rectify this violation of the maxim of

Manner, and to give a chronological and defined story, his lies caught up with him and he became entangled in his previous untruths. Eventually the suspect admitted to this, albeit minor, case of vandalism. Whilst it is uncertain whether these categories were foremost in D2's mind when he was not being observed, it was certainly gratifying to see them put into action so successfully in this matter.

Following that of Manner, the following two co-occurrences seen in Figure 5-1 are those of Relevance and the DT postulate of Ranking by the Citizen, both of which occurred with Quality violations in just under 5% of the first-contact interviews, that is, almost one in 20 of the total first-contact interviews in the dataset. To give an example of the application of one of these, a situation regarding Relevance occurred whilst working with D5 in the investigation of an assault charge. D5 was making no progress sorting through the stories of the two women (F1 and F2) involved and could find no reason why these women would get into an argument. Eventually he noticed that the name "Justin" kept entering the statement of F1, though there were no males involved in the altercation. F1 would, seemingly *irrelevantly*, start talking about "Justin", who was arriving from Vermont in the next few days, but then veer back and talk again about the matter at hand. It appeared at first that the deputy suspected the women had been fighting over this man, but the second woman claimed not to know "Justin".

Realizing that this irrelevance on the part of F1 required further investigation, the deputy asked her directly, and out of the hearing of F2, to explain the involvement of "Justin". It transpired that the man was F2's brother, that he had been serving prison time for child molestation, and that he was coming down to Florida illegally (sex offenders have to take a number of steps when moving between states) to stay with his sister. The

man was also the ex-boyfriend of F1, which explained her involvement in the altercation. By following the lead established by a violation of Relevance, the deputy uncovered a great deal of information, including the reason for the altercation and the imminent arrival of an unregistered sex offender to the county.

Whilst it could be dangerous to postulate Quality violations based solely on these factors, it is certainly possible to suggest that they may be indicators that there is something deeper to the account than that being provided to the officers, as is shown in the examples given above. The data suggests, however, that there may also be potentially adverse consequences to the Quality levels that are dependant on the behavior of the interviewing officers.

In seventeen examples in the dataset (just over 4%), Quality violations occurred in connection with instances of Ranking by Police. It is impossible to absolutely define the reasons for this number without direct access to the motivations behind the Quality violations, but two obvious possibilities exist. The first of these is that the Ranking is manifested as a response to accounts in which interviewing officers are quite sure that the interviewee is not being completely honest. For example, they may berate or goad the citizen with the hopes of uncovering what they believe to be the true story. The other example is yet more disturbing, specifically, that the Quality violations occur as a result of *perception* of Ranking by Police. Some factions of society simply do not like law enforcement officers. Whilst these people are primarily those that may exist on the legal fringes, there are those that are just not fans of authority in any of its manifestations (and uniformed officers are particularly obvious examples of this imbalance), as well as those people whose instincts for self-preservation override their otherwise honest attitudes.

In these circumstances, the simple presence of law enforcement officers may be enough to force Quality violations that may, otherwise, have not been necessary. A dislike or distrust of the police may incline such people to be over-protective of their actions and to try and conceal anything that may be slightly underhand, but at the expense of telling untruths that may, in turn, deposit them in a larger pool of trouble. Examples of this were observed on a number of occasions when drivers were asked if they had consumed any alcohol. Many times the answer given was an emphatic negative, despite the fact that the officer could smell alcohol on the breath of the driver. When a person is forced to change an obvious Quality violation of this kind to reveal the truth, it creates a feeling of distrust between the law enforcement official and the citizen that remains throughout the encounter. In many of these situations, however, the driver has only had a small amount to drink and is clearly competent to drive, but their inherent self-preservation forces them to commit a Quality violation which was otherwise avoidable. While this over-riding attitude may be inescapable, it is certainly possible to draw attention to the possible effects that displaying Ranking towards the citizen interviewee may induce. This may aid in keeping the Quality violations to simple lies regarding the details of the case, rather than as a response to social pressure exacted by the performed and culturally supported power imbalance pervasive in the first-contact interview.

Norm Resistance in the US

Norm Resistance is, of course, a major concern with regard to officer safety in any agency or country. Whilst certain safeguards are always taken to ensure the protection of law enforcement personnel and the citizenry they serve, it remains true that the job is intrinsically a dangerous one, and that these women and men are required, by definition of their position, to expose themselves daily to circumstances, situations and people that

most of society would choose to avoid throughout their lifetimes. The provision of lethal and non-lethal weaponry as discussed in chapter two is but one step to the insurance of officer safety, although (as shall be seen in the comparative analysis of British data collected in chapter six) it is certainly not a decisive factor in many of the outcomes. Other contributing matters include respect issues and political agendas, while the overall image and competence of the particular agency are also major contributing factors.

One aspect of this image and competence is the capability displayed by officers as they proceed with their tasks, and those with appropriate training and application to their work (i.e., “Sophistication” as given in Turk’s definitions in chapter three) are certainly more likely to be able to recognize control instances of Norm Resistance than those without such skills. One aspect that will assist in this training process is suitable and thorough preparation with regard to what can be expected in differing situations. The following section gives examples of the co-occurrence of Norm Resistance (i.e., opposition, both verbal and physical, to law enforcement officials, especially when compounded with youth, inexperience or race issues) with the other theoretical categories employed in this study (Figure 5-2). This analysis will be an important step in the preparation process for the first-contact interview.

As will be immediately evident upon studying the results of this analysis, the maxim of Politeness plays an important part in the occurrence of Norm Resistance. This is, perhaps, predictable as violations of this kind are often visible as linguistic assaults and insults that are typical precursors to resistance towards law enforcement officers. To illustrate, when making a routine traffic stop with ASO one evening, one of the passengers in the car became verbally abusive to the deputies and, despite being warned

on multiple occasions, was eventually placed in handcuffs when he began to make physical threats. This is not an unusual occurrence, and is a basic issue with regard to officer safety. In this way, any threat to the deputies is limited, allowing them to complete the traffic stop and then, barring anything more serious occurring, to release the passenger. As per procedure, the deputies searched this individual to make sure that he was carrying no weapons and discovered a small amount of marijuana in his pocket. If this man had not flouted the maxim of Politeness and manifested a display of Norm Resistance towards these deputies, this crime may have gone undetected during this stop.

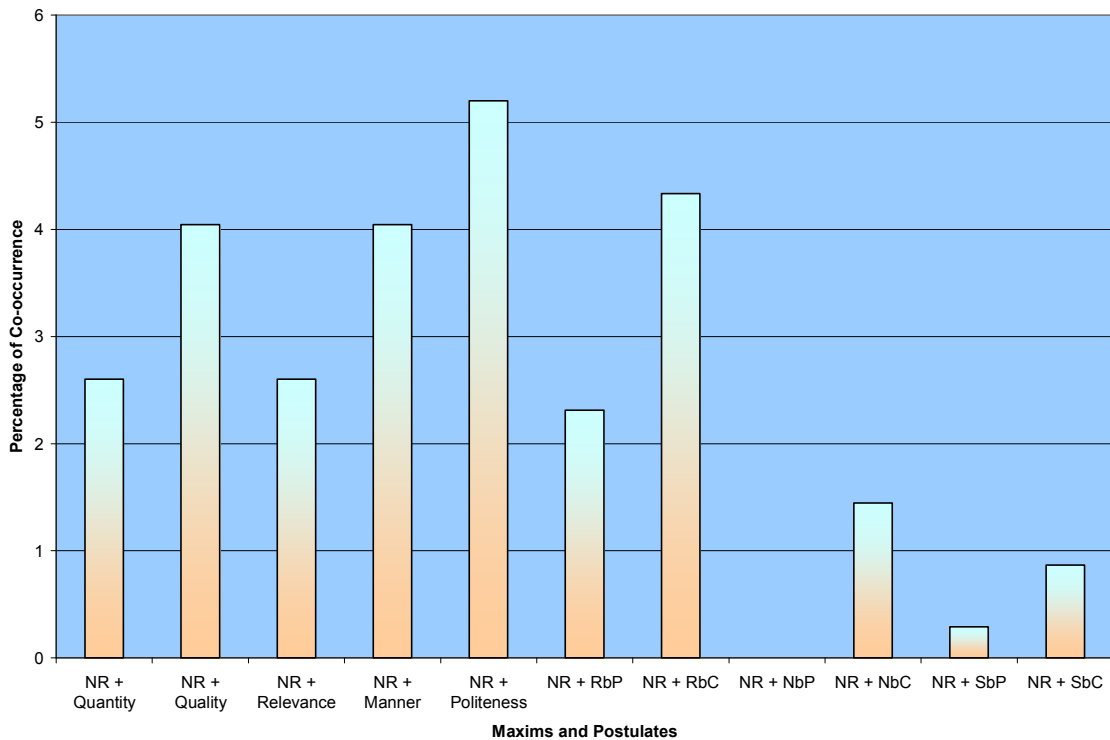


Figure 5-2: Co-Occurrence of Norm Resistance with Other Maxims and Postulates in the US

As was seen in this case, and will be shown throughout this section, Norm Resistance and (physical and verbal) violations of Politeness were apparently utilized as tools by the citizen in an attempt to achieve a specific aim. Whether the aim was to

intimidate the officers into not giving a ticket or to simply voice disapproval at having been stopped and/or at the societal system in general, the encounter concluded with the authority of the deputies intact and the citizen receiving punishment that he may otherwise have avoided. This is typical – though not certain - in cases of Norm Resistance seen in this study, as the systemic backing of the police officer (displayed through Turk’s category of “Organization”, as seen in chapter three) is so strongly reinforced by societal mores that to bend to such pressures would be perceived as a weakness not so much in the officer herself, but as a betrayal of the authority of the entire policing service.⁹¹

This state of affairs is especially strong in the next most frequently observed co-occurrence in this section and this is Ranking by Citizen. Again that this may be forecasted as a precursor to confrontation as Norm Resistance is frequently marked as a conscious attempt to assert the individual authority of a person over the institutionalized authority of the police officer. An example of Norm Resistance displayed in relation with Ranking by the Citizen was seen whilst observing with GPD one night.

The officer taking part in the research observations on this occasion (P4) is a young, black, female officer (i.e., a prime target for Norm Resistance and something that she faced continually⁹²) and she was, at this time, actively searching for traffic violations

⁹¹ This is a common conception of police officers and was communicated many times during the observations. The “brotherhood” [sic.] of police moves to either protect or reject perceived “weak links” in its chain as was mentioned previously in chapter two.

⁹² In fact, a few days before the incident described above, this officer (P4) and another female officer had just been involved in a very serious incident of Norm Resistance. In that case, a white man thought that he stood a very good chance against the two female officers that were pursuing him on foot for illegal possession of a firearm. The officers chased and caught the man and wrestled with him on the ground for several minutes. Whilst awaiting back-up, P4 disabled the man’s weapon by putting her finger through the trigger guard and thereby blocking the man’s attempts to fire it (GPD do not carry Tasers, or this would have been a sanctioned situation in which this secondary weapon could have been employed). This was

as the hour was approaching 2AM and the likelihood of people driving under the influence and, thus, endangering the general public is increased at this time. Upon stopping a driver whose license plate was unreadable (a minor violation that would typically be forgiven with a warning if the driver proved to be unimpaired), the officer was contacting Dispatch to inform them of her whereabouts when the driver unexpectedly exited his vehicle and approached her. Being a tall and large man, this driver stepped up very close to the officer so that he was looking down at her and began shouting and swearing at her that he was tired of being stopped and harassed by the police.

The officer was, she revealed at a later time, extremely surprised and a little intimidated by these actions, though she did not convey this to the driver (or to me), managing to maintain her professionalism and, thus, to remain in the conversational “competition” for control of the situation. Explaining the reason for the initial stop of the vehicle, the officer continued with the usual checks that are part of any stop, including running the driver’s license and ID to check for any outstanding warrants, driving bans, or other such infractions. During these checks (which can typically take anywhere from three to six minutes, depending on the activity that the teletype personnel are dealing with at the time), the man continued to “loom over” the officer, invading her personal space until she had to ask him to place his hands on her patrol car as he was interfering with her duties in the inspection of his vehicle.

obviously a very serious manifestation of Norm Resistance, and both of these officers were extremely brave and lucky not to have been seriously injured, or killed. This was said to be “part of the job” by P4, however, and both officers appeared to relatively unshaken by the incident.

At this time, and upon her request of this specific information, Dispatch informed the officer that the driver had been stopped only once in the preceding six months. This seemed to confirm, at least as much as this can be done in an on-the-spot situation, that the man was attempting to intimidate the officer through Norm Resistance and Ranking, to be precise, through a verbal and physical disrespect of her person and authority manifested through his tone, lexical choices and paralinguistic practices (such as his unusually close positioning to the officer, something that would not be typical in American society). It was, perhaps, his intention to avoid a ticket – though this backfired as he received tickets for the unreadable license plate, as well as for vehicle safety issues given that, on an inspection of the van that may otherwise not have been performed, the windshield was seen to have a very large crack spanning the entire width. Again, as was seen with the preceding example, the authority of this officer remained intact, and the Norm Resistance displayed by the citizen resulted only in more severe admonishment.

The following two strongly observed co-occurrences according to the analysis shown in Figure 5-2 are those of Quality and Manner. Each witnessed as co-occurring with Norm Resistance in fourteen cases (i.e., just over 4%), it is an interesting point to note that in seven of these examples *both* Quality and Manner violations co-occurred with Norm Resistance.⁹³ Whilst Quality and Manner violations only co-occurred themselves in twenty-one observed first-contact interviews, one third of these, which is an exceptionally good predictor, resulted in Norm Resistance. This is especially important as a violation of Quality was seen to be a particularly strong precursor to physical resistance to law enforcement personnel in this study.

⁹³ This is an example of a “cluster” of maxim violations, a concept that will be addressed in the conclusion to this chapter and utilized further in subsequent chapters.

In these cases, a Quality violation was often manifested as the provision of a wrongful name or information with the aim of disrupting the questioning process, but most often physical Norm Resistance followed an outright denial of a crime that was subsequently discovered to be a lie. A case of this type was witnessed whilst observing D4 and D5 performing traffic stops in an area that is recognized for its drug activity. The man stopped was making an illegal left turn into a motel, had a female passenger in the car (who turned out to be a prostitute), and was carrying more than \$4,000 in bills of all denominations and several, individually packaged amounts of marijuana. Before anything more than the traffic infraction had been uncovered, this man attempted to belittle both officers on the part of their youth and inexperience (though the man was not himself many years older), lied about his identity, and eventually attempted to punch D5 in the face before fleeing from the scene.

Unfortunately for this suspect, these deputies worked frequently together and had already communicated to each other through gesture that they believed the man to be a flight risk. His attempts at verbal Norm Resistance only served to solidify their suspicions, and they were prepared when he did make a break. The man's attempt to flee gave them probable cause to search the car and his person, at which time they uncovered the money and drugs. It is evident that the Sophistication displayed by D4 and D5 was vital in the recognition of the Norm Resistance and the subsequent risks to their persons, and to the escape attempt that the detainee was planning. Unfortunately, as mentioned previously, D4 is an unusually sensitive and perceptive officer, and D5 joined ASO with four years of Marine training and service. This is often not the case with rookie police

officers, and the perceptiveness of these two officers is something that must be consciously trained into those who lack such unusual backgrounds.

In another case of Norm Resistance, which was displayed in association with both Quality and Manner violations, a lack of preparation was much more evident. GPD responded to a call in the north of the city from a woman that stated her daughter's boyfriend had illegally entered her residence from which he had previously been trespassed.⁹⁴ The man was discovered in another part of the apartment complex and told the officers in a straightforward and clear fashion that he had not been in the apartment. His Manner deteriorated, however, when he was asked to explain why he was in the area at all, which should/could have alerted the officers to possible Quality violations. Upon returning with the man to the original location, witnesses confirmed that they had seen him exiting the window of the mother's apartment (confirming the Quality violation), at which point the man began to lash out at the officers around him and managed to run some distance before he was detained.

These officers were inexperienced and unprepared for the resistance, despite the fact that they were probably, at least subconsciously, aware of the violations of Quality and Manner that they had just witnessed. The man put up a terrific struggle, but was eventually handcuffed whilst two officers held him down. As some of the officers returned to the scene to collect statements from witnesses, the offender "kicked off" once again, attempting to flee whilst handcuffed, and again ran a good distance before he was captured once more. At this point, leg restraints were also placed on him, and he was effectively immobilized in the rear seat of a patrol car.

⁹⁴ "Trespassing" is an official and recorded act performed by law enforcement officers in the presence of the "offender" which disallows return to a location on penalty of arrest.

A senior officer arriving on this scene was alarmed at how much resistance this subject had been (effectively) allowed to put up, and used the incident as a teaching point for the young officers that had been present. Without access to the categories utilized in this research, the sergeant tried to illustrate the aspects of the man's behavior that should have alerted those on-scene to the impending resistance and flight risk. His speech to them was effective, but limited in its specificity to this precise set of circumstances. If the sergeant had been able to capture a few simple labels that had already been taught to these officers (such as "Manner" or "Quality", for example), it may have been possible to generalize this experience, and to use it as a preparatory situation should similar sets of features co-occur at another time.

Expected and Unexpected First-Contact Interviews in the US

It is apparent from the discussion above that training officers to recognize and react to possible linguistic shifts in the first-contact interview would be beneficial both to officer safety and to the process of truth detection. It would be advantageous in this pursuit to further narrow the context by including the variable of whether the first-contact interview is an expected (i.e., the officer is dispatched to respond to an emergency call), or an unexpected, officer-initiated interview (Figure 5-3).

In the observation made for this study, the total numbers of expected and unexpected interviews were nicely split, with 185 expected and 163 unexpected. With this in mind, is it interesting to notice upon first considering Figure 5-3 that there appeared to be a great many more instances of maxim violation and postulate abuse in the expected calls than in the unexpected first-contact interviews. In fact there were a total of 210 instances observed in the unexpected interviews, and 295 in the expected interviews, a difference of just over 40%. While this may seem unusual when considered intuitively,

those people that are expecting to encounter law enforcement should be better conversationally prepared than those who have the encounter thrust upon them, it makes more sense if the nature of the unexpected interviews is taken into account.

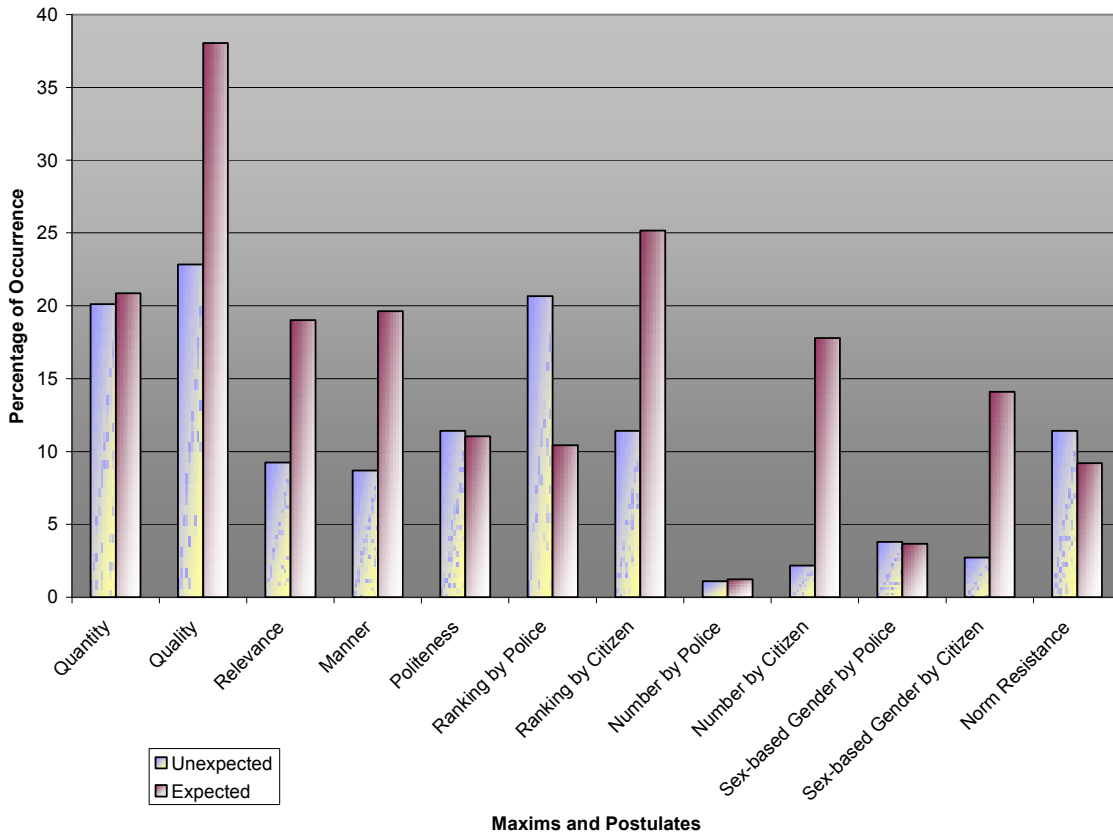


Figure 5-3: A Comparison of Maxims and Postulates in Expected and Unexpected Interviews in the US

Most unexpected, officer-initiated first-contact interviews are traffic stops. In these cases, an infraction is witnessed by the officer, the citizen is stopped, and a citation may or may not be issued. In the vast majority of cases, there is no room for argument on the part of the citizen, and those that feel they were stopped in error will take the matter to court and fight their ticket. It is almost universally the case, however, that the citizen will acknowledge their wrong-doing and apologize to the officer. In approximately half of the witnessed cases where a citation was written, the citizen actually thanked the law

enforcement official when they were given the ticket (showing the cultural power of Politeness expectations). Taking these considerations into account it is, therefore, more obvious why there would be fewer examples of maxim violation and postulate abuse in the data collected of unexpected interviews.

There is an exception to this circumstance, however, and this is also easily perceived in Figure 5-3. There is only one instance in this graph in which the occurrences witnessed in the unexpected interview greatly outnumber those seen in the expected interview: Ranking by Police. In more than 20% of the unexpected interviews, one of the officers involved made a linguistic display of Ranking, though the statistics are almost mirrored by the citizens' use of Ranking in the *expected* first-contact interviews. It is possible to hypothesize, given such evidence, that a linguistic display of dominance of some kind is shown (and perhaps even expected) by the conversational interactant responsible for initiating the encounter. In this way, the law enforcement official exercises her societal authority over the citizen in the unexpected first-contact interview and the citizen initiating or responding to an expected interview⁹⁵ asserts their point of view, complaint, or defense with regard to the reason for the initial grievance.

Officer-initiated stops and calls (i.e., unexpected interviews) are universally acknowledged to be among the more dangerous aspects of a police officer's job, as was mentioned briefly in chapter two (see historical support for this in Sheehe, 1945, and Hanson, 1936, and more recent examples in Taslitz, 2003, and Parker, et al., 1995). Upon approaching a vehicle or the door to a dwelling, officers take specific paths and follow

⁹⁵ In expected first-contact interviews it is most often the case that the parties involved are all aware of the impending arrival of the police. Although a person may not have been responsible for initiating the call, they may have been present, or have been informed that such an action had been taken (often as a warning to cease whatever activity was the impetus for the call).

particular practices that typically go unobserved to the untrained eye, but are impossible to ignore once noticed. For example, it took only a few occasions before I could not bring myself to stand directly in front of a door when the officer knocked (even on occasions when the officers did not consciously think to advise moving to the side). Approaching an abode with a patrol car and in uniform is generally not a stealthy activity (unless, of course, stealth is required of the particular case as, for instance, in cases of serving a warrant when the recipient is known to habitually attempt eluding police), and may cause considerable concern to the dwelling's occupants. It is never certain whether there will be weapons of any kind inside the habitation (or the car stopped for a traffic infraction), so officers are trained from the most basic stages to be extremely cautious. It remains, however, that these types of unexpected interviews have the potential to be dangerous, even deadly, and it is probably for this reason that the spike in Ranking by Police is observed. By emphasizing the official capacity of the agent making the stop, the citizens are made aware of the consequences that could befall them, should they consider any such extreme measures.

With regard to Ranking on the part of the citizen in expected interviews, it should be noted that, when making a call to police, these people are asking for their voice(s) to be heard. They are requesting a specific response and anticipating a particular outcome. If the citizen interactant of the first-contact interview is the complainant, they will wish to convey their hopes and concerns, and if the conversant turns out to be the reason for the call being made or "suspect" (e.g. during a domestic dispute when one party dials 911), there will be a particular emphasis on conveying their perspective with regard to the alleged offence or incident and this will require a certain level of conversational control. This

may be manifested as an apparently “overbearing” conversational interactant, through higher than culturally-normal levels of interruption and simultaneous talking, or as increased volume levels and the proximity of the speaker, which is often closer than is typically seen in Western societies. These combining circumstances will also be, in part, responsible for some of the other spikes seen in Figure 5-3.

Defending an opinion and asserting a singular (i.e., strong adherence to “Number by Citizen”, manifested as singularity) viewpoint is a common and expected part of the first-contact interview for a citizen. Upon entering a scene the officer may have vague details from Dispatch, but will, in any case, be required to collect, confirm/deny, and piece together all aspects of the incident. This will require questioning and amassing information from the parties involved and any witnesses as a path to truth detection. As is typical of this particular conversational circumstance, a number of differing versions of events will probably be asserted (for example, as a “she said-he said” re-telling of events), and it is in this way that Quality violations are typically recognized. As was shown in the preceding sections, such violations are often accompanied or signaled by violations of the maxims of Relevance and Manner, and these are also evident in the data shown in Figure 5-3, appearing to offer confirmation for their contributory significance in assessing stories and performing truth detection tasks in the expected interview. In order to fully assess the level to which such factors may be of use, the following section addresses the co-occurrence of Quality violations and other maxim or postulates, with particular reference to expected and unexpected first-contact interviews.

Quality Violations in Expected and Unexpected First-Contact Interviews

Figure 5-3 shows that Quality violations appeared in a large percentage of both expected and unexpected calls for service. It has also been shown previously that analysis

of co-occurrences between Quality violations (which are extremely difficult to judge in face-to-face interaction) and the flouting or violation of other maxims or linguistic postulates may provide indicators that can be utilized as predictors in truth detection. To this end, Figure 5-4 details the co-occurrence rates of recognized Quality violations with the aim of providing law enforcement with the tools to detect truth (including those Quality violations that were doubtlessly missed by this researcher in the data collection phase) in apparently conflicting or otherwise suspicious statements in the first-contact interview.

Quality violations in expected first-contact interviews

As was mentioned in the preceding section (and is apparent upon viewing Figure 5-4) Quality violations were detected much more frequently in expected first-contact interviews. This was discussed in the previous section, and suggestions for the patterning were made. Disregarding for a moment those cases where conflicting stories are provided to an officer when she arrives on-scene, many of these cases of Quality violation transpire due to a perceived need to justify a crime, or to minimize an offence that cannot be denied. This may be done through violation or flouting of other maxims or postulates.

An example of this was seen when responding to a call regarding a robbery with GPD. The complainant claimed that he had been relieved of his money (\$21) by a couple that was staying at the motel from which the call for assistance had been placed. His story was extremely confusing with regard to the persons involved and the chronology of events (displaying numerous violations of Relevance and Manner). It eventually transpired that the man had sold sexual favors to one (or both) of the couple that he was accusing, and his attempts to convey a singular aspect of the criminal activities that had taken place that night served only to alert the officer to those in which the complainant

himself had taken part. By attempting to conceal or minimize his involvement in other events, this complainant, as was seen in previous examples of violations of Manner and Relevance, created a web of half-truths that served only to expose his own misdeeds when clarification was requested.

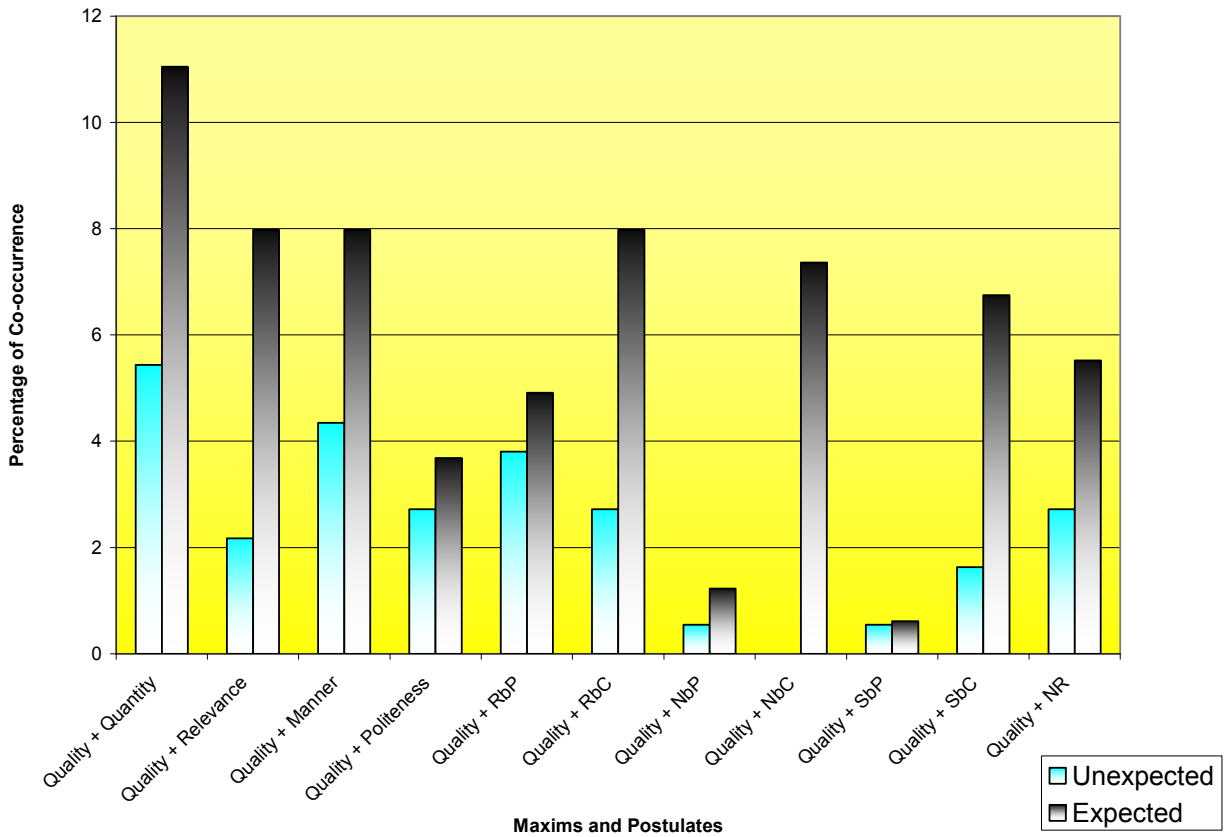


Figure 5-4: Co-Occurrence of Quality Violations with Other Maxims and Postulates in Expected and Unexpected Interviews in the US

When breaking down the data into co-occurrences between Quality and other maxim violations, it was apparent when looking at Figure 5-3 that the results are very similar in the case of expected interviews as they were in the general trends for Quality violations shown in Figure 5-1. A large number of co-occurrences are seen with Manner, Relevance, and Ranking by Citizen (the reasons for the latter are suggested in the preceding section), but the category shown most after these is one that has not previously

been made important: Number by Citizen. In these cases, most incidents were assertion of a singular outcome of events (i.e., that required by the speaker), or a singular perspective on a given event. It will be apparent to most people that it is only truly possible to assert one's own viewpoint with any conviction as the underlying motives for another person's actions can only be hypothesized. In ordinary, friendly conversation, concessions and alterations are made constantly as the parties attempt to shift their perspectives and align themselves with an empathy or understanding of their interactant (cf. Boxer, 2002). In this way the conversation can progress to the mutual benefit of those involved. In the case of the first-contact interview, the conversational rules are different and it may be seen that viewpoints and actions are imputed with a great degree of certainty – and *singularity* – onto other parties. As was seen in chapter four, there are various stages to the interaction, and during the early stages of the first-contact interview, conversants will often feel unusually pressured to convey their own, singular perspective and to assign something different to the other party.

For example, in the first stage (opening/identification), it may be required to establish which of the parties present is the “victim” and which is the “suspect”. This is not as simple as would at first appear as the identity of the “victim” will be fluid until a suitable description of events has been given. For example, in cases of domestic violence, it will sometimes transpire that the parties are “mutual combatants” (e.g. the brothers both assaulted each other), though each may portray themselves as the “victim” in their own version of the story. Being attributed the role of “victim” will, obviously, have very different effects on the progression of the first-contact interview than if one is placed in the position of “suspect”. This will bleed into the second stage of the interaction:

complaint/request, with the victim's complaint typically being heard over that of the suspect, though the singularity will persist in this sequence as roles are typically only attributed to one party and, therefore, only one complaint may be heard.

To illustrate this happening with evidence from an actual observation, it is possible to continue with the "Robbery" case mentioned above. In this situation, the citizen interactant was extremely forceful with his use of Number by Citizen. He insisted on singularity throughout his discourse, both through the denial of any differing possible explanations, and an insistence that the officer focus solely on one crime (i.e., the theft of his money) whilst ignoring the many others that were alluded to during the (lengthy) interviews. The man attempted to place himself solely in the position of victim, but it was impossible for the officer on-scene to ignore that he was also the "suspect" in other crimes. In this case, the insistence of singularity in establishing his role in the events miscarried for this particular individual as, with each assertion that he was a victim, the officer counteracted by stating that he was also a suspect. In this case, there was no action that the officer could take in order to restore funds to the caller that had, apparently, been earned through the commission of an illegal act.

Another co-occurrence that can be seen in Figure 5-4 is that of Quality violations with Sex-Based Gender by Citizen in the expected interview, which was seen in eleven cases (i.e., almost 7% of the expected interviews observed). Of these eleven cases, six were incidents of domestic violence (one was a female accused of battering her husband, the rest were female victims), one was battery of a female by a male (non-domestic), and one was a case of sexual battery, all of which are obvious in both their physical and linguistic evidencing of the postulate of Sex-Based Gender. Of the remaining four cases,

three were incidents in which a male had stolen something from a female subject chosen for her comparative physical weakness, or of sexual harassment of a female by a male. There was only one case in these four in which the Sex-Based Gender was performed by a female, and this was in a traffic accident.

Whilst observing late at night with GPD, a report was made that a car had hit another vehicle in the parking lot of a pizza restaurant and, refusing to stop, had driven away. P3 noticed the suspect's car on his way to the incident and followed it until it stopped at a gas station. Upon confronting the driver, a white female in her late teens or early twenties, P3 was placed in a very awkward situation. The driver (despite the presence of the observing researcher) attempted to flirt with him, moving into his personal space and placing her hands on his chest area, apparently hoping to convince him to release her without any admonishment. She was returned to the scene of the accident, given a Field Sobriety Test (that she passed) and cited for careless driving and leaving the scene of an accident. Although this was an unusual example, in the cases observed during this research, there is no doubt that this occurs more frequently than would be supposed, as with the case of attempted intimidation of a female officer by a male interactant seen previously. Whilst it may be more difficult to prepare officers for these occurrences, with sex-based stereotypes and expectations being so tightly wound into the cultural structure of the North American society (cf. Ehrlich, 1999, Hardman and Taylor, 2000, and Hardman, 1999), it is certainly apparent that these are issues that must be addressed in the initial and in-service training of all police personnel in their responses to expected calls.

Quality violations in unexpected first-contact interviews

While there were certainly fewer witnessed examples of Quality violations in unexpected first-contact interviews than were apparent in the expected calls, there were still enough to make it important to consider this sub-category and to make suggestions in the training of officers with reference to unexpected stops and calls. In 42 instances (almost 23% of the unexpected interviews in the dataset), a violation of the maxim of Quality was seen to co-occur with violations of one or more of the other maxims or postulates.

As with the previous analyses of the co-occurrence of Quality and other maxims undertaken to this point, the most frequently co-occurring pattern is that of Quantity. It would appear that this is a valuable signaling device which officers should be trained to recognize in all first-contact interviews. Although perception of a violation of Quantity does not guarantee the presence of an untruth, it is an easy maxim to distinguish when broken. For this reason, understanding Quantity violations should be used to alert interviewing officers to pay special attention, and to look especially to see if any of the other predictive maxims, such as Manner and Relevance, are adhered to or broken.

Manner is seen to be the next highly co-occurring maxim in the unexpected interview, followed by Ranking by Police. As was posited earlier in this chapter, this is possibly due to the fact that police officers feel the need to assert themselves in unexpected first-contact interviews, to explain fully the infraction that they witnessed or the reason for the stop, and to protect themselves against the possibility of danger by highlighting their official position and institutional backing. In two of the Ranking by Police plus Quality violation cases witnessed for this study, the officers were serving injunctions and warrants on citizens and were, therefore, appearing as representatives of

the county court. In these cases there is no room for discretionary force and the officers are present solely to deliver the injunction or to take the party to jail, the only interaction that is likely to occur with relation to the case is the assertion that the attending officers are present in an official and serious capacity and must perform the duties assigned to them regardless of their own personal interaction with the subject. In two of the other cases, however, Ranking was used as a defensive tactic by the police when interactants showed signs of resistance, though in only one was the Ranking successful in calming the citizen.

In this latter case a nurse had called the police in response to an altercation in which she had been involved with a security guard at her hospital. Upon finishing her shift, the nurse had gone to pick up her car and was awaiting her friend outside the front entrance of the building. The security guard had approached and asked her to move her car from the “no parking” zone in which she was stopped, and had refused to listen as she tried to explain that she would only be there momentarily. When the guard walked away, the woman took it upon herself to remain in the same place, despite his warnings. After a short time the guard returned to her car to ask her again to move, and a verbal argument had ensued. UPD (University of Florida Police Department) was called to this scene, and the officers attempted to calm the situation. Despite the fact that the guard had displayed much Ranking towards this citizen, it was only when confronted with the authority of the police that she desisted in her verbal assaults and any further threats of resistance were neutralized. As it transpired, however, the guard’s display of ranking towards the nurse had resulted in her car being stopped in the “no parking” zone for at least ten minutes longer than it otherwise would have been as the altercation had progressed and the police

had been summoned. Clearly the usefulness of Ranking as displayed by a position of authority should be utilized with care.

The next section of this chapter further analyzes examples of Norm Resistance, but before this is addressed there is one final aspect of Figure 5-4 that is worthy of note. In analyzing 163 unexpected interviews, very few examples of Number by Citizen (4 total) or Number by Police (only 2 witnessed occurrences) were encountered. It is apparent that utilization of singularity is not a common ploy in this type of encounter, unlike the situation that was seen with expected interviews. Whereas citizens felt themselves required to assert their individual perspectives when meeting with officers in an expected environment, no such thing was seen with the unexpected interviews. This is undoubtedly beneficial for the law enforcement officers, as facing fiercely defensive citizens on traffic stops or on unexpected calls would possibly require a greater need for Ranking by Police, which was shown to be linked to Quality violations and which co-occurs with eight examples of Norm Resistance in this data alone.

It is to Norm Resistance that the next section turns, with special reference to the circumstances that surround instances of this type of conflict in expected and unexpected interviews.

Norm Resistance in Expected and Unexpected First-Contact Interviews

Norm Resistance was shown to occur in more than 10% of the interviews observed in the United States dataset, that is, in 36 separate cases. This is an alarmingly high number when it is considered that each incident of Norm Resistance shows at least a verbal assault on the authority of the law enforcement official, and many of them displayed physical resistance. Of these 36 cases, 19 were traffic stops (many of which led to the discovery of illegal substances in the car) and most of these were undertaken by

ASO as an aggressive anti-drug program that was a focus in areas displaying persistent problems of this kind. In these cases, the calls were self-initiated (i.e., unexpected), but were all conducted with back-up as confrontations to such an aggressive program were expected, as was the resistance that was, almost universally, displayed on occasions when the deputies were successful in finding illegal substances during the stops. What is perhaps less anticipated, and more troubling, is that two of the cases of physical conflict as a result of Norm Resistance were on the part of minors.

In the course of this entire research study, only ten cases of interviews with minors were witnessed, and 20% of these resulted in the child physically attacking the interviewing officer. This is an example, though admittedly from a very small sample, of an issue that certainly needs to be addressed in both the training of law enforcement and in society in general. There appears to be a persistent lack of respect for police amongst the younger population of the United States, so much so that officers were physically attacked by juveniles in one out five of the first-contact interviews observed in this project. Further analysis of the occurrence of Norm Resistance is given in the following two sections.

Norm Resistance in expected first-contact interviews

Again it will be a valuable clarification of the initial analyses to separate the co-occurrence of examples of Norm Resistance with violation of the other theoretical constructs utilized in this study (Figure 5-5). The highest co-occurrence shown in this diagram in expected first-contact interviews (i.e., “non-self-initiated”) is that of Quality. As was mentioned in the preceding sections, many Quality violations are the provision of a false name or identification. Whilst this is not unheard of, it is frequently the case in the expected interview that the officer will be responding to a call for service at a domicile or

place of business and, more often than not, that the offender will be known to the complainant. In this case, the provision of false identification would be futile – though it does still occur. Most of the Quality violations encountered in these types of calls are displayed through conflicting stories, as was seen in a response to a disturbance at a children’s home that was witnessed with ASO.

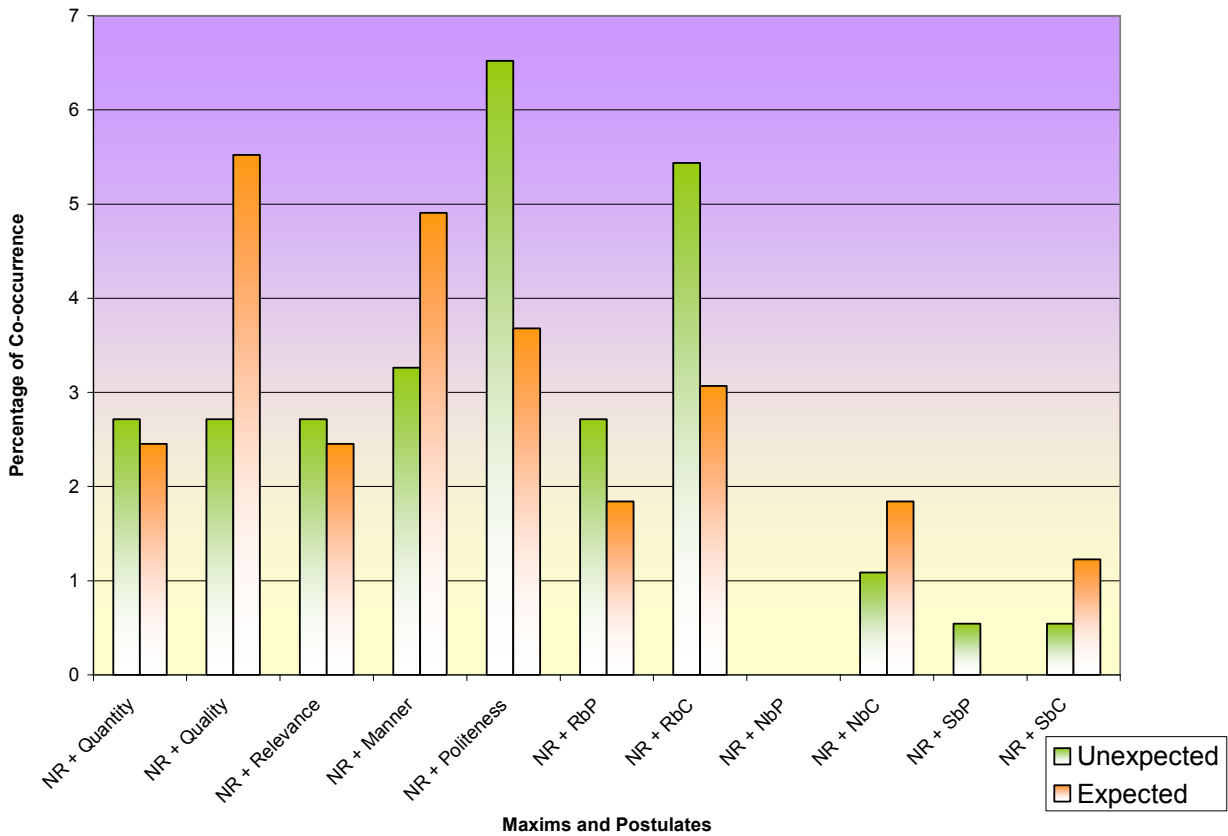


Figure 5-5: Co-Occurrence of Norm Resistance with Other Maxims and Postulates in Expected and Unexpected Interviews in the US

In this particular case, two teenage boys that shared a room in a foster home had been physically fighting and the foster mother, being unable to intercede for fear of being hurt, had called the Sheriff’s Office. Upon arrival, the two boys had already been separated by neighbors and other house members, and interviews were conducted with each boy to ascertain what had occurred, whether there was cause to press charges, and

whether there was any further danger to either of the boys of any of the other occupants of the residence. Whilst both boys admitted to fighting, both also claimed outright that the other had instigated the conflict and thrown the first punch, making one of them guilty of violating the maxim of Quality. This was an especially difficult situation as it was clear from the outset that one of the boys (B1) was far more popular with the house parents and the other residents than the other (B2) and that they were all siding with him and supporting his version of events. This continued to the point that many of the bystanders and witnesses were verbally abusive (i.e., displaying Norm Resistance through a strong capacity for Organization) to the deputies as they went about their inquiries. It was impossible to tell, however, which of the combatants had started the altercation and, therefore, impossible to make any arrest. D4 was concerned, however, as he believed that B2 was the victim in this encounter and that the other residents were allying to attempt to have him removed from the house and taken to jail. Unfortunately, aside from alerting the proper authorities about the incident, there was little more that could be done in this case – a frustrating outcome for everybody concerned.

The next highest co-occurrences seen in Figure 5-5 are those of Manner and Politeness. In the case of Manner, as was shown earlier in this chapter, it is often upon the insistence that a subject clarify their account of an event that the Norm Resistance is displayed. An example of this was seen whilst performing public order duties⁹⁶ in downtown Gainesville with GPD one evening following a man being brutally attacked by

⁹⁶ It is quite usual in towns with a busy night-life that there will be police units assigned to the popular areas during the peak hours to help to maintain order. GPD has a specific “downtown unit” dedicated to this task. The inclusion of alcohol and/or drugs into a highly excitable, highly populated situation often has adverse effects making fights and other altercations an unfortunately frequent occurrence. The Gainesville downtown units are busy from Wednesday to Saturday each week, and an average of 2-20 arrests may be made on *each* of these nights.

three men as he left a bar, leaving him seriously beaten and with a broken leg. This was a very severe case of felony battery that would almost certainly carry a prison sentence if the culprit could be identified. Witnesses identified a group of approximately eight people that were leaving the area together, but were of little assistance in narrowing down which of the eight had participated in the attack. The accounts of the suspects were extremely confused and all requests for clarification were faced with more baffling, often meaningless information. Eventually, the primary officer in the case silenced the entire group and singled out one of the men to give a clear account of their activities. It was at this point, when something the man said revealed discrepancies in earlier versions of events, that one of the men physically assaulted one of the attending officers. It was apparent that the clarification required through the consistent breaking of the maxim of Manner led to the uncovering of a probable Quality violation, and this induced the man to become violent. He was one of two members of this group that were arrested and was the only one charged with assaulting a law enforcement officer.

Whilst bar fights are, unfortunately, not an uncommon event in many towns, it was in a violation of Politeness in combination with Norm Resistance witnessed during this research, that a juvenile was seen to react very strongly to the on-scene officer. GPD received a call that a runaway teenage girl was at a relative's house in the north of the city. Upon arrival, the girl's sister (who had made the informing call) indicated to the officer that the runaway was in the back bedroom. As the officer (P5, a 6' 3" white male, approximately 50 years of age and at least 220 pounds) entered the room, the girl ran for the window and hurled insults and curses violently at both the officer and her sister. P5 drew her out and began to explain the situation to her, that is, that she would have to be

returned to the home from which she had run away. Before he had even completed his first sentence, the girl (5' 0", approximately 12 years of age and no more than 80 pounds) threw herself at him and tried to get past him (and through me!). P5 took her arm and attempted to move her back into the room, at which point the girl flew at the officer, punching, biting and kicking him, drawing blood in several places before he managed to contain her – and then only with the threat of pepper spray.⁹⁷ This was a serious case of BLEO (Battery on a Law Enforcement Officer), and will remain on this child's record for a long time.

Following Politeness, the next frequently observed co-occurrences were between Norm Resistance and the usual three categories of Ranking by Citizen, Quantity, and Relevance. Again these were displayed through the vehement assertion of a perspective with regard to the reason for the call, as well as too much information provided and a lack of relevance to the current issue. In these cases, which totaled only 5 cases of Ranking by Citizen, 4 of Quantity violations and 4 of breaking the maxim of Relevance, the great majority of instances of Norm Resistance were simply verbal. There were fewer instances of physical attacks on law enforcement officials as a result of these linguistic infractions than were seen with those occurring with Quality, Manner and Politeness. Interestingly, all of the cases of Norm Resistance and Quantity violations were in cases of trespassing or reports of a suspicious person, and all were a result of alcohol consumption. In three of

⁹⁷ This was, obviously, a very difficult situation for P5. Being so much bigger than the child, he had to be very careful not to hurt her, whilst struggling not to be hurt himself and protecting the other people in the household (the child was making verbal threats towards her sister for revealing her presence as she struggled with the officer). He had attempted to pin her down but, being afraid of breaking an arm or finger, could not keep her from wriggling free of his hold and did not want to force her into any arm or joint locks as he was again afraid of seriously hurting her. P5 communicated to me after the event that he had been hoping the threat of the spray would be sufficient to stop her as he had dreaded the idea of actually using it. He also stated, however, that he would have used the spray had she not submitted, as he believed this would have had the least lasting physical effect, but allowed him to contain her.

the incidents the suspects were inappropriately loquacious, and in the fourth the trespasser refused to say a single word to the officers, attempt to flee from them and, thus, ended up in jail for the night.

Norm Resistance in unexpected first-contact interviews

As was mentioned in the introduction to this section, traffic stops were the major source of Norm Resistance in the unexpected first contact interview. In fact, of the twelve examples showing co-occurrence between Norm Resistance and Politeness, the highest of the co-occurring categories, all twelve were as the result of traffic stops by ASO during the aforementioned narcotics initiative. Traffic stops also made up eight out of the ten examples of Norm Resistance plus Ranking by Citizen – the second-most frequently seen category, and all six of the cases of Norm Resistance accompanied by Manner violations. There were four cases, in fact, that displayed violations of both Politeness and Manner in association with Norm Resistance, and in one of these (a traffic stop conducted by P6, a “baby-faced” police officer in his early twenties) the category of Ranking by Citizen was also evident.

Parking in fire lanes is a persistent and annoying infraction with which law enforcement must cope daily. Whilst the infraction itself is extremely minor (and officers, in fact, will only ticket the offence if they are provoked by the citizen, for example through a display of Politeness violation, or an active dismissal of the violation), if the problem is allowed to become endemic, serious safety concerns could be an issue. It was whilst patrolling for such minor offenders and moving them along that the following incident took place. P6 pulled up alongside a car that was illegally stopped in one of these areas and saw there were three people in the car, one in the passenger seat and two sitting in the back. All three were white and averaged approximately 65 years of age. P6

signaled for them to roll down their window so that he could ask them to move on, but the inhabitants of the car chose to ignore him, though they had plainly seen him and were discussing his arrival. After a short time, during which this pantomime continued, the driver returned to the car. P6 exited his vehicle to talk to the man and was completely ignored at first as the man got into his car, and then actively moved aside as the man made to leave. When P6 rapped on the window and the driver finally acknowledged him, he stated that he had just run inside the store for something and had not been gone long. P6 stated that the parking situation was an infraction, and tried to convey to the man that his behavior was unacceptable as the parking problem could become serious, at which point the man drove away with P6 calling after him.

Throughout the exchange, this particular citizen embodied Hardman's concept of the CHESWAM attitude, mentioned in chapter three above, that pervades much of modern North American society. He dismissed the officer due to his apparent youth and inexperience and persisted in his own activities without any regard for the fact that he was being addressed by an officer of the law. It is, of course, true that his infraction was extremely minor, but his complete lack of respect for the institution of the law, his belief that he was solely entitled to perform any action that he should deem appropriate for himself regardless of the official rules, and his display of Norm Resistance by simply driving away when the officer was both talking to him and calling after him was, quite literally, astonishing. Neither P6 nor myself were prepared for his actions (though the infraction was, of course, not worth pursuing further), and the tale met with disbelief when it was related to other officers later during that shift.

Before the analysis in this chapter is completed, it is again interesting to note the categories of Number by Citizen and by Police in Figure 5-5. Whilst there were two examples of Number by Citizen (one of these was also given in the case above, in which the citizen displayed a complete singularity in his beliefs with regard to his own rights), no examples of Norm Resistance as a response to, or in conjunction with, Ranking by Police were seen in the 184 unexpected first-contact interviews observed. Although Ranking by Police was witnessed 38 times in these unexpected interviews, it never resulted in even a verbal display of Norm Resistance by the citizen interactant, which was certainly not the case with examples of Ranking by Citizen.

It is possible to hypothesize from these results that certain types of societal ranking are more acceptable in interaction than others. In this particular type of exchange, it appears that Ranking by Police is rarely, if ever, met with resistance, whereas as displays of Ranking by Citizen may induce conflict, either from other citizens (as was seen with the security guard in the preceding section) or from the police themselves. This evidence confirms the societal range of Turks' category of Organization, and may also support that of Sophistication as the officers align themselves to intercept any possible instances of Norm Resistance. It is certainly apparent, however, that the systemic recognition of representatives of the police and the power differentials frequently evidenced through linguistic habits, are culturally acknowledged to the point that displays of Ranking by Police are accepted, perhaps even normalized, in both expected and unexpected situations.

Conclusion

This chapter has detailed the analysis and results of observations made over a period of more than three years with various policing agencies in North America. The

conclusions provided by these outcomes will provide valuable training ideas and tools for law enforcement, and this will be addressed in chapter seven. The next chapter, however, constitutes a comparative analysis of these results from United States policing services with data gleaned from almost 1200 hours of observation with police forces in Wales and England.

One thing of note, before the British data is addressed, is the surprisingly lack of “clusters” of maxim violations in this data. For the most part, violations were witnessed alone, or (as was the focus of much of the discussion above) in pairs. This will be shown to be different in the United Kingdom, where clusters of violations working together were frequently seen. One exception in the US statistical results was that of Quality and Manner violations co-occurring with Norm Resistance, which was seen to happen in 50% of cases in which Norm Resistance co-occurred with either Manner or Quality infractions. Another, even more frequent, instance of clusters is that of Quantity violations. In a large number of cases, breaking the maxim of Quantity was a warning sign that other maxims were also being broken. This will prove to be an interesting and constructive training tool, as the most easy maxim violation to detect is that of Quantity. Using the observance of Quantity violations will be a major step forward in the practical application of this research to first-contact interviews, and will serve as a valuable training tool for recruits at the police academy level who are faced with interviewing citizens during their very early experiences as police officers.

CHAPTER 6
THE UNITED STATES AND THE UNITED KINGDOM: A CROSS-CULTURAL
ANALYSIS

Introduction

Before the British⁹⁸ data and analysis are addressed, it is important to understand that there are some organizational and systemic differences between the policing services in the United Kingdom and those in the United States which were discussed above.

Whilst the early history of British policing was given in detail in chapter two as being the shared history of the US services, there are instances in which modern British habits have diverged from those of the American agencies, and some of these are mentioned below.

The organization of the following sections follows that used in chapter two when introducing GPD and ASO, and major differences in the current practices that are relevant to the subsequent comparative analysis are highlighted and discussed.

British Policing: Jurisdiction

Following its historical creation process, as discussed in chapter two, the British police force retains the notion that it is a group of 43 independent forces (all of which have mounted teams, dog teams, armed response teams, and traffic squads) working autonomously under the branching guidance of the Home Office.⁹⁹ In reality, as funding is controlled by the Home Secretary, “suggestions” passed down to Chief Constables

⁹⁸ For the purposes of this paper, the term “British” refers only to Welsh and English policing services. Scotland and its police enjoy a degree of independence from many of the political and jurisdictional issues that surround the rest of the British Isles and will, therefore, not be included in this study.

⁹⁹ Maps showing the jurisdictional coverage of each of the Welsh and English agencies are given in Appendix C.

from the Home Office are almost always put into practice (cf. Reiner, 1995a). There have been moves towards recognizing a more centralized British policing service, however, and evidence of this may be seen in the 1992 creation of the National Criminal Intelligence Service (NCIS), and also in the creation of the Police National Computer (PNC). The PNC began its development in 1974 (cf. Fielding, 1991) and was updated to become PNC2 in 1991. It is available to forces throughout England and Wales to provide information on crimes and persons to any force that requires it and, even a decade ago, dealt with approximately 100,000 enquiries a day (Reiner, 1995a).

Moves are constantly being made to align and redefine the individual agencies, and in 2004 a proposal was made by the Police Superintendents Association to create a single, nationwide police force. This was rejected by the Association of Chief Police Officers (the chief policy-making institution of the British Police) and the British government. On February 6th, 2006, the Home Secretary, Charles Clarke, put forth another proposal requiring integration of five sets of individual regions of police forces, including the proposed merging of all four Welsh agencies into a single Welsh Police Force. Only one of these mergers (between Lancashire and Cumbria) was accepted by the involved policing authorities, though was, eventually, not undertaken. Secretary Clarke was given a four month period to conduct further research into the viability of his proposals, and stated in March that he planned to force at least the Welsh merger, with the others soon to follow. In July, 2006, however, Prime Minister Tony Blair stated that it would not be “sensible” to force these unions, though stated that the proposed combining of police agencies was “not off the agenda” (quotations taken from BBC News, July 12th, 2006). No further moves towards police unifications have been made since this time.

British Policing: Organization

In contrast to the permissible variation displayed in North American policing agencies, the British ranking structure is standardized throughout the country, with the exception of the City of London and Metropolitan Police services (Figure 6-1):

English/Welsh Police Ranks:	City of London Ranks:	Metropolitan Police Ranks:
Chief Constable	Commander	Commander
Deputy/Assistant Chief Constable	Assistant Commissioner	Deputy Assistant Commissioner
Chief Superintendent	Commissioner	Assistant Commissioner
Superintendent	Chief Superintendent	Deputy Commissioner
Chief Inspector	Superintendent	Commissioner
Inspector	Chief Inspector	Chief Superintendent
Sergeant	Inspector	Superintendent
Police Constable	Sergeant	Chief Inspector
	Police Constable	Inspector
		Sergeant
		Police Constable

Table 6-1: Examples of UK Police Ranking Structures

As is the case with the US, it is legally required that women and other minorities be given equal opportunities within the British policing service. It is, theoretically, possible for women to attain any rank within the policing structures, though until the mid-nineties, no woman had reached a rank higher than Assistant Chief Constable in Britain (Reiner, 1995a). In 1995, however, Pauline Clare was appointed to the position of Chief Constable

for Lancashire, and was the first woman to head an entire police force. In 2002 it was reported by the British Equal Opportunities Commission that 7% of Chief Constables and 9% of Assistant Chief Constables were women. Other minorities are also actively recruited by British policing services.

British Policing: Selection and Training

In Britain, police recruits apply directly to the force with which they want to work. Recruits are generally to be between 18 and 55 years of age, and in good health with no major criminal history (driving offences related to alcohol, and criminal convictions involving violence make application ineligible). Officers are expected to be upstanding members of society and, therefore, financial and “moral” checks are undertaken on prospective recruits. For example, applicants with tattoos are asked whether the images:

...could cause offence to members of the public or colleagues and/or invite provocation. This would include tattoos which are rude, lewd, crude, racist, sexist, sectarian, homophobic, violent or intimidating or tattoos which display unacceptable attitudes towards women, minority groups or any other section of the community, or alignment with particular groups which could give offence to members of the community

(United Kingdom Police Recruitment Website)

Following the initial application stage, those accepted to the second hiring phase are given Basic English and Mathematics tests at an assessment centre, and interviewed to assess their oral skills. Afterwards, successful applicants are given a physical and medical examination, and their references and security standards are checked.

If hired, recruits are then entered into a “modular” style training program consisting of three weeks at a local training centre, followed by the ten week “police academy”, and four to six weeks with a tutor police officer on the beat. Probation lasts for two years in British forces, and during this time newly hired officers are required to fulfill modules in

certain areas of policing, for example undertaking experience with special units, or attending certain types of law enforcement situations, such as public order control. All in all, “[t]he rote learning of law has been replaced by a concentration on interpersonal skills and social awareness”, (Reiner, 1995a:19), much as is being seen in the current academy practices shown in North America.

British Policing: Education

In contrast to the American system, however, there are no benefits in the UK for education or previous related training, aside from an increased opportunity to be put forward to the High Potential Development (HPD) scheme. The HPD scheme is not restricted to college graduates, but is aimed at officers with ambition and potential that may be suitable for promotion at a faster rate, or for entry into one of the specialized units. All recruits go through the same training system, and all are eligible to apply for the HPD scheme. There are no financial benefits for educational achievements or for being accepted into the HPD scheme, though few are selected and there are long-term benefits with regard to placement and promotion. There is a rising trend in British police recruitment practices to employ university graduates, however, and Reiner (1995a) states that since the 1980’s, approximately 10 percent of each year’s recruits have university degrees. It is also evident, Reiner notes, that training within the forces is being increased in order to enhance quality of services provided (p.19).

British Policing: Technological Advances and Firearms

As was the case with the US policing services, technological advances are also making major impacts on the British side of the Atlantic (cf. Nogala, 1995). For example, the recently devised Automatic Number Plate Recognition (ANPR) System employed by many British forces (for example, Cheshire and Wiltshire) allows officers to perform

traffic duties whilst sitting in a van overlooking a motorway with the camera trained on oncoming vehicles. The ANPR system locates and reads passing license plates, and alerts the technicians if a car has any problems (for example, expired road tax or vehicle safety certificate), or whether the registered owner is a known drink-driver or has been arrested previously for driving whilst disqualified.

Another example of technological innovation employed by policing agencies in Britain is the widely used Closed Circuit Television (CCTV) systems that are being widely implemented throughout towns and cities. Monitored by the local council, CCTV operatives use the highly sensitive and powerful system to alert district officers to potential problems. For example, when observing CCTV operatives in North Wales, a well-known shoplifter was spotted entering the town's shopping district. The camera operatives tracked her movements from store to store, and alerted the store security guards to her presence. The officers assigned to that zone were alerted and put on guard, so were able to stay in the area (barring being dispatched to another incident) in case they were needed. The CCTV systems have truly proven their worth in public order situations, however. In the same North Wales town, officers were sometimes dispatched directly by the CCTV operatives (who have access to the policing radio channels) when altercations were observed on the cameras. Often officers calmed the disputes before any punches had been thrown, but it is certain that harsher consequences were avoided by the officers' swift arrival on the scene. Such improved response time would never have been possible through the traditional 999 call-dispatch-arrival sequences.

One further aspect of technological assistance that should be mentioned is the increase in global effectiveness of information sharing. Through international policing

agencies, such as INTERPOL, or via indirect access to another country's records, criminals are becoming less secure in the fact that they can get away with their crime by simply fleeing the country.

The main resistance to technological advances in policing situations is from the public and political representatives concerned with privacy issues. Whereas directly "bugging" a person's dwelling is now seen as a blatant infraction, CCTV and other similar systems are also walking a delicate privacy border. These systems have been implemented relatively comprehensively in the UK, but by a government-sanctioned policing force. Attempts to limit the invasion of personal privacy are made by blocking out areas on the screens that look into private domiciles, and these work remarkably well. Despite such security measures, however, there is no doubt that an attempt to install such surveillance devices in the US would result in a huge public outcry with massive political effects.

Unlike the American police, the typical UK police officer is still not equipped with a firearm. There are now Armed Response Units within each division of English and Welsh police forces, however, and these officers perform general reactive policing duties but are also required to attend any incident in which a firearm may be involved. On occasion, firearms may also be issued to other officers (such as during threats to National Security), but due to high-profile shootings of innocent people¹⁰⁰, such measures are becoming increasingly rare, putting greater pressure on the Armed Response Units. It remains, however, that incidents involving firearms remain uncommon in the UK. PC1, a

¹⁰⁰ A tragic example of this was the July 22nd, 2006, shooting of Jean Charles de Menezes, an innocent Brazilian citizen who London Metropolitan Police officers shot in a crowded train station, believing him to be involved with the July 7th, 2006, terrorist bombings in the city.

long-serving officer with the Cambridgeshire Constabulary, stated that he had never even seen a firearm at any incident that he had attended over the preceding 17 years.

These officers are not entirely defenseless, however, and English and Welsh officers do now routinely carry CS gas/spray. This is being replaced slowly in some forces (for example, in the Wiltshire Constabulary) with Parva spray, a formula that, whilst retaining the incapacitory abilities of CS gas, only affects those that are sprayed directly. This would be an improvement to the current formula which is prone to affecting anyone in the vicinity of the person sprayed (including the officer herself), which was a constant complaint with CS, and was experienced first-hand during observations with the Hertfordshire Constabulary.¹⁰¹ Talks continue in Britain as to the applicability and safety of Tasers.

British Policing: Community-Oriented Policing

As was the case with American agencies, British policing researchers looked at COP programs throughout the world and assessed their viability in the particular environment presented by the organizational structure of UK policing. Again, as was the case with the American COP programs, models based on the Japanese example (cf. Fairchild and Dammer, 2001) were instigated in the United Kingdom in an attempt to return to earlier notions of policing:

The origins of modern community policing can be traced back to the basic ideas of policing (locally based, local accountability) as set by Sir Robert Peel in 1829.

Fairchild and Dammer (2001: 113)

Such moves in the United Kingdom have been spurred by mandates such as the “Police and Magistrate’s Court Act of 1994” and the “Criminal Justice and Public Order

¹⁰¹ The full joy of this experience is related below!

Act of 1994”, which addressed perceived problems in the current state of British Policing. Combined with strong suggestions by the Home Office, politicians and high-level legal officials have pressured Britain towards a re-establishment of strong commitments to Community-Oriented Policing. One visible aspect of this can be seen in the creation of “Community Support Officers”, sworn officers with limited levels of training that perform support duties to ease law enforcement and public order pressures from the general patrol officers. The officials are now evident in many British police forces, including North Wales, Lancashire, West Mercia, Hampshire, and Dyfed-Powys.

Researching in Wales and England: Methodology and Practices

Now that some of the main variations between the British and American policing services have been briefly addressed, the data for the comparative analysis can be introduced. As much as was possible, similar practices for the data collection and observation of the theoretical constructs were maintained whilst working with the British forces as were performed with the American agencies. Observations were made at night, and entire shifts on consecutive days were spent, as much as was possible, with the same officers to allow for the potential of “in-group” inclusion. Field notes were taken in the same way as those made in America, with details recorded upon return to the patrol car after the completion of each interview. Observations were undertaken over a concentrated six-week period with the following agencies: North Wales Police (in Wrexham), Hertfordshire Constabulary (in Watford), Wiltshire Constabulary (in Swindon and Devizes), Lancashire Constabulary (in Blackburn), and Cambridgeshire Constabulary (in Peterborough).¹⁰²

¹⁰² Each of these agencies generously allowed me to choose the town in which observations were made, and provided excellent information on the more “active” (read “crime-ridden”) areas in their jurisdictions.

The total numbers of maxim violations and postulate usages witnessed in the United Kingdom first-contact interviews are shown below (Figure 6-1):

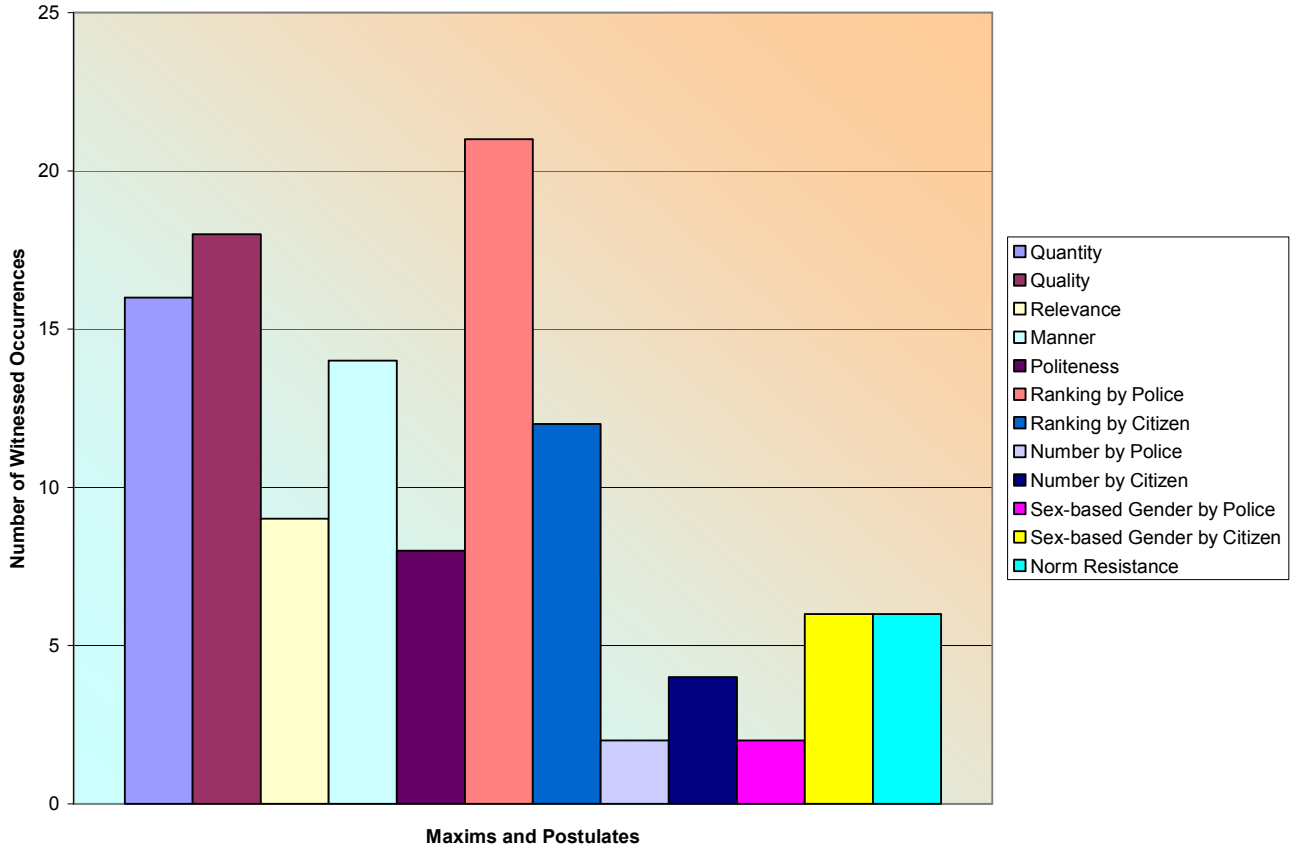


Figure 6-1: Maxim and Postulate Violations in the United Kingdom

As will be immediately evident upon first glance at the graph above, the category of Ranking by Police was extremely active, and appeared in a higher number of witnessed first-contact interviews than any other maxim, and on a larger percentage of occasions than was seen in the US data. This will be discussed further below as the co-occurrences of Quality violations and Norm Resistance with other maxims and postulates are

Although these towns each hold their personal charm, as the time for observations was limited these high-crime areas were chosen and the visits were certainly active enough to provide a fine dataset for this analysis.

examined in turn, introducing the quantitative aspect of the data analysis, as well as some examples of real-life occurrences where appropriate.

Quality Violations in the UK

Quality violations in the British data were witnessed in much the same way as those seen in the North American examples. Often outright lies were uncovered by the officer, for example during a search where open alcohol containers are discovered in a car despite the subject stating that they had none, but frequently the Quality violation was noted as two conflicting accounts were given for a particular event.

It is a familiar sight by now to notice that Quality and Quantity infractions co-occur at the highest co-occurrence rate in this analysis (Figure 6-2). An example of this was uncovered as a tip from the Closed Circuit Television office in North Wales. During a particularly heavy rainstorm, the CCTV operators noted a man concealed in a shop doorway acting in a suspicious manner. Unsure whether he was trying to break into the store, or whether he may actually be in distress, the police were dispatched. Upon arrival, the subject was extremely agitated and very talkative in response to the presence of the police. Before questions were even asked of him, he had offered a lengthy justification for his being in the doorway, and for being out in such extreme weather. His defensive attitude led the officers to believe that the man was holding drugs and planning, in fact, to utilize them whilst hidden in his current alcove. Despite his outright denials of the fact, a piece of heroin was found in the man's pocket, along with the paraphernalia required for him to "shoot up". In this case, the Quantity violation may have been a side-effect of the perpetrator's drug use, but was certainly indicative of attempts to conceal a Quality violation and a crime.

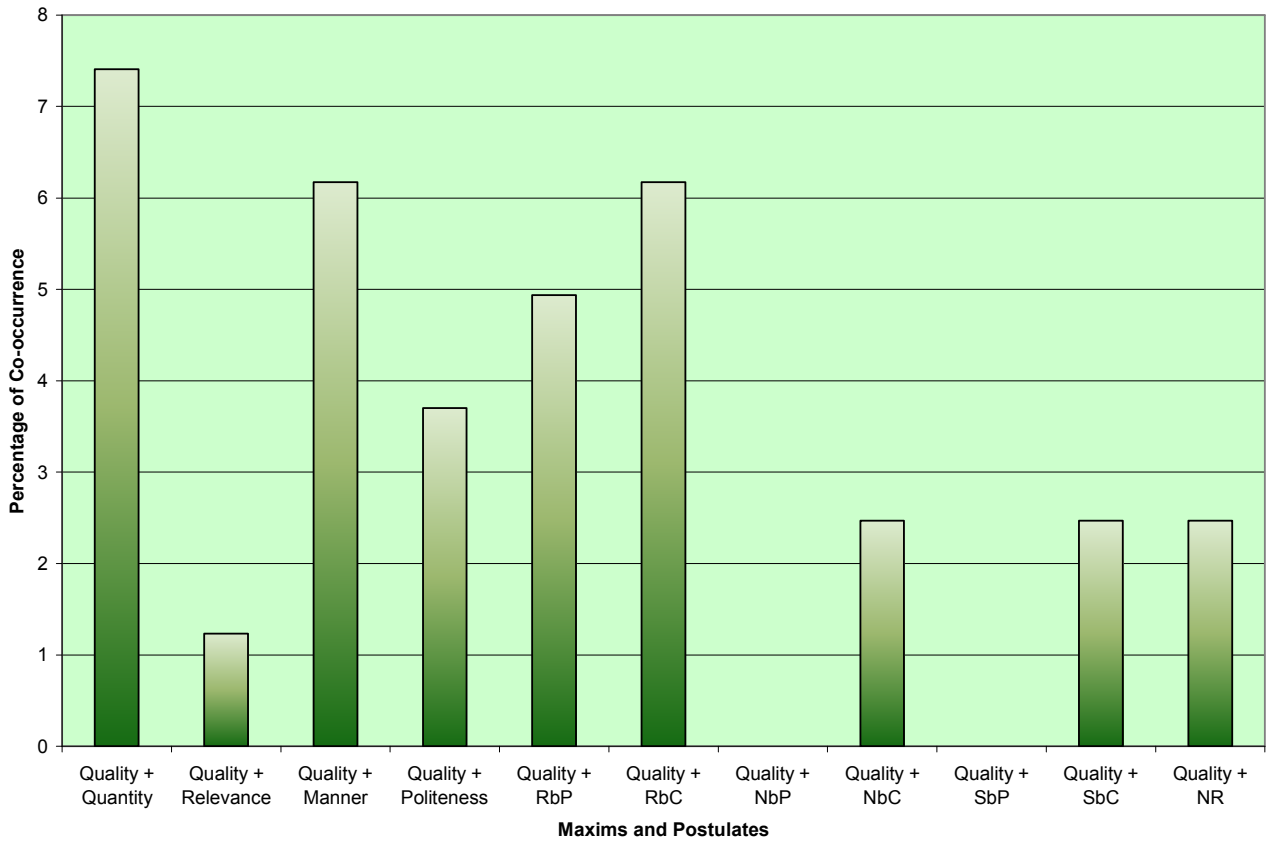


Figure 6-2: Co-Occurrence of Quality Violations with Other Maxims and Postulates in the UK

Again the next two most observed co-occurrences are those of Quality with Manner and Ranking by Citizen and this is followed by Ranking by Police. As was noted in the introduction to this section, this category is very active in the British data so it is not surprising to witness it here. As was mentioned in chapter five, however, it is difficult to assess which came first: the Quality violation or the Ranking by Police. This makes the category of Ranking by Police an important one in the first-contact interview if the overarching objective of truth detection is to be observed.

To illustrate, certain areas in the United Kingdom have a larger population of traveling “gypsies”¹⁰³ than others. During the time of this research, there was an influx of these people in Hertfordshire and the police were dealing with many complaints with regard to these particular members of the populace. It should be noted that there is a great social distrust of “Travelers” in the UK in general. They are socially Ranked as a lower class of person who live off the government and the proceeds of crime. The veracity of these impressions is not the subject of this paper, but it is relevant to note that there is an inherent Ranking present that goes firmly against these people in much of the social fabric. It is probable that the Ranking becomes a self-fulfilling prophecy as the discrimination existing and endured drives Travelers to rely upon more “dubious” means of income.

Unfortunately, this social Ranking (by Citizen and Police) is apparent even to the younger Traveler population and becomes a part of their socialization process. From a tender age these children are suspicious and defensive to the point of aggression, especially towards conventional figures of authority including non-Traveler adults, or the police. In this particular case, a movie theatre complex had called 999 in response to several complaints that a group of Traveler youths (aged approximately 8 to 15 years) were wandering from theatre to theatre and disrupting the viewing pleasure of other customers. When removed from the theatre (and the group was being loud and unruly as the police entered, though it is possible that this was simply because it was *expected* of them), the children were aggressive towards the officers, very defensive with regard to

¹⁰³ “Gypsy” here is put into quotations as it was unclear to me whether this particular group were actual members of the Romany race or whether they were simply “travelers”, which is much more common in England.

their own actions, and denied having entered multiple theatres, which would have been, of course, against the rules of the establishment and tantamount to theft. The officers, however, were very hostile towards these children, refused to “listen” to them (though it was impossible not to “hear” them), and removed them from the theatre with no thought to understanding their perspectives. The officer even admitted to me as we left that he “disliked” Travelers.

As will be evident from this particular example, the category of Ranking, be it by Police or by Citizen, is thoroughly entangled with the social fabric of a society. In this case it was extremely evident that Ranking by Police would serve no purpose in trying to uncover actual truth in the children’s stories (and may have contributed to Quality violations as the group tried to justify themselves), but it was also so severe that the officer did not show an interest in this aspect of the first-contact interview. Instead, the group were removed from the establishment and the vicious circle of Ranking and hostility was perpetuated and reinforced in the members of the young Traveler population that were a party to this event. Fortunately, this was the only example in the entirety of the first-contact interview observations conducted in this study where the citizens’ rights were infringed upon. It will be shown as this chapter continues, however, that much of the Ranking by Police in the UK is performed as a result of “respect issues” stemming from a distrust and prejudice of the citizenry that mirrors that shown to the Travelers in this example.

Quality violations in expected first-contact interviews in the UK

When the results shown in Figure 6-2 are further separated into “expected” (i.e., response to 999 calls for assistance) and “unexpected” (self-initiated by the officer in response to a witnessed infraction of some law) the data analysis revealed 48 expected

calls, with 32 being unexpected. It will be seen immediately that the overall results of this analysis appear to be quite dissimilar to those seen in the North American data and there are some interesting variances (Figure 6-3). These will be discussed in the following sections of this chapter as the comparative aspect of the study is introduced.

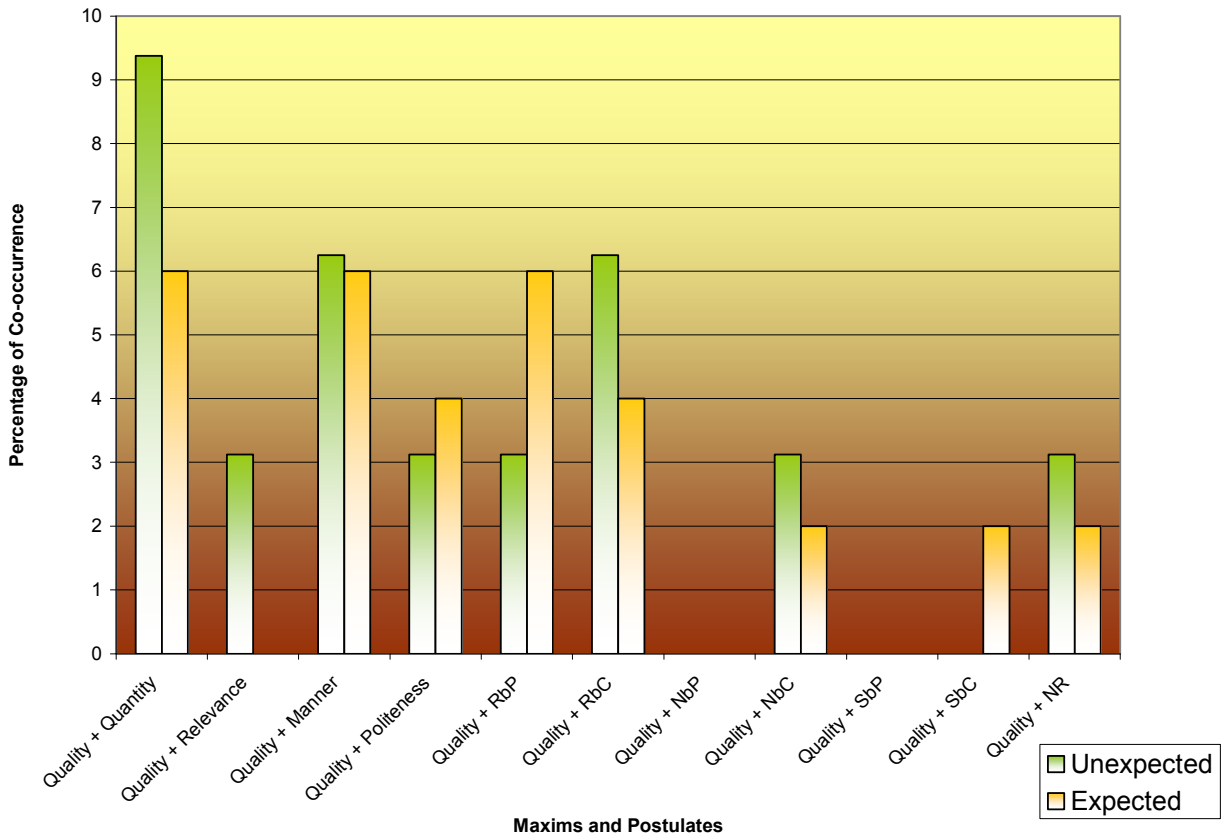


Figure 6-3: Co-Occurrence of Quality Violations with Other Maxims and Postulates in Expected and Unexpected Interviews in the UK

As can be seen in this graph, the highest Quality violation co-occurrences in expected first-contact interviews in the UK are seen with violations of Quantity, Manner, and Ranking by Police. In these cases, the police are responding to a call for assistance and may have little idea what to expect when they arrive on-scene, aside from the third-hand details related to them by the dispatcher. It is of the utmost importance for the details of the call to be related in order for the officer to assess the safety of the situation

and only then can she address the matter of truth detection as she attempts to uncover the events. As with all calls, Quantity and Manner violations are highly frequent with Quality infractions. An example of a Quality violation in conjunction with Manner issues was witnessed in responding to a car accident whilst observing with Wiltshire Constabulary.

In this incident, a man in his twenties had crashed into another car and then attempted to leave the accident. Witnesses had seen him driving, but had seen no-one else in the car. Upon arrival on-scene, the “suspect” told police that he was not driving but had actually been in the passenger seat. He stated that his friend, whose name he could not remember, was actually driving, but had left the scene after the accident as he was scared of the consequences. When asked about his evening’s activities in an attempt to assess whether he had been drinking or using narcotics, the account provided was very muddled, non-chronological, and left the officer unclear as to what had happened. He also used numerous stalling tactics (such as repeating the officers’ questions) as he apparently endeavored to formulate a story in his mind. Given the testimony of the witnesses, it seemed obvious that the man had, in fact, been driving the car, and his attempts to cover his involvement in an attempted hit and run led him to violate the maxim of Manner.

As was seen in the preceding section, it seems the British officer must be made especially aware of the impact that her own displays of Ranking may have on the Quality of related accounts, and this is especially true in the expected interview where there were almost twice as many incidences of Quality violations alongside Ranking by Police than were seen in the unexpected interview. Whereas it is possible that these Quality violations may have been uncovered only through the invoking of social “rank” and

“authority” by the British officer, thereby impressing the social backing and inherent seriousness of lying to the police, it is also possible that these violations, as has been shown previously, may have occurred as a result of Ranking by Police. This is certainly something that needs to be addressed in the training of British police officers in the first-contact interview situation.

Quality violations in unexpected first-contact interviews in the UK

As with the analysis of the North American data, the most common co-occurrences of Quality violations in the unexpected interview are with Quantity and Manner. In this data, however, the third place of Ranking by Police that was shown in the US results is replaced by Ranking by Citizen in the British records. This is perhaps a little unexpected, given the prevalence of Ranking by Police as a whole in the UK, but may be understood through elucidation. Both of the examples of Quality violations that correspond with Ranking by Citizen occurred in the same night during an extremely active public order patrol in Watford with the Hertfordshire Constabulary, but similar examples could be witnessed on almost any busy night in a downtown British “pub district”.

The first of these events was an unremitting display of “over-eager” crowd control by Security working at a particular nightclub that was renowned for being a little “rough”. During the evening, the bouncers at this establishment continuously displayed their own values as being higher in the command of events than the bar’s patrons. This was not typical “crowd control”, however, and escalated to the point that one customer was thrown down a flight of stairs resulting in a dislocated shoulder, and another was pushed into a door so hard that his teeth punctured right the way through his bottom lip. Numerous others received less serious injuries, though there were at least ten people - female and male - who showed obvious signs of having been hurt in the fracas,

specifically, they were actually bleeding. Although the (greatly outnumbered¹⁰⁴) police arrested the involved patrons at first, a review of the security cameras in the club resulted in all charges against these people being dropped and an investigation into the employees at the bar. It was Ranking by Citizen (coupled with violations of Quantity) that created these false arrests, however, as the bouncers asserted their institutional backing and attributed knowledge of events that had transpired inside the establishment over the perspectives given by the injured patrons, and also over the speculations held by the attending police officers. They even attempted to use their authority and position to conceal the videoed evidence of some particularly incriminating areas of the conflicts.

In the second example of Ranking by Citizen, the complainant actually displayed verbal and physical efforts to rank himself over other citizens on the scene, as well as over the attending police officer. It is not uncommon in busy “high town” areas¹⁰⁵ for a taxi rank to be located at one end of the pedestrianised area. This is the case in Watford, and around the time that the bars and clubs are closing, there can be an extensive wait for transportation home. As many of the people waiting are intoxicated the police will often include the taxi ranks as part of their public order patrols on busy nights. On this night, an extremely intoxicated man (I1) had inserted himself at the beginning of the line of people waiting instead of at the end. Possibly as a result of his drunkenness, he was refusing to remove himself and refusing to understand or acknowledge his mistake. Needless to say,

¹⁰⁴ This was an example of an extremely dangerous, near-riot situation that had built up over the entire evening. The bouncers had been riding roughshod over the patrons all night, and as those that remained in the club continued to drink more and more alcohol, the exchanges became heated. At one point, whilst reviewing the security cameras from the bar, it was estimated that there were approximately 100 people fighting. 8 police officers were assigned to this commotion.

¹⁰⁵ This is the equivalent of a pedestrianised “downtown” area in the United States, in which are located bars, clubs, shops and restaurants that people may walk between. It is not unlike an open air shopping mall.

the people who had been waiting, for approximately an hour by this time, were none too pleased at his actions. Upon seeing a patrolling officer (PC2) nearby, one of the citizens in line requested his assistance in removing the man from the front of the line and, understanding that this situation had the potential for conflict, the officer hurried over.

I1 at first refused to acknowledge the officer, as he had apparently been doing with the other people in line. As PC2 moved into his line of vision, the man turned away, and this continued through several attempts. Eventually I1 responded to the officer, telling him simply to “Fuck off”, stating that his need to get home was more important than the other people in line (Ranking by Citizen), and asserting that he had not cut to the front in any case (Quality violation). Once he had begun talking, this man became very verbose, with almost every other word being an expletive directed at either PC2 or the people around him. Prolific swearing in public is a “breach of the peace” in Britain (though it is rarely enforced), and the officer warned the man that he could be arrested if he continued in his behavior. The swearing persisted, and before PC2 could warn I1 again, the man launched himself in an attempt to head-butt the officer in the face. A struggle ensued with I2 being extremely violent in his attempts to hurt the officer and escaping all attempts by PC2 to put him in handcuffs. Eventually, PC2 managed to extract his CS gas and to spray the man in the face (as well as affecting me, the officer, and some of the surrounding citizens who were standing particularly closely). After throwing his handcuffs to me, PC2 held I1 down as much as possible until I managed to securely cuff him.

It is noticeable from these two incidents that violations of this type have the potential to become serious very quickly, and that officers who can recognize the signals of an impending conflict may be able to curb the more dangerous and violent outbreaks.

Whilst these are only two cases, and more research is required to confirm a cause-and-effect relationship, it is apparently the case that alcohol and Quality violations may be intrinsically tied with Ranking by Citizen. This is possibly because the intoxicated person will have less access to the faculties that restrain the likelihood of extreme self-assertion, and the resultant physical violence, that they utilize during normal, everyday interactions. Recognition of such combinations of features may assist in public order situations and contribute to the reduction of examples of conflict, both verbal and physical.

Quality Violations: A Comparative Analysis

As can be seen in the breakdowns above, there are a great number of factors that may be utilized in the training of British police officers. It becomes apparent as these analyses are performed that there are several noticeable differences between the results shown in the British and the American data (Figure 6-4). By examining these results simultaneously it is possible to make some early assertions regarding notable differences with the aim of extrapolating these observations into individualized training suggestions for North American and British police officers.

The largest statistical difference observable is that of the co-occurrence between Quality and Relevance violations in the United States and Britain. It was seen frequently that breaking the maxim of Relevance in the US data could be used as a signaling device for officers in the task of truth detection. This is apparently not the case for the British officer. Although the actual percentage of witnessed Relevance violations are not hugely disparate (breaking the maxim of Relevance was observed in just under 14% of the North American data and in more than 11% of the British examples), it does not appear that a violation of this type may be reliably related to a Quality violation in the UK. In fact, by

co-occurring with Quality violations in only one witnessed example¹⁰⁶, Relevance in the truth detection process may be omitted completely from the training schedule for the British police officer. The reasons for the lack of co-occurrence of this type are difficult to pinpoint. It is apparent that there is a conversational strategy at play in the United States that is not a part of the communicative repertoire of the British speaker, and that irrelevance is, perhaps, a more effective or attractive strategy for distracting the American officer than it is in concealing illegal activity from the British police.

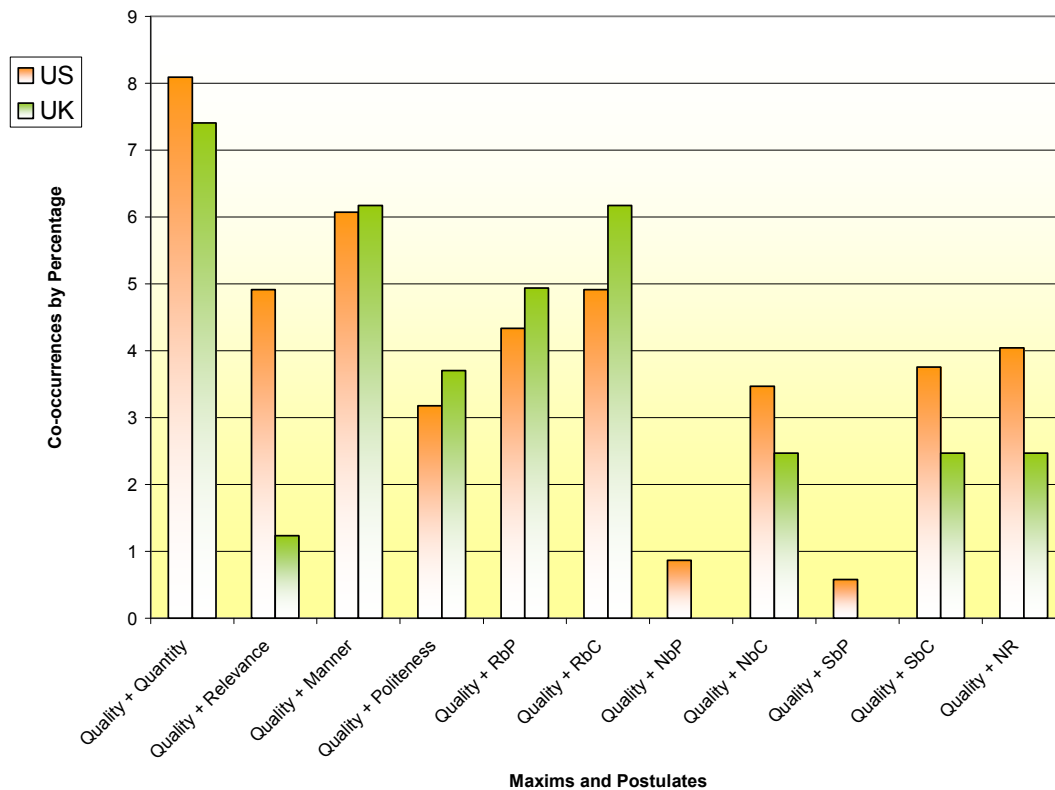


Figure 6-4: Co-Occurrence of Quality Violations with Other Maxims and Postulates in the US and UK

¹⁰⁶ The example of Relevance and Quality co-occurring in the British data was also very weak. PC3 was conversing with an informant with regard to local drug activity, and the informant stated – amongst a mass of irrelevant information – that he would be in touch with the officer as soon as anything came to light. PC3 stated that this would not happen (information had only ever been previously provided by this man under questioning), but that the informant simply wanted him to leave.

It is also observable that the categories of Number by Citizen, Norm Resistance and Sex-based gender by Citizen are more applicable to the American officer as she attempts to uncover the actual facts of an event or to control possible conflict than they are to the British police. The latter of these is perhaps surprising given that a much higher percentage of observations were conducted with female officers whilst collecting data in Wales and England than in the United States. As was seen in chapter five, there are times when male subjects will utilize their sex and physical size to attempt to intimidate or impose social rank on female officers as a method of concealing Quality violations. This was not seen even once in the British data, as all examples of Sex-based gender by Citizen were males ranking themselves against females in the dispute not over the (female or male) officer. In fact, a female officer was admitted (along with this female researcher) to the exclusively male sector of a Muslim mourning gathering in order to collect the official details of a death that had occurred unexpectedly at home – a sign of the inherent authority of the policing service in Britain, rather than a reliance on the characteristics of its representative that is seen so much in the United States.

When looking at the results on the right-hand side of Figure 6-4 on the other hand, it is apparent that there are indicators that may be of use to the North American officer. Norm Resistance was seen much more frequently with Quality violations in the United States than in the UK making it something that the American officer should be alert to if a lie is uncovered. Reasons for this were discussed in chapter five, as were some suggestions for the relatively high co-occurrence of Quality violations with examples of Number and Sex-based gender by Citizen. What is highly interesting, however, is that examples of Quality violations in conjunction with Number by Police and Sex-based

gender by Police were completely absent from the British data, though several occurrences were seen whilst observing US officers.¹⁰⁷ Whilst Sex-based gender by Police was often exhibited through a heightened concern for the well-being of a female as compared to that of a male (a sentiment that is socially sanctioned and, regrettably, often required in our culture), examples of Number by Police were often indicative of a singularity of perspective characteristic of the police officers, the law they are enforcing, or both.

Many of the laws in our society are concerned with “the good of the many” over “the wishes of the one”, that is, community as opposed to the individual. For example, the previous Sheriff of Alachua County, Steve Oelrich, instigated a widespread campaign that was concerned with “quality of life” issues. Such matters included noise violations from loud car stereos, from sound systems within an abode, or from modified vehicle exhausts.¹⁰⁸ More than 70% of the traffic stops witnessed with this agency were as a result of one of these infractions, and the drivers were almost universally given citations for the infraction, despite the fact that many of them stated that they had no knowledge of the existence of such a law. Unfortunately, in this case as in all cases, ignorance is not a valid defense and it remains the responsibility of vehicle operators to be apprised of rules and regulations to which they may be held accountable. Whilst these laws were

¹⁰⁷ The sexual assault on a homeless woman detailed in chapter three was an example in the US data that contained both Number and Sex-based gender by Police, as well as Ranking by some of the American authorities that responded.

¹⁰⁸ The laws with regard to these issues were recently amended so that citations may be issued if a car stereo is able to be heard more than 25 feet from a vehicle or 100 feet from a house. It is illegal in Alachua County for a vehicle exhaust to have been modified from factory specifications if the modification is any louder than the original exhaust. This caused an outcry among the motorcyclist population in the area (it is common to replace exhaust systems on motorcycles for both performance and aesthetic effect, and these modifications are almost universally louder than the original system) and many community debates have been held on the subject. At the last hearing the law was upheld, but deputies were advised not to stop motorcycles for this violation unless the infraction was especially severe.

controversial and unpopular in the community, there is a place for singularity in the law. It may be the wish of a member of the population to spend all evening in a bar and then be permitted to drive home, but it is for the good of the community that Driving Under the Influence (DUI) laws are in place and enforced.

One interesting factor shown in Figure 6-4 is the lack of significant difference between the results seen for Quality violations in conjunction with Ranking by Police in the US and UK data. As was seen on several occasions in this chapter, there were many more witnessed occurrences of this type in the British observations. It does not appear, however, that these contributed to Quality violations on a significantly larger percentage of occasions than with the North American usages. It was shown in chapter five, however, that Ranking by Police was also sometimes seen as a contributing factor to Norm Resistance. The remainder of this chapter will examine verbal and physical Norm Resistance in the British data, and assess the contributory force of the maxims and postulates to such occurrences.

Norm Resistance in the UK

Norm Resistance is a major concern for police in Britain as it is for officers in the United States. Whether the resistance is verbal or physical, there is always the potential for a conflict to escalate until one, or more, of the parties involved gets hurt, or even killed. The levels of Sophistication and Organization displayed by the British police are similar to that of the North American agencies, though it will be seen below that certain variations in the systemic structure of the policing service in the United Kingdom have an important effect on levels and reasons for Norm Resistance (Figure 6-5).

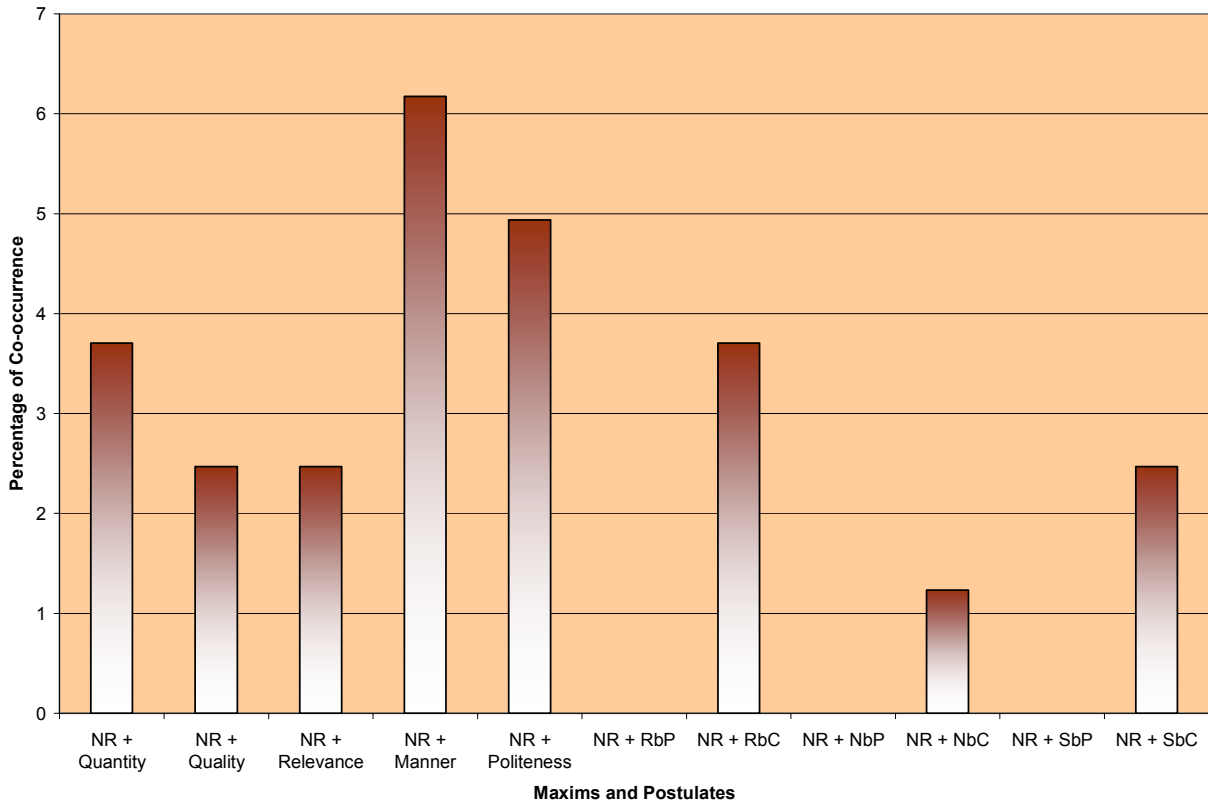


Figure 6-5: Co-Occurrence of Norm Resistance with Other Maxims and Postulates in the UK

As is evident from the diagram above, the most frequently found co-occurrence for examples of Norm Resistance in the British data was that of Manner. It is also interesting to note that in all but one of the cases where these two factors were seen together the maxim of Politeness was also broken. In the entire dataset of British first-contact interviews, in fact, there was only one situation in which Manner and Politeness co-occurred and there was no evidence of Norm Resistance. In that case, however, the possibility of Norm Resistance was somewhat impeded by the fact that the citizen was at first hooked on a perimeter fence as he attempted to flee the scene of a breaking-and-entering, and then securely restrained in the back of the patrol car. He was still, nonetheless, verbally “feisty”, though displayed no definitive examples of Norm Resistance. It appears from these statistics, then, that the high rate of co-occurrence of

these factors may signal an important relationship which may be utilized in the assessment of Norm Resistance by the British police officer, that is, when Politeness and Manner violations co-occur the possibility of Norm Resistance is greatly increased.

One witnessed example of this co-occurrence was an extremely severe case of resisting arrest with force. While observing with the Wiltshire Constabulary, a report came in that a serious battery had occurred at a bar very close to the central police station in Swindon and the perpetrator had escaped on foot. PC4 was very close to the station at the time and followed the directions given by the caller, soon spotting the suspect (S1) fleeing down a back street. When the fleeing man refused to stop, PC4 chased him on foot and eventually, after scaling an 8-foot wall topped with razor wire, apprehended S1. From the moment he was in custody, S1 continuously broke the maxims of Quantity (by never ceasing in his talking), Quality (by denying his involvement in the crime and in having seen the officer(s) chasing him), Politeness (through swearing and verbal insults directed towards the arresting officers and jail personnel), and Norm Resistance. These infractions continued for more than two hours, during which time S1 seriously injured two police officers (by head-butting one in the face and biting the other) and was held down physically by at least three officers for more than an hour as they awaited the arrival of the doctor to sedate him and admit him to a medical unit.¹⁰⁹ Whilst this was a particularly acute example of Norm Resistance against the British police, it was not unusual enough to be dismissed. In two out of three of the cases of Norm Resistance

¹⁰⁹ This rather unusual action was required as S1 attempted to injure himself whenever he was left alone in an interview room or cell by throwing himself or smashing his head against the walls and door. It was unclear throughout the encounter whether his extreme reactions were due solely to alcohol, or whether he had taken some kind of drugs. The doctor at the jail did not believe that drugs were present in S1's system, though he admitted him to hospital for further tests and for treatment of his, mostly self-induced, injuries.

witnessed in the UK, the attacks were severe and directed against officers, as well as at others present on the scene.

What is particularly interesting in the data on Norm Resistance in the UK, however, is that there were no examples displayed in co-occurrence with DT postulate violations by the law enforcement officers. This is extremely noteworthy in the case of Ranking by Police which is, as was seen above, a very active category in the British observations. It does not appear, however, that Ranking by Police in the United Kingdom is a major contributor to Norm Resistance, and possible reasons for this may only be hypothesized. One such proposition may be that, unlike in the United States, the British police are *expected* by the general public to display Ranking. As was described in chapter two and at the beginning of this chapter, the policing service in the United Kingdom maintains the quasi-military structure that was an integral part of Sir Robert Peel's vision of law enforcement at its inception. Such a structure imposes a ranking hierarchy, both internally within the policing service, but also externally in the cultural fabric of a society. Police forces and their representatives are, by definition, agents of social control, and this is felt more profoundly in the United Kingdom than in the United States due to the visible and publicized connections that each of the 43 agencies holds to the Home Office of the British government. Whether the general populace agrees with the philosophy or practices displayed by the governmental department and the policing agencies is irrelevant when the system is backed by such political and official strongholds, specifically, showing extremely high levels of Turk's category of Organization. As Turk states, the "consensus-coercion balance" is maintained and propagated, and eventually

become normalized and accepted. This is one suggestion for the fact that DT postulate abuse is seen, but not reacted to, in the British data.

Norm Resistance in expected first-contact interviews in the UK

Upon separating the British data on Norm Resistance into Expected and Unexpected calls, some immediate divisions become apparent (Figure 6-6). These include the fact that examples of Norm Resistance in conjunction with Quantity, Relevance, or Sex-based gender by Citizen were only evidenced in these Expected calls. In fact, on two occasions violations of Quantity, Relevance and Sex-based gender by Citizen were all evidenced simultaneously in co-occurrence with Norm Resistance.

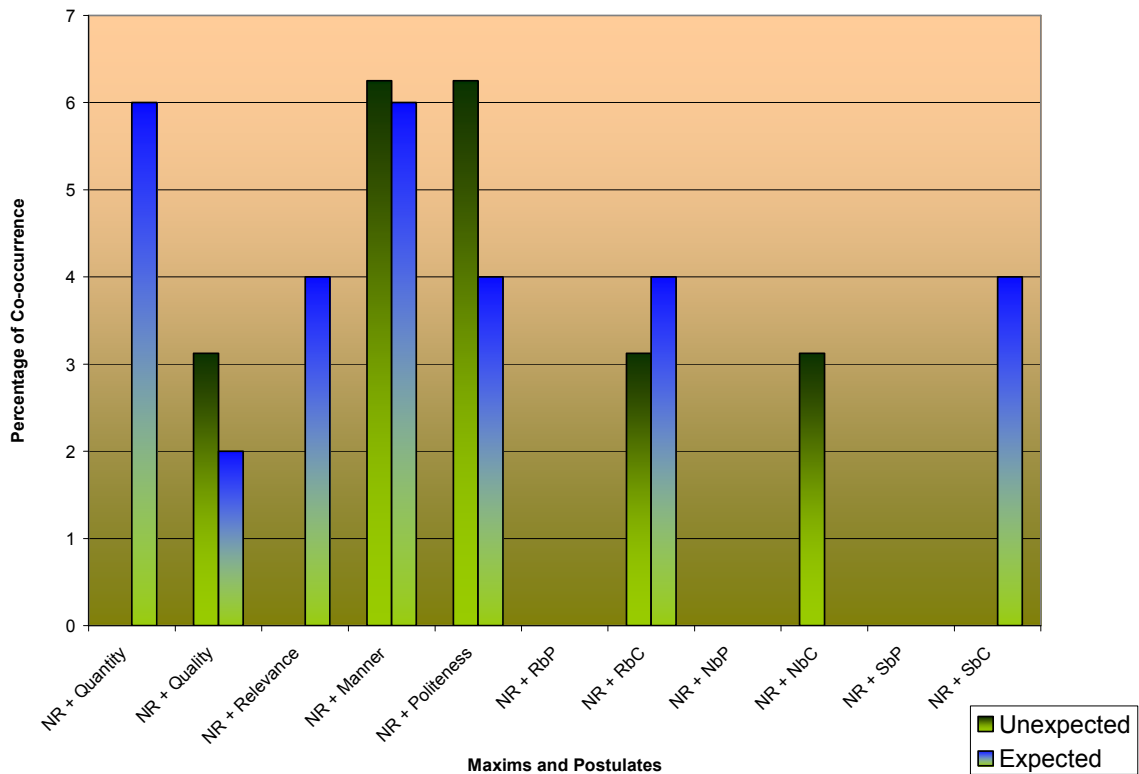


Figure 6-6: Co-Occurrence of Norm Resistance with Other Maxims and Postulates in Expected and Unexpected Interviews in the UK

In the first of these cases, the lines were not quite as clearly drawn as has been seen previously as the Sex-based gender by Citizen and Norm Resistance were displayed not

towards the law enforcement officers, but within the conflicting group itself. In this case, the Hertfordshire Constabulary responded to the home of a Yemenese family in which a son had physically attacked his father. There were no language barriers in this situation as all present were perfectly fluent in English, but there was a very obvious cultural divide evident in the way that the parents felt that they could (and should) deal with their children, and in the expectations that they were placing on them with regard to maintaining their cultural heritage. Rebelling against impositions placed on him with regard to dating (or perhaps having sexual relations with) a white girl, the 17-year old son in this family had entered into a long, heated argument with his parents that had eventually resulted in him attacking his father, punching him several times in the face and pushing him to the ground – a very serious display of Norm Resistance, especially given the cultural background of this particular family.

During the debacle, the boy's mother had inserted herself between the two males, hoping that her son would desist in his physical assaults for fear of hurting her – this had been effective and the physical aspects of the conflict had ceased, showing an interesting utilization of Sex-based gender by Citizen and the underlying social roles that women and men are permitted to hold. All parties were present when the police arrived and all gave their accounts willingly. The father consistently broke the maxims of Quantity and Relevance throughout his retelling, giving a great deal more information than was required and referring to people and events that were not connected to the current situation. His displays of Ranking continued throughout the discussion, both with regard to his authority over his son, and also to the importance of the family's cultural values and heritage, though he displayed no social Ranking towards the police officer or the law.

It was obviously very distressing for these parents that their child was drawing away from his background in such an alarming and violent fashion, and they were at a loss as to how to deal with it. Unfortunately, in the United Kingdom a child may legally leave home at the age of 16 years, and under the protection of the attending police officers (which was a duty forced upon them, despite any opinions that they may have on the matter at hand), this young man left the house with the intention of fending for himself from that point onward.

In the second example of Quantity, Relevance, Sex-based gender by Citizen and Norm Resistance co-occurrence, the North Wales police were called to a pub in Wrexham where a man had entered the establishment, seen his ex-wife out with some friends and assaulted her. The assault was a serious head-butt to the face, upon which it appeared that the woman's nose may have been broken. The man, in one of his many Quantity violations, stated that if her nose were not in fact broken, then he would return to finish the job. Although this subject displayed no physical examples of Norm Resistance towards the arresting officers, he was extremely disrespectful and threatened them verbally as they detained, restrained, and arrested him. His continued threats towards his ex-wife in the presence of the police also displayed a lack of respect for the official capacity of the law enforcement officers (as well as his wife), though his Sophistication and Organization were both very low due to his intoxication and the lack of support for his actions by all present, even those with whom he was acquainted. In this case, the Organization of the police was supported by that of the general public as the man's physical displays of breaking the postulate of Sex-based gender by Citizen and

assaulting his former wife in such a brutal fashion in a public arena brought upon him the disapproval of all present.

From these two examples, it is clear that Norm Resistance may be manifested in a number of ways, not only as resisting arrest, but that each of these occurrences presents a unique challenge to the communicative skills of the law enforcement officer is clear.

Whilst recognizing the possibility of overt conflict must be an important aspect of this training, the further ability of being able to untangle underlying motivations behind such assaults may be an additional benefit in training techniques of this type. Recognizing the communicative tools employed by the parties in a conflict and being able to assess the application and importance of the viewpoints asserted will be a valuable instrument in truth detection, conflict recognition and resolution, and in crisis negation at all levels.

Norm Resistance in unexpected first-contact interviews in the UK

As with the 30 first-contact interviews resulting from 999 calls for service seen above, there was also a category in the analysis that was only activated in the unexpected, self-initiated calls and stops in the British data. The category of Number by Citizen was exclusively witnessed in the examples of unexpected calls, and this only occurred in the assault on the British officer assisting in the taxi-line dispute in downtown Watford that was described above. In that particular example, the citizen refused to acknowledge the rights of other people, Ranking himself as being the most (singular) important in this situation and refusing that others may have rights according the established rules of the society. In resisting the officer's attempts to mediate in the disagreement, this citizen displayed Norm Resistance with regard to recognizing the authority of the police officer, but his attempts were both unsophisticated (due to his intoxication he could not communicate or empathize with the perspectives of others) and lacked Organization (he

had no support from the surrounding citizens) making his efforts futile and ineffective. This citizen resisted arrest on the scene, as was detailed previously, but once taken to the van that would convey him to the jail he continued his assaults on people in authority as they attempted to place him in the transit van, and to attack corrections officers once he had arrived at the holding facility. His singularity (probably combined with copious alcohol intake and compounded by his lack of community Organization) landed him in a cell for the night and with charges of BLEO (Battery on a Law Enforcement Officer) and resisting arrest as he faced a judge in court.

Whilst discussing unexpected police first-contact interviews, it is also interesting to note that there are significantly more examples of both Quality and Politeness violations co-occurring with Norm Resistance in this particular circumstance. Again all of the witnessed examples were during public order patrols and involved significant amounts of alcohol (on the part of the citizens!). One occasion in which Norm Resistance and Politeness infractions co-occurred in an unexpected first-contact interview occurred during a night patrol with Cambridgeshire Constabulary, when several young males got into an altercation in the downtown area of Peterborough during the hour at which the pubs and clubs were beginning to close their doors. Alerted to the fight by CCTV operators, officers in the “rowdy van”¹¹⁰ arrived very quickly on-scene and were able to disperse most of the fighters. Two men remained, however, and continued fighting despite the best efforts of the attending officers and both were verbally abusive towards each other and the police. Eventually, the men were separated and subdued. One of these

¹¹⁰ This is an armoured transit van in which up to twelve officers may be conveyed at once to an area in order to perform foot patrols and to respond en masse to crowd control situations. The rowdy van is commonly seen downtown in metropolitan areas on busy nights as patrolling in a police car is mostly pointless in the pedestrianised zones.

men was exceptionally violent and threatening towards the arresting officers and became combative once again upon arrival at the jail. It took several officers to safely subdue the man and, as well as being handcuffed, leg restraints were placed upon him for the safety of those around, and of the man himself.

According to officers, this is not an unusual occurrence on busy nights at the clubs, supporting the notion posited in previous sections that the mixing of alcohol may, unsurprisingly, be a contributing factor to Norm Resistance as well as to Quality violations. This is supported again by the fact that Politeness and Manner violations co-occurred in all witnessed examples of Norm Resistance in the unexpected first-contact interview scenario, making these a set of conjoined factors that must be considered in assessing the likelihood of conflict in both public order and unexpected interview situations.

It is unclear why there were no examples of Ranking by Police in this category, and perhaps more research in the area would be required to confirm whether this is a typical state of affairs. Intuition would suggest that police would be required to assert themselves in these types of situation more than in many others, but if this does indeed happen it is apparently not a contributing factor to the possibility of Norm Resistance, at least in these witnessed examples. A further hypothesis as to why this may be the case is made in the conclusion to this chapter, and it is suggested that it may be relevant in all examples of Ranking by Police in the British data, not just those that may, or may not, exhibit examples of Norm Resistance.

Norm Resistance: A Comparative Analysis

As a total, Norm Resistance was seen in over 10% of the US data, and in more than 7% of the British observations. This is an alarmingly high number given the nature of the

offence, and the potential seriousness of the outcomes – both in the safety of all concerned, and the compounding effect on the original crime that such resistance may accrue. The detailed accounts above and in the preceding chapter allowed discussion of co-occurring factors of Norm Resistance and the maxims and postulates being discussed in this study, but it may be useful to the aim of training law enforcement officials to highlight some noteworthy differences in these co-occurrences on either side of the Atlantic Ocean. As was seen in earlier chapters, effective policing methods that are employed in foreign countries are often imported as a bundle into other nations, with little or no regard given to contributory factors that may impinge on the implementation, effectiveness, or final results of the scheme. Foregrounding some of the differences seen in such environments may serve to maximize the efficacy of these experiments by allowing programs to be tailored to particular settings (Figure 6-7).

Whilst many of the results show a level of consistency between the two countries, a few discrepancies may also be observed. Among these are the higher levels of Quality violations and Ranking by Police seen in conjunction with Norm Resistance in the United States than in Britain. The latter of these conditions (Ranking by Police) was discussed in some detail with reference to the US situation in chapter five, and reasons for the disparate results seen in the comparative analysis are hypothesized in the conclusion to this chapter. The matter of Quality violations in conjunction with Norm Resistance is puzzling, however, as is the fact that there was a significantly greater number of witnessed Quality violations as a whole in the US (102 occurrences, giving appearance in almost 30% of first-contact interviews) as opposed to those observed in the UK (totaling just over 22%). It may be that, had observations been allowed to continue for more time

in the UK, these results would even out over time, but given the data that was observed in this study, it appears that North American citizens feel more inclined to lie to police officers, and to react violently when these indiscretions are uncovered (i.e., display Norm Resistance), than their British counterparts.¹¹¹ More research would need to be conducted in order to make any suggestions as to why this is the case.

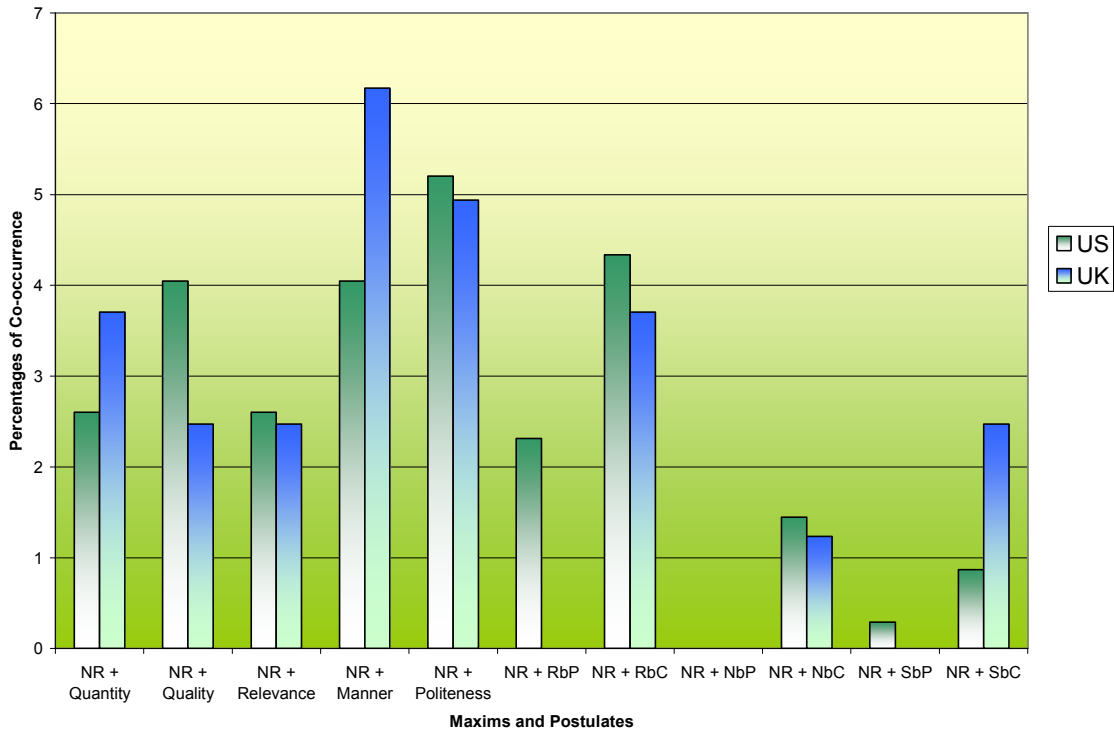


Figure 6-7: Co-Occurrence of Norm Resistance with Other Maxims and Postulates in the US and UK

With regard to the peaks in the British data, Figure 6-7 shows clearly that there was a higher incidence of Quantity and Manner violations, as well as Sex-based gender by Citizen in relation to Norm Resistance in the UK than was noted in the United States. The

¹¹¹ There is another possibility for the apparent prevalence of Quality violations in the US as compared to the UK, and this may also be related to the researcher. It is possible that the British people observed were simply better at concealing their untruths than those in the United States. It must be remembered that only *observable* Quality violations counted into the statistics, and this may have been a contributing factor. This should not have had too serious an effect on the numbers, however, due to the fact that, as mentioned previously, many Quality violations witnessed and counted were due to the provision of conflicting stories by persons present, rather than the discovery of a lie through interviewing and questioning.

significance of these discrepancies is highly noticeable in the latter two of these categories, Manner and Sex-based gender by Citizen, though, as was seen in the description provided earlier in the chapter, the vast majority of the occurrences of Manner violations occurred in conjunction with alcohol intake whilst observing public order patrols in busy downtown areas. Whilst observations of this type were undertaken with Gainesville Police Department and the University of Florida Police Department, there was a significantly higher percentage of time spent performing these duties with the British agencies, and this may account, at least in part, for the spike seen in the results for Manner in co-occurrence with Norm Resistance in the UK data.

As Sex-based gender by Citizen was not seen in a larger percentage of incidents in the UK (approximately 7.5% of first-contact interviews) than in the US (just over 8% of total occurrences), the fact that it is seen to appear more with Norm Resistance is of interest. In all but one of these happenings in the UK (the exception being the Yemenese family's domestic dispute described above), the Sex-based gender by Citizen was manifested as a physical assault on a female by a male. In all cases the female knew the male attacker, and in all but one case the suspect was a partner or former partner (husband or boyfriend) of the victim. Whilst a great number of domestic conflicts were visited with the American agencies observed¹¹², there was only one case in which the female was physically assaulted by the male. It appears that the results shown in this particular aspect of this analysis are indicative of a more endemic problem that may exist

¹¹² There are 20 cases listed in the data as being "domestic", though a great many more were actually stemming from "domestic" situations. For reasons mentioned in chapter three, the mandatory arrest policy for domestic incidents in the state of Florida creates a situation in which officers are disinclined to label an event as a "domestic" if an arrest is not requested or necessary. This labeling trend may have leaked into the data entries for this study in an attempt to keep accurate records of arrests, as opposed to warnings and citations.

in the British societal fabric as much as they may be utilized as a training tool for police officers.

Conclusion

The quantitative breakdown and results given in this segment of the analysis displayed a number of notable differences between the UK and the US data. Many of these were discussed above, but something of interest that should also be mentioned is the patterning of “clusters” that was seen on multiple occasions, but almost exclusively in the British data. As was related in the provision of real-life examples in this chapter, there were a number of occasions when three or more of the postulates and maxims were activated simultaneously in the British data. For example it was seen that Politeness and Manner were frequently seen in a triple-way relationship with Norm Resistance. This was not the case in the North American data, however, where violations were witnessed in pairs the majority of the time, the only exception being Quantity violations, which were often, as mentioned in chapter five, signals that others maxims were being broken. This is an interesting dichotomy, and reasons for its occurrence may only be hypothesized. One explanation could be that the British citizenry, having broken one maxim or postulate, may feel it is less important if others are also flouted or disrupted. This should, however, make a Quality violation, for example, more noticeable but this does not seem to be the case. It could be, on the other hand, that the further maxim and postulate violations are utilized in an effort to conceal the Quality violation and that this is an effective strategy. This is something that would require further investigation and a detailed and specific research hypothesis and methodology.

Another factor seen several times in the analysis above was that Ranking by Police occurs many more times in the British data than in the observations undertaken in the United States (Figure 6-8).

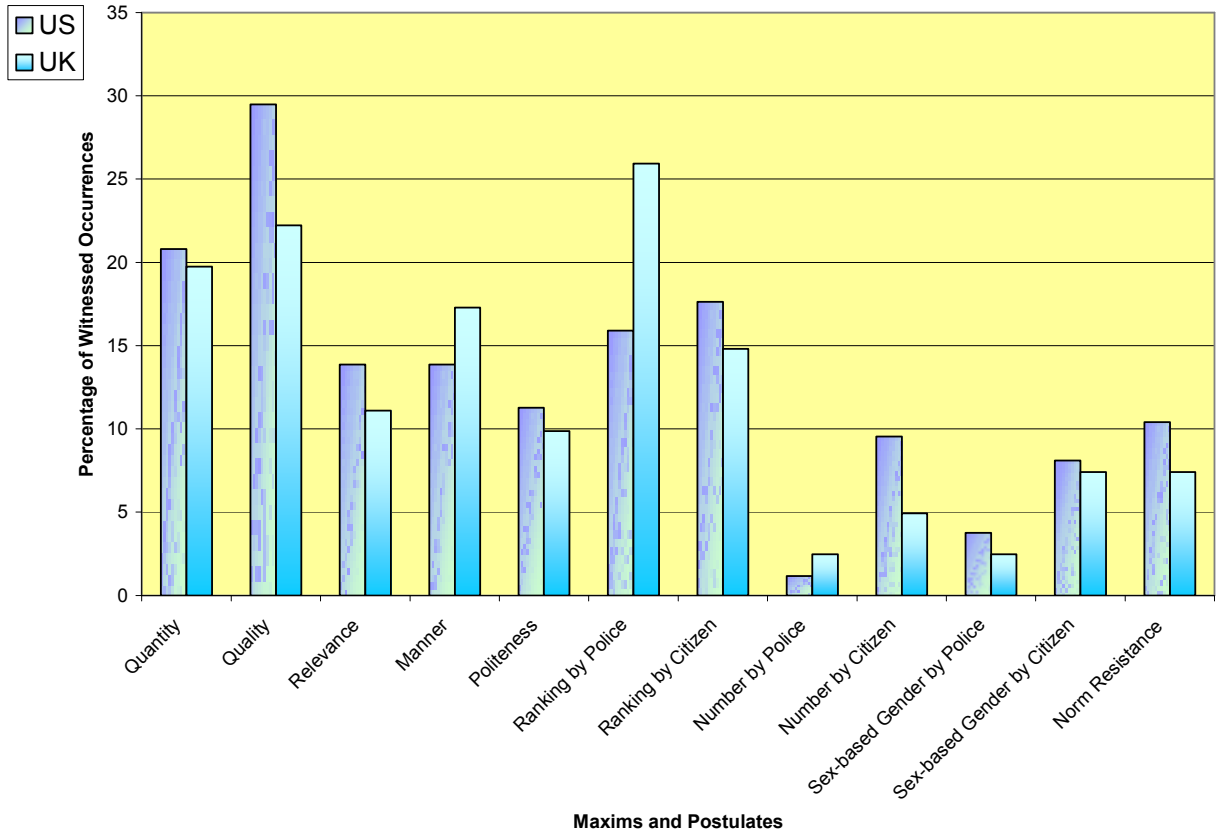


Figure 6-8: Total Percentages of Maxim and Postulate Occurrences in the US and UK

Whereas Ranking by Police was often utilized as an assertive tactic in unexpected first-contact interviews by American law enforcement officers, it was still seen to co-occur with a significant percentage of Quality violations and Norm Resistance. In the British data, however, despite the vastly greater percentage of Ranking by Police that was displayed, there was less co-occurrence with Quality violations, and no examples of Ranking by Police seen in conjunction with Norm Resistance. Whilst the Organization of the UK police forces and their intrinsic connections with the Home Office and the British

government were suggested above to be one reason why this may be the case, another suggestion may revolve around the “respect issues” that police in the United Kingdom are faced with on a daily basis.

As was mentioned earlier in this chapter, the levels of respect outwardly displayed to police in the United States and in Britain are hugely disparate. Whilst it may seem counterintuitive to those of us that live in North America, the police in Britain are respected far less, and this is expressed physically and verbally on an almost daily basis. To give but one illustration of the manifestations of the disrespect, the matter of recognition outside of the workplace may be used. Police officers in the US are often allocated a patrol car that is solely theirs during their time on patrol. Typically they will park this vehicle outside their apartment or house and it will serve as a security feature for the entire neighbourhood.¹¹³ In Britain, however, these cars would be vandalized and the house and family of the officer would be targeted for defacement and abuse. It is typically the case that British police officers will arrive at the police station in plain clothes, and only then change into their uniforms in order to remain incognito in their residential areas.

Undoubtedly this is an extreme situation, and there are countless historical events and happenings that have led to this state of affairs. One of the major contributing factors, however, is the lack of belief that the general public holds in the policing services in the UK, and this contributes to a major deficit in the respect levels that are afforded to general patrol officers:

¹¹³ In fact, many officers and deputies receive discounts on their rent or condominium association fees if they do park their patrol cars in a visible place whilst they are at home. Complex owners and committees place a great deal of value on the security factor that these arrangements grant to the surrounding domiciles.

One of the central reasons for the collapse of confidence is the perceived growing ineffectiveness of the police in supplying an effective law enforcement service. This is indicated by the escalating crime rate and plummeting clear-up rate.

Reiner (1995a:33)

As the above quotation (which refers to the British situation) would suggest, when observing officers and deputies at work in the United Kingdom and the United States it becomes immediately apparent that there is a huge differential in the levels of respect that law enforcement officials receive in the two countries. British officers are not respected to any degree by a large percentage of the general public and, in fact, are frequently disrespected to their faces. Given the histories of the forces, this may seem surprising. The “Peelers” were devised as a service to the British people and, indeed, they have received high levels of respect in certain eras, for example the Golden Era of the 1940’s and 1950’s described by Reiner (1995a). More and more, however, the police became a crime fighting force, as opposed to one providing public services, and confidence in their abilities has plummeted, deeply affecting public perceptions.

To illustrate, although it appears, during observations, that the British police are generally more *liked* by the public they serve than their American counterparts¹¹⁴, comparatively the respect levels are extremely low. It is suggested here that one reason for this is the general public opinion that the police fail to solve crimes, and that reporting anything to them is, therefore, pointless. This was especially evident during the 1980’s when several highly publicized cases emerged that illustrated huge miscarriages of justice, for example the case of the Guildford Four. In 1975, Paul Hill, Gerry Conlon,

¹¹⁴ It is not unusual for citizens to approach British police and engage them in general conversation or “small talk”, whereas this happened infrequently during observations conducted with the North American agencies included in this study.

Patrick (Paddy) Armstrong and Carole Richardson were convicted of bombing a public house in Guildford, Surrey, as part of the Irish Republican Army's attacks on England that were characteristic of that era. The Four spent more than 15 years in prison after being convicted of murder and treason (the judge at their trial stated that he wished the death penalty were still in use), but claimed to have been abused and tortured by police during their interrogations until they signed confessions. In 1989, a detective reviewing the appeal found huge amounts of evidence that interviews had been altered and tampered with, and that notes had, in some cases, been completely fabricated to achieve the desired conviction. In this same year, the charges were overturned, and the Four were released. This case, as well as others (including the Birmingham Six and the Maguire Seven, also IRA related bombings, and, ironically, partly related to the case of the Guildford Four) seriously damaged the image of English Police services. This is an effect that is still seen in the opinions of people today, as demonstrated in the continually low approval ratings of police since this time (e.g. Reiner, 1995a).

While these miscarriages of justice are hugely influential in public opinion, another reason for the disparity in levels of respect between the UK and US policing services may be the differing levels of discretionary force available to street-level law enforcement. In the US, in general, officers and deputies are given a great deal of opportunity to use their discretion in pursuing certain crimes. With the exception of cases of domestic violence (as discussed in chapter three), officers responding to situations frequently have the alternative of not pursuing an arrest in the case, and attempting to resolve the situation as a "code Victor", that is, a verbal warning is issued, but no follow-up investigation is required. In contrast, with the public eye so heavily placed upon police actions and results

in the UK since the instigation of the Police and Criminal Evidence Act (PACE) in 1984, British officers are often *required* to make an arrest where it may not necessarily be the most sensible of action. Police procedure is, due to the increased powers of arrest, investigation, seizure and detention invested to an officer through the PACE Act, under heavy scrutiny and monitored constantly for breaches of the PACE Codes of Practice. Officers are accountable to their superiors for their decisions, and the superiors are accountable to those above them. In attempting to “codify police powers in the investigation of crime” (Reiner, 1995a:21), the police in England and Wales are now so narrowly regulated that discretionary force is practically impossible.

To illustrate, whilst observing with the Lancashire Constabulary, Dispatch sent us to a fight outside a school. Two 14-year-old boys had got into a serious altercation over a game of football (“soccer” in the US). Boy A had made a particularly hard tackle, whereupon Boy B had challenged him to a fight and thrown the first punch. A brawl had ensued, and Boy B had been quite seriously injured, having all four of his top front teeth knocked completely out, as well as showing other facial and mouth injuries. The boys had apologized to each other and shaken hands before the police had even arrived. They both gave the exact same story (neither boy tried to diminish his part in the proceedings), as did the several witnesses present. It transpired, however, that the police would be *expected* by the public to arrest Boy A in this case. Although the matter was the responsibility of Boy B, a fact that he freely admitted, and although Boy B did not wish to press any charges, the police were railroaded by public expectations to make an arrest and Boy A would be charged with Aggravated Bodily Harm (ABH).

This type of event in which the hands of an officer are tied, despite any inclinations that they may hold with regard to the common sense methods in which to deal with a particular event, is indicative of how the lack of discretionary force available to British officers may serve to tarnish their image with the general public, a public who perceive the police more and more as robot servants of the government. It also goes some way to explaining, however, why the Ranking by Police witnessed so comparatively frequently in the British data led to a far lower percentage of co-occurrence with Quality violations and Norm Resistance than was seen with the US data. Police are intrinsically associated with the government and with the political makeup of British society. As such, the cultural hierarchy displayed by these agents is both expected and accepted by the public, bolstering their institutional Sophistication and Organization factors, and thereby reducing the likelihood of Norm Resistance and, apparently, Quality violations.

Now that the quantitative analyses of both the North American and the British data have been introduced and some preliminary suggestions have been made with regard to aspects of the first-contact interview that may be of use in training law enforcement officials in this capacity, the following chapter will address the qualitative aspects of the study. This must necessarily include an understanding of the current practices of police academies and in-service training personnel, as well as suggestions for modules and syllabi utilizing the theoretical categories employed in this study. It is shown that operationalizing these linguistic, social, and cultural maxims and postulates is of the utmost importance – and difficulty. Effective teaching, however, may provide an effective foundation for officers to utilize and hone throughout their careers as they pursue matters of truth detection and conflict prevention, recognition, and resolution.

CHAPTER 7 TRAINING SUGGESTIONS

Introduction

...for law enforcement purposes, an *interview* is a formal or systematic technique for obtaining information from someone who knows about a situation or crime. This information enables law enforcement to continue or conclude an investigation.

Florida Department of Law Enforcement Instructor Training Manual, Unit 15:4

The preceding chapters have provided illustration of how the theoretical constructs utilized in this present study may be recognized and observed, and how

they group together as signifiers for truth detection and issues of Norm Resistance.

It is now possible to conceive a qualitative aspect to this research and to make some preliminary suggestions as to how the statistical analyses in chapters five and six may be actualized as training tools for police officers in first-contact interview situations. In order to make such proposals, it is first necessary to establish what officers are currently being taught and are expected to know given the existing training structure. This is discussed in the next section and, as such, provides a framework within which suggestions for training based on this current research may be made

Current Teaching Practices

All police officers in both the United States and the United Kingdom are required to undergo extensive training before taking up their positions as law enforcement officials. Whilst this is accomplished in differing fashions, the philosophies remain similar, to be exact, to prepare the officer to be a competent and specialized member of the social fabric, ensuring the safety and comfort of the citizenry whilst maintaining high

levels of safety and professionalism. Information on the details of training techniques is not readily available to the regular citizen, and can be difficult to access. However, the operational standards to which law enforcement professionals are meant to be trained, and to adhere to in their professional careers, are obtainable by any interested party through state departments of law enforcement, or through the national (government) equivalents in the United Kingdom. As the majority of the research undertaken for this study was performed in the United States and, as such, information was much more readily available with regard to the training situation in North America, the principles of US officer training are introduced in detail below. Some suggestions are then made with regard to aspects of officer training improvements in both the United States and the United Kingdom that were extrapolated from statistical analyses performed in the preceding chapters.

United States Officer Education

Police academy training in North America varies from state to state, but also from institution to institution. Each is regulated, however, by state and federal guidelines with regard to minimum officer training standards, and most courses range between 600 and 800 attendance hours (approximately 8 hours per day for up to 20 weeks at either a community college, or agency-sponsored training centre) that are required for graduation. Recruits must then pass the relevant state certification examination in order to become fully-fledged law enforcement officials. An example of a basic police academy training outline is provided in Appendix D (Table D-1). Upon hiring, as was detailed in chapter two, recruits are then subject to further training as designated by the individual agency with which they are employed. This may range from a few days spent in “orientation”, to a mini-academy and field training period that may last for many months. For the

immediate purposes of this paper, it is the basic police academy training that will be the focus of this chapter.

There are very wide variations on the theme presented in Appendix D, depending on the requirements of each, individual state. Although most of the same topics are covered in each academy (for example, the state laws, practices of the police officer, and most of the “practical policing” and “investigative skills” seen in Appendix D), the emphasis and importance given may vary considerably. For example, Colorado Mountain Law Enforcement Training Academy at Spring Valley (in Glenwood Springs, CO) is an example of a progressive establishment in what may be considered a rather staid learning area. The following is taken from their recruitment brochure:

We believe that citizens want to have adults acting as peace officers in their communities. Therefore, we encourage an academy atmosphere that supports and rewards mutually respectful behavior, teamwork, and an openness to learning new and challenging ideas.

As such, the quasi-militaristic style of academy training that still prevails in most police academies is absent from this campus, replaced instead by a “practical but professional” clothing requirement. It is clear that this is a forward-thinking academy that seeks to address the community-policing needs that are currently popular among agencies throughout the United States.

Such an arrangement is still a rarity in the array of police academies available to the recruit, however, and the majority of basic training academies remain in the “boot camp” style of instruction, with students dressed in uniform at all times, saluting senior officers on campus, and being referred to by last name only.¹¹⁵ Emphasis remains focused on the

¹¹⁵ There are several “mid-point” style academies, however, such as that described in the research undertaken by Nancy Marion at a police academy in Ohio. At this establishment, only a basic uniform is

“practical police skills” aspect of the job (i.e., driving, defense and arrest procedures, and use of firearms and other weapons), rather than the “human relations” facet of the work. This may be amply illustrated in Appendix D, where Connecticut State Police are given 197 hours of training in the former skills, but just 51 hours in the latter – a definite indication of the hierarchy of importance afforded to these areas, despite the fact that the vast majority of “real” police work is more in the role of social worker than it is as crime controller (cf. Chan et al., 2003, and Manning, 1977).¹¹⁶

With regard to the focus of this present study, it is apparent when studying such syllabi that the communicative process is given very little weight in the training program. In a curriculum from Connecticut, for example, only the following teaching areas may be recognized as being tangentially relevant:

401	Human Behavior/Interpersonal Relations	7
403	Police And The Public	2
411	Conflict Management	6

However, this last will be of particular interest:

503	Interviewing Techniques And Skills	12
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Nevertheless, these units (if they were to focus entirely in police-citizen interaction, which they undoubtedly do not) total only 27 hours in a 646 hour curriculum.

There is no doubt that the “practical policing” aspects of law enforcement remain important in the current climate. The position of police officer can be a dangerous one at

required by cadets (blue trousers, black shoes and an academy shirt or sweatshirt), and instructors and cadets may be addressed informally, “but are expected to treat everybody with respect” (1998:58).

¹¹⁶ It is argued by many that the persistent misrepresentation of the police officer in the dramatic “car chases” and “shoot outs” role, as opposed to the more realistic portrayal as counsellor and advisor - perpetuated by many both within the profession and outside of it – has far-reaching results. These may include unsuitable hiring practices (e.g. the hiring of big, “tough” men over more sensitive types), insufficient training in the areas that most of the work actually requires, and misallocation of human resources and equipment (cf. Martin, 1999).

times, and there are occasions on which these skills will be, quite literally, life-saving. Without creating a huge upheaval in the training program by recommending a massive increase in the amount of time that recruits are taught interpersonal communicative skills¹¹⁷, an examination into the details of what they are being taught during these few hours, and the effectiveness of these instructive techniques may be an important preliminary step. To these ends, highly detailed information from a basic recruit training program approved by the Florida Department of Law Enforcement (FDLE) were kindly provided by the director of a local police academy in order to assist in this research.

During this particular FDLE program, recruits are given a total of 770 hours of instruction, only 34 of which may be considered directly relevant to the current research focus, that is, police-citizen interaction. These hours are all in the “Introduction” module of the curriculum (which comprises almost 200 hours of the course) and are as follows:

- Unit 5: Communication and Interpersonal Skills (3 lessons, 8 hours)
 - 1) Introduction to Communication
 - 2) Assessing Human Behavior
 - 3) Using Courtesy
- Unit 6: Human Interaction (4 lessons, 16 hours)
 - 1) Officer Attitude and Safety
 - 2) Teamwork and Officer Safety
 - 3) Officer Response and Safety
 - 4) Community Relations and Officer Safety
- Unit 15: Interviewing (4 lessons, 10 hours)
 - 1) Introduction to Interviewing
 - 2) Preparing for the Interview
 - 3) Conducting the Interview
 - 4) Documenting the Interview

¹¹⁷ Although this would undoubtedly be an improvement to the program, the effectiveness and results would be very difficult to quantify and this would make the idea, unfortunately, difficult to pitch to funding bodies and agencies. This lack of statistical evidence was seen to be a major problem with the Community Policing and Problem Solving Approaches discussed in chapter two. It can be hoped that with the introduction and persistence of studies such as this current endeavour, the cumulative effects of such preparation and training may be recognized and also instigated at the academy and in-service levels of instruction. Advocating such extensions to the basic training program would make it longer and more expensive, also, and as many recruits fund themselves through the academy and, thus, are unable to also maintain full-time employment, this must be a serious consideration.

There are important aspects to all of these areas, though it is interesting to note that the entirety of the “Human Interaction” module is connected to how these events may affect officer safety. It will be seen below that much of this unit will relate directly to discussions in the preceding chapters on Norm Resistance and the Derivational Thinking postulates, though aspects of both of these, and of Miller’s Law and Grice’s maxims, are found throughout the three units. Obviously, this is done without direct reference to these theories, and it will be shown that the matters are, thus, left vague and insubstantial with much repetition that is required due to the lack of tangible definition. Practice is given in all of the units through role playing exercises and team activities, but these will only be relevant insofar as the instructor is able to convey the elements which will be directly applicable in a real-world scenario, and only then if the recruits are able to grasp the initial concepts.

As each module is introduced below, anything that is related to the theoretical constructs utilized in this study is highlighted and suggestions for the incorporation of these aspects into the current instructional scheme are made. It is shown that this is useful for the purpose of drawing these factions together in the training program, and will be constructive later in the chapter as suggestions relating directly to truth detection and matters of Norm Resistance are made. Suggested improvements could be achieved primarily by creating a more concrete and useable framework which the recruit may keep as a basis and foundation for all future work undertaken in the field.

Communication and interpersonal skills

The opening paragraph in the instructor’s manual for this unit concludes: “Talking to people to give and get information may seem a simple task. However, problems develop when miscommunication occurs. Today’s training offers help when the task is

neither simple nor straightforward.” The unit goes on to describe reasons why miscommunication (which is defined as occurring when what is *said* differs from what is *heard*) may occur, e.g. through unclear expression, communication barriers, differing backgrounds, or stress (interestingly, only on the part of the officer). “Interpersonal communication” is defined as being intrinsically cooperative in nature, and comprised of the conveyance and reception of a message, such as a request, provision of information, or other similar activity. The first lesson states that the basics of interpersonal communication require a person to: i) Express herself clearly; ii) Handle her emotions; iii) Be a good listener; iv) Project a positive self-image, and v) Share herself. Barriers to communication are then discussed, including differing ethnic backgrounds, prejudice, and language barriers, before the next lesson turns to assessing the verbal and “nonverbal” (including paralinguistic) aspects of communication that may assist in retrieving relevant information and keeping a situation calm.

Many of the factors covered in this section are directly relevant to Norm Resistance and DT postulates as they focus on perceptions and behaviors that are based directly on differences between officers and the citizenry with which they interact. The differences addressed are gender, age, race, culture and ethnic background, and variances in mental and physical abilities. Only a short paragraph (3-6 lines) is spent on each of these, whereas two pages cover non-verbal aspects of communication, such as gesture, intonation, appearance, environment, and body language. Recruits are given this italicized sentence to consider: “*Remember, if something feels wrong, it probably is wrong*”, with little explanation except to rely on their law enforcement training and understanding of non-verbal communication. The relevant remaining aspects of this

lesson centre on listening skills, and can be directly related to Miller's Law. Recruits are told to: a) Concentrate on what is being said; b) Withhold evaluation until the speaker finishes (a central aspect of Miller's Law); c) Not allow emotional words to build barriers; d) Seek interaction by actively listening (recapping speaker's remarks, seek clarification, allow correction, etc.), and e) Be aware of their own nonverbal cues and behavior.

The third and final lesson in this unit reminds recruits to treat others as they would wish to be treated themselves, regardless of differences in background, race, gender, or appearance. It stresses aspects of Miller's Law again by stating that courtesy will breed courtesy, and respect will beget respect. The emphasis in this class is to maintain a level of professionalism appropriate to the role of a law enforcement officer by treating all people with whom interaction occurs with consideration. Great importance is again placed on paralinguistic aspects of communication, such as voice tone and volume, facial expressions, body position, and mannerisms. The only verbal advice is to choose "words that convey respect" (such as Ma'am, Sir, please, thank you, etc.).

It is apparent that the verbal elements of conversational interaction are marginalized in this unit, though for reasons that are left unclear. It is suggested here that this is due to the lack of operational categories to adequately describe phenomena in a manner that may be utilized by basic-level recruits. Much emphasis is placed on "intuition" and the "sixth sense" that officers will develop as they progress in their law enforcement career, though little instruction is given as to how to develop these skills. As was discussed in earlier chapters in this research, much of this "gut feeling" to which these lessons are referring may be attributed to underlying linguistic practices that it *is*

possible for police officers to recognize and interpret with some training. A simple understanding of what is happening on a verbal, as well as a nonverbal, level may be a valuable tool at all stages of officer training and education.

Whilst there are many aspects of this module that are of great importance and must not be overlooked, it is suggested that the focus is placed too heavily on body language and nonverbal aspects of communication which, whilst not being overlooked, are only part of the interactive process. Refining the module to include Miller's Law would tidy up many of the details that are left straggling, and could incorporate the aspects of this class that encompass listening skills and courtesy, whilst also introducing the art of "Truth Detection" at this early stage of instruction. Many of the "barriers to communication" introduced are directly relevant to Norm Resistance, and are, in fact, concepts that comprise the Derivational Thinking postulates. By giving these a more concrete form, for example by labeling the categories as they are introduced as "Ranking", and so on, recruits should have solid foundations from which to draw future examples, and that they can utilize later in the training program as they begin classes on interviewing and explore further into truth detection.

Human interaction

Following on the heels of the preceding unit, recruits are immediately led into the topic of "human interaction". From the lesson headings shown above, it is clear that the focus here is on how the officers' actions may contribute to the overall smoothness of the interactive process and to their safety. The first of the four lessons in this unit is on officer attitude, and the focus is on providing unbiased responses and maintaining a professional and positive self-image, whilst understanding the particular demands of a community with regard to cultural differences. The lesson then introduces the idea of

“self talk”, that is, the underlying monologue that all people practice to themselves that provides the basis for attitudes and perceptions, and moves on again to ideas of verbal and nonverbal communication, with a focus on those aspects that may incite anger or other negative feelings, such as word choice, gesture, or stance. The instruction then turns to the topic of emotional influences (including “pet peeves”), self-control techniques, and the understanding of emotional triggers (all of which, while important, are not directly relevant to the present study), before addressing the matter of first impressions and how these may affect the communicative process. This is directly related to Derivational Thinking, and suggestions for linking these concepts are made at the end of this section.

The next lesson in this unit is concerned with stereotypes and details how both positive and negative stereotypes are unacceptable and block the perspective of a police officer to the reception of further information. Stereotypes may create a false sense of security, e.g. by assuming that an elderly person will not be armed, and may also contribute to making erroneous snap-judgments about people. The trainees are encouraged in this section to treat all people as individuals and to avoid dangerous attitudes by refusing to go along with the crowd and speaking out against prejudicial slights. The lesson continues with detailed information on types of harassment, and on issues of officer liability in the commission of crimes, and concludes with a small amount of information on the merits of teamwork and cooperation, both within the agency and with the community that is being served.

The third lesson in this unit covers the topic of officer responses. It begins with a discussion on the inappropriateness of anger on the part of the officer, how such responses may influence situations, and the benefits that an officer may bring to a heated

situation when acting as a calming presence. The next section comprises a discussion of “perception”, the value of bringing an open mind to a situation, and in respecting the fact that other people’s values may differ from those held by the officer. The lesson moves on to discuss the nature of “assumptions”, how these may affect a communicative encounter, and reminds the trainee that many insults and personal comments that they may receive will be aimed at the badge and uniform, not at the officers themselves. It encourages the use of a “responsive approach” (rather than a “reactive” one) in which the officer conveys her expectations to her interlocutor, keeping in mind the desired outcome of the encounter and always respecting the citizen’s rights. The next subject covered is related directly to the demographics of Florida, and deals with age and racial discrimination. This is followed by reinforcement on the topic of respect, and the importance of taking time to understand people on an individual level, rather than relying on first impressions and stereotypes.

The final section of this unit introduces the importance of community relations to the trainee officer, and begins by highlighting the fact that the perception of a police agency is directly affected by past experiences between that agency’s representatives and members of the local community. Negative perceptions of law enforcement may lead to a vicious cycle of negative feelings, and this is the subject of much discussion at community meetings. The professionalism of police officers and their behavior on a daily basis are huge factors in creating and maintaining such images, and this lesson addresses how individual officers should self-analyze to understand how they may contribute to perception. One suggestion made to assist in the creation of positive impressions is to learn about the community in which the officer serves, to understand the cultural

differences that may exist, and to be able to offer localized responses to certain problems.¹¹⁸ Again, a professional and courteous appearance is offered as being the basis for respect within the community, when dealing both with victims and with suspects. The lesson then returns to discussions of harassment, prejudice and discrimination, specifically with reference to the commission and investigation of “bias/hate crimes” and the level of professionalism required in these special types of cases.

It is clear from this summary that much of the information given is building on aspects from the preceding unit. As such, the topics could be utilized to reinforce the concepts of Miller’s Law that were previously introduced. Also in this section, huge amounts of the topics covered may be related to the DT postulates, especially the in-built cultural Ranking system that many people apply subconsciously upon meeting someone, rating them, for example, on their appearance, ethnicity, or other physical characteristics. Using the term “Ranking” in these lessons could certainly give a more demonstrable idea of these first impressions to the recruits, and how they may affect the rest of the communicative experience. The postulates would be directly relevant to the issues introduced on harassment, and on those matters that addressed the subject of mutual respect and understanding between law enforcement officers and members of the community. The DT postulate of “singularity” (or “number”) would also be extremely relevant when combined with Ranking to discuss stereotypes, prejudice and discrimination. This could be of great assistance in aiding recruits with the notion of

¹¹⁸ These are all intrinsic aspects of the Community Oriented Policing program discussed in chapter two. It is interesting to note that this aspect of police work is now introduced at the academy level, rather than being left for the hiring department to address at the in-service level of training.

keeping their minds open to new ideas, rather than relying on their own “singular” backgrounds and perspectives.

Interviewing

Recruits are told as they enter the “interviewing” unit of their program that there are numerous courses on advanced techniques, but that these four classes will cover “understanding when and how to interview”, (p.2). They are informed that “knowing how to conduct an interview is an essential part of being a successful officer”, (p.12) and that “[t]hrough the interviewing process, law enforcement collects most case information and solves most cases”, (p. 18). It will be seen, however, that little guidance is given with regard to the verbal processes involved in ensuring that the information given is both pertinent and truthful, only that it is legally obtained. To these ends, the first lesson in this unit introduces the theoretical aspects of a police interview, including the legal aspects of interviewing (*Miranda* Rights, etc.), interviewing juveniles and mentally-challenged individuals, and the differences between the consensual (voluntary) and custodial (conducted under arrest and after the subject is informed of her/his rights) interview. Recruits are constantly reminded that the evidence uncovered during interviews is only useful insofar as it is admissible in court, and to understand the legal positions before beginning any type of investigation.

The next lesson on interviewing covers the initial preparatory phase, and policing cadets are instructed that the primary responsibilities of an interviewer, and purposes of the interview, are to i) obtain all pertinent information; ii) reduce information gleaned to a form that can be compared to other information; iii) preserve information for future use; iv) protect individuals’ constitutional rights.

In order to maximize this process, certain decisions are required of the interviewer, and these include:

- When to interview (interviews conducted shortly after a crime are said to produce the most information and to be of the highest accuracy).
- Whom to interview (witnesses, suspects, victims, complainants, informants, etc.)
- Where to interview (on-scene, in an interview room with required recording devices, etc. This stage also considers privacy issues, and those of officer and interviewee safety.)
- What questions to ask (open-ended “wh- questions” are encouraged as they produce conversational and informative responses. Leading questions are actively discouraged.)
- The order of the interviews (for example, whether to interview witnesses before the victim, etc. This will depend on individual circumstances, e.g. whether the “victim” is clearly identifiable.)

At this stage, recruits are also introduced to possible characteristics of interviewees, that is, the “cooperative”, the “reluctant”, and the “hostile”, all of which may present differing challenges to the interviewer (see Yeschke, (2003, 1987) for a detailed discussion of interviewee types). An example of factors in this section that are relevant to the current research and to the theoretical categories utilized in this study include discussion of the “excessively verbal subject” (Quantity violator), at which recruits are told to: “redirect the interviewee’s responses” (Manner considerations), “interrupt and ask closed-end questions” (Quantity control that, incidentally, directly violates previous instructions given to the recruits above), and “remind interviewee of the interview’s purpose”, as well as to “indicate specific topics for discussion” (Relevance).¹¹⁹

¹¹⁹ Other examples of pertinent information in this section include listening closely to all witness disclosures and double-checking information (Quality control), indicating what can and cannot be said by hostile witnesses (Politeness control), avoiding prejudgments of suspects (DT postulates), maintaining honesty with suspects and avoiding false promises (self-monitoring of Quality), and understanding possible differences in the behaviors of members of different races, cultures, sex, and so on, (DT postulates and Manner considerations).

The third lesson in the unit is on the actual interview process and recruits are introduced to two useful techniques: basic and cognitive interviewing. The three aspects of basic interviewing are given as “mirroring” (assuming the interviewee’s posture and repeating information provided in order to obtain clarification and detail), “minimal encouragement” (i.e., “minimal response” or “backchanneling”, including verbal indicators and acknowledgements such as “go on”, and “okay”), and “use of proper language and tone of voice” (matching the interviewee’s tone and level to show understanding – this does not necessarily indicate agreement, merely comprehension). The following five aspects of cognitive interviewing are provided to the recruits (from Moody et al., 1998):

- Context recreation – rebuilding physical and psychological event stimuli to assist recall.
- Focused concentration – removal of distractions by closing eyes and avoiding interruption.
- Extensive retrieval – encouraging multiple attempts at recall to maximize recovered memories.
- Varied retrieval – events are typically recalled chronologically, asking subjects to recall things in reverse order or from the middle may uncover further details.
- Multiple representations – events may be stored in different ways, requesting subjects to use multiple senses to retrieve details, or to focus on, for example, humorous aspects of the story may furnish further information.

Cadets are taught that the individual situation will typically decide which of the preceding techniques to apply, and that patrol officers will usually only require the use of basic interviewing. They are also reminded not to believe an interviewee “simply because he or she appears sincere” (p.44), and are told that the following are “common signs of deception”: physiological signs (changes in skin color, breathing rate or pulse, increased perspiration, etc.), and behavioral signs (nervous movement, pacing, fidgeting, lack of

eye contact, rehearsed or inconsistent responses [Quality issues], changes of subject [Relevance], over eagerness [Quantity/Politeness/Manner], too much or little detail [Manner], unwillingness to comprehend simple questions [Quality/Manner]).

At this point the students are told that “[e]ffective interviewing, especially, requires the skills of counselor or amateur psychologist. Your interviewing techniques should incorporate some form of behavioral analysis”, (p.45). They are also warned that stereotypical lying giveaways are unreliable and should be avoided, but no examples of these are provided, they are simply told that “[d]eception is potentially detectable, but the nonverbal behaviors that accompany lying are subtle and difficult to spot”, (p.46, see also Weiten and Lloyd, 2003). Basic labels, such as those indicated in the discussion above following the maxims and Derivational Thinking postulates, could again provide a basic anchoring system for recruits in analyzing the linguistic, as well as the extra-linguistic, behavior of interviewees.

The final lesson in this unit is on documenting the interview, note-taking, recording techniques, and so on, and is not directly relevant to this present study. It is apparent, however, from the description above that the preceding classes are packed full of information that may benefit directly from an introduction to Grice’s Cooperative maxims and the DT postulates. Such instruction would need to be accomplished before this particular unit was undertaken, with the examples and information provided in these three classes then tailored to complement and reinforce the theoretical principles. The role playing exercises could be used as a direct practice technique for uncovering these conversational tactics and habits in much the same way as they are utilized currently to illustrate and recognize nonverbal behaviors which comprise only part of the

communicative content of the message. By gradually combining the recognition of both linguistic and paralinguistic mannerisms in this way, recruits would be provided with a much more complete notion of the true interview process, rather than being distracted from language content by paying contact attention to nonverbal cues that may, or may not, be relevant.

Proposed Curriculum Changes

As will be evident by this point, there is much opportunity in the curriculum of the typical United States police academy for which some basic linguistic training could be of use. The following sections make some suggestions as to how these theoretical aspects may be incorporated into the academy structure so as to initially disrupt the current flow as little as possible, but to provide cadets with some important building blocks upon which they may fashion interviewing and communication techniques that will be honed and refined throughout their law enforcement careers. Such foundations, if taught well at the beginning and reinforced through in-service and specialized training at later stages, may be invaluable to the police officer in both truth detection and matters of Norm Resistance and officer/citizen safety.

Actualizing Miller's Law, Maxims, and Postulates

In the analyses conducted in chapters five and six, it became clear that the maxims and postulates utilized as the theoretical framework in the study were nearly all activated and recognizable in the first-contact interview communicative event. However, it must also be apparent that it is not feasible to expect trainee law enforcement officers (or even their instructors) to be well-versed in linguistic and anthropological theory, or to anticipate that all aspects of these concepts will be easy for them to recognize and apply. For this reason, some simplification will be inevitable, though certain details and

distinctions will, of course, be lost in this process. This section will concentrate on which of the concepts should be preserved and the form in which they will be most useful for the current purposes. Suggestions for the conveyance of definitions and the actualization of these constructs will also be made where possible and appropriate.

Teaching Miller's Law

The first concept that should be introduced to police cadets is undoubtedly Miller's Law. It is of vital importance that the recruits be instilled immediately with the notion of "truth detection", rather than focusing on uncovering lies and deception in the accounts given by citizens. To recap, Miller's Law reads:

In order to understand what another person is saying, you must assume it is true and try to imagine what it could be true of.

(Hall, 1980:46)

It is, unfortunately, almost inevitable that rookie police officers will come into contact with older, jaded officers who will approach first-contact interviews with a cynicism that is evident in their questioning techniques to both the young officer and to the citizen. This attitude creates a vicious circle of disrespect with the interlocutor that is a major factor in officer safety. The reasons for this were evident in the discussion of Norm Resistance above, where violations of the maxim of Politeness were seen to co-occur highly with instances of verbal and physical conflict. By outwardly expressing distrust to the citizenry, manifested as bitterness and skepticism, such officers are increasing the likelihood of conflict by encouraging and allowing the citizen interactant to break the maxim of Politeness as a direct reaction to their treatment. Only through persistent application of Miller's Law by a new generation of police officers may this attitude be reversed, and this could only be achieved through active reinforcement of the

concept during in-service training and the further classes and education that are available to interested officers in the area of police interviewing. As positive results are noted, and incidents of Norm Resistance decrease in these particular circumstances, the value of a (relatively) minor attitude shift such as this adherence to Miller's Law will eventually become evident and, finally, quantifiable.

Fortunately, the concept behind Miller's Law is not a difficult one to grasp, and the trainee officer should have no problems with understanding as it is related by her instructor in its current form. It will require more than a simple introduction, however, and examples (such as that of the homeless woman who made allegations of sexual assault that was detailed in chapter three) would be helpful illustrations of the concept. It can be expected that most experienced police officers (and it is this population that comprises the majority of academy instructors) will have similar stories that they can relate to their students, and that the students will have similar instances that they may be able to recount from their own lives. These examples do not have to be connected to interactions with law enforcement officers, but can be any instance from past experiences during which recruits were telling the truth but were either not being heard, or were disbelieved due to other factors (such as the strength of another, seemingly contrasting, version of events). By personalizing this concept, its value will be immediately evident to the basic-level police recruit. This should be supported throughout the training schedule, however, and will be a straightforward, non-time-consuming matter that simply involves the instructors' fore-fronting the concept in their own minds. Reinforcement will be achieved through mentioning it where relevant as recruits undertake the current program of role-play exercises for various aspects of the training program, especially during the

modules on human interaction (as these already focus heavily on officer safety) and interviewing. Miller's Law will, therefore, provide an overarching framework in which all police-citizen interaction should be undertaken.

The value of this could be immeasurable, and would mitigate instances in which officers approach a situation with the pre-existing attitude that they will be lied to. An example of this was seen in the incident described in chapter six involving the group of "traveler" youths. If that officer had entered the situation with an open mind, and listened to the youngsters instead of simply dismissing them both literally (from the movie-theatre complex) and figuratively (through a lack of active listening undertaken within a structure of Miller's Law), the existing cycle of distrust between these two populations would not have been so dynamically perpetuated. In its place it would have been possible to begin a new attitude towards police officers among the traveler youth, and to open communication channels with this troubled area of society from the perspective of the police officer.¹²⁰

Teaching Grice's maxims and the Politeness Principle

Within the speech event that comprises the first-contact interview, Grice's maxims all appeared in the analysis and were variably germane. For the purposes of basic officer education, it is suggested here that the maxims of Quantity, Relevance, and Manner and the Politeness Principle be introduced. In the interest of "truth detection", Quality will not be a focus as it may draw recruits' attention away from Miller's Law and more towards a focus on Quality violations, specifically lies and deception. It will be sufficient for the immediate, introductory purposes that Quality simply be encompassed in the topics

¹²⁰ Obviously this would not happen overnight, but all attitude shifts must begin somewhere (cf. Hardman, 1996). A simple act, such as the one detailed above, would be as effective a starting point as any other.

covering truth detection, though the contributions of maxim and postulate violations towards assessing the truth values of citizens' reports remain of the utmost import.

Without complicating matters unnecessarily, teaching the notions of Quantity and Politeness should be quite simple, and kept to layman's terms. In this way, Quantity will be simply a matter of paying attention to the amount of information that a subject is providing and, as mentioned previously, this is a reasonably straightforward matter for police interviewers to assess. Politeness is also not difficult for most people to judge, though recruits must be warned that levels may vary according to the stressfulness of the particular situation and due to differing cultural and ethnic backgrounds. It is not necessary at this level to complicate the area of Politeness by addressing issues of positive and negative Face (cf. Goffman, 1955), and keeping to a relatively colloquial and localized definition of politeness¹²¹ will allow for regional variation. For example, the politeness levels expected and accepted in the Deep South and in New York City will vary considerably. Whilst recruits should be made aware of this, their experience and definitions of politeness should be appropriate for the local environment in which they will work, and issues of cultural variation with relation to differing manifestations of politeness should be addressed in the diversity training that is already a part of the basic recruit curriculum.

Unlike Quantity and Politeness, the maxims of Relevance and Manner will be a little more difficult to present and, as these were seen to be extremely useful in assessing communicative situations in the preceding chapters, some effort should be spent in this

¹²¹ Using the non-capitalized "politeness" is employed here to differentiate a layman's definition from the Politeness Principle of Brown and Levinson (1987) which incorporates issues of Face Theory and use of irony.

area. The concept of Relevance is not a difficult one for most people to comprehend. The definition of Grice's maxim of Relation (which became Relevance after the works of Sperber and Wilson, 1986) is simply: "Be Relevant" (Grice, 1975:46), and this should be sufficient as a definition. The problem with Relevance in this particular arena is that it can sometimes be difficult to pinpoint what is happening when someone is being irrelevant.¹²² Often a feeling of dissatisfaction with the communicative process may be felt by the law enforcement officer, but tracing that sentiment to the production of non-Relevant facts on the part of the interviewee may require some practice. Interviewers should pay special attention to names, events, and places that appear unrelated to the current incident, and seek clarification as to how these aspects may relate to the matter at hand.

Open-ended questions that will require precise responses on the part of the citizen (e.g. "Who is 'Christine'? And how does she relate to this event?") can aid in assessing the value of these aspects of the information without distracting the citizen from the current investigation. Maintaining a focus on clarity will be of the utmost importance in this aspect of the first-contact interview and it was seen to be the case in chapter six that the apparently irrelevant comment may, in fact, be proved to be relevant when Miller's Law is applied. Such statements are powerful indicators to underlying factors that affect the speaker, at least in their own minds, and may be instrumental in uncovering the motives and reasons for a variety of incidents to which the police are called.

¹²² It will also be seen to be the case that the apparently *irrelevant* comment may, in fact, be proved to be *relevant* when Miller's Law is applied. Such statements are powerful indicators to underlying factors that affect the speaker, at least in their own minds, and may be instrumental in uncovering the motives and reasons for a variety of incidents to which the police are called.

The same is seen to be true of Manner, though this concept will also require some definition in order to become an operational category for the trainee law enforcement officer. As was seen in the preceding chapters, the primary occurrences of Manner violations in first-contact interviews were manifested as lack of clarity through either recounting stories in a non-chronological or otherwise nonsensical order, and through the employment of ambiguity. Academy students should be told that the category of Manner relates to the level of clearness with which an account is imbued. Statements received should be clear, chronological, and should lack unnecessary hesitation and requests for clarification. Whilst the average interviewee will not be able to produce an account of this caliber upon first recollection (though this is not unheard of), the possibility of Manner violations will be noticeable to the interviewer when clarification is requested and this leads to the uncovering of contradictory or incriminating facts. Trainees should be instructed, with regard to the maxim of Manner, to elicit full and complete stories, to seek further clarification and information on aspects of an account that are unclear to them, and to pay special attention to these factors as they may be signals that there is something else afoot in the interview process. By requiring a level of clarity in the accounts obtained in all of their interviews, trainees should be assured that the maxim of Manner is satisfied or will be led to uncover other, potentially more serious, violations. Such was the case on several witnessed occasions (some of which are detailed in chapter five) where, during probing questioning sequences, drug offenders were discovered during a simple traffic stop. Through the persistent investigation of unclear comments and statements, Quality violations are uncovered which can lead to the discovery of further illegalities.

Practice with these concepts (always remembering to work within the framework of Miller's Law) will be extremely useful for the recruits as they begin to utilize the maxims. Role-playing is obviously going to be the most pertinent method of practicing the identification of, for example, Relevance violations, and this can gradually be intermingled with exercises requiring the recruits to identify which maxim is being broken from the full list of possibilities (i.e., Quantity, Politeness, Relevance and Manner). Recruits should be encouraged to discuss their answers, and to note that more than one maxim may be violated at any one time. Other methods of highlighting and actualizing the maxims will include eliciting personal experiences from trainees, and giving examples of real-life encounters in which one or more of the maxims was violated or flouted for whatever reason. Each of the classes involving Interpersonal Communication, Human Interaction, and Interviewing, should include a short review of these maxims, and each lesson should build on the preceding one with regard to recognizing the potential for maxim violation and its importance.

Teaching Hardman's Derivational Thinking postulates

The analysis in chapters five and six showed that each of the Derivational Thinking postulates were associated with a great number of first-contact interviews in a wide variety of situations. Ranking and Sex-based gender were seen many times in conjunction with each other, and for this reason (and with the aim of simplifying the training program) it is suggested that these may be conflated into the "super-postulate" of "Ranking" for the purpose of basic officer training. This is not to suggest that, in the linguistic realm, such an ignorance of the contributions of Sex-based gender would be acceptable. It was shown in chapter three that the derivation of the feminine from the masculine is a persistent and invasive matter in the English language that must not be

ignored (Hardman, 1999, 1996). In the area of law enforcement, however, the examples of Sex-based gender witnessed in the field were predominantly involved with Ranking of the genders, especially with regard to social power and control issues inherent in Western society, rather than on derivational issues *per se*.¹²³ The social manifestation of the linguistic DT postulate of Sex-based gender was perceivable as Ranking of the sexes in this arena, and (acknowledging the definition and distinction that will be lost in doing so) it is sufficient at this very basic level to address DT simply as the two postulates of Ranking and Singularity.

Ranking is something that recruits are already made aware of, as was shown in the introduction to the FDLE syllabus at the beginning of this chapter. They are introduced to the concept in a number of ways, for example as “prejudice”, “snap-judgments”, “social differences” (e.g. age, sex, race, background, and so on), and “hate/bias”. By unifying these concepts under the category of “Ranking”, however, the idea of the social scheme as one in which these actions are all joined and related by a quality of perspective is introduced. The concept of Ranking itself is not a difficult one for police recruits to understand. From an early age, children in the United States and the United Kingdom alike are encouraged to compete and to acknowledge superior achievement as being preferable to simple participation. As such, the taller, stronger, more conventionally attractive, richer, and (to some extent) smarter children will win recognition, whereas those seen as “lacking” in these areas will be left unnoticed. This framework is carried through to adulthood, and constantly reinforced in the modern, “cut-throat” world.

¹²³ Of course, these Ranking instances with regard to Sex-based gender are basic manifestations of the linguistic derivation of female from male that pervades the English language. This is a crucial aspect of studies into Linguistics, Anthropology and Sociology, but is not an issue that the police recruit will be addressing at the level of the police-citizen interview.

Ranking comes from a number of directions in the social fabric, and these should be introduced to the police recruit. Areas of Ranking will include sex-based gender, race, age, religion, socio-economic status, education, ethnicity, sexual orientation, upbringing, and personal characteristics (attractiveness, height, weight, etc., but also including those who may be differently-abled, such as the physically and mentally handicapped).

Judgments are typically made with regard to one or more of these characteristics by most members of our society, and asking the recruits to simply desist from this lifelong practice will prove to be both unproductive and futile. These are habits that are instilled in people from a very early age, but this does not mean that all is lost. What is required of the police interviewer is simply an understanding and acknowledgement of the practices employed.

Recognizing that this Ranking is present in the minds of both the interviewer and the interviewee will be an important step in utilizing this DT postulate. For example, in dealing with matters of domestic violence, it is frequently seen that the offending party will perceive themselves as being culturally Ranked (at least in this particular environment) above the person being assaulted. It may be beyond the power and time constraints of a responding police officer to address and adjust this entire attitude, but drawing attention to its presence may aid in calming the situation as denial of Ranking on the part of the offender will require another explanation for their actions. Opening communication channels in this way is an important part of defusing a potentially volatile situation and in uncovering underlying motives for this type of assault.

The notion of Singularity is a little more difficult to define than Ranking, but no less important in understanding and appreciating the interview process and, indeed, all

police-citizen interaction. Related also to the childhood values of competition, members of present-day society are trained to the idea that there is only one, single winner, one person who is the best at whatever activity is under consideration, and that it is required that people aspire to this level. This singularity pervades all aspects of life, until it becomes a standard notion that there is only one solution to all problems, and that a singular perspective on an event can provide “truth”. As discussed in chapter five, singularity (seen as Number by Police/Citizen) often impeded the first-contact interview process due to the fact that participants were so attached to their own viewpoints that they were unable to appreciate, or even acknowledge, the existence of others. Whilst this is not infrequent among the citizen participant in the interview and is understandable given the communicative situation (i.e., the citizen is often protesting their innocence or relating their role as victim in an illegal event), it is especially dangerous when manifested in the police interviewer. When this situation arises, officers may enter an interview situation with a set idea as to what has occurred, and it is possible that questioning and subsequent information recovered will lean towards the pre-decided explanation. This can be disastrous for certain members of society as their voice goes unheard and will contribute to a destructive cycle in which singular perspectives breed disrespect, leading to further singularity and more manifest examples of disrespect, including verbal and physical conflict.

To demonstrate the danger of singularity, recruits must understand that the nature of the interview is simply to glean information, not to prove or disprove existing assertions or hypotheses. This simple step, when put into action, will disallow the creation of singularity, will promote active listening on the part of the police interviewer,

and will, in turn, prevent the likelihood of frustration on the part of the citizenry due to being unheard. If interviewers also maintain the ideals behind Miller's Law they will have an appreciation of the fact that differing viewpoints may simply be *differing*, they may not necessarily be conflicting. As such, it can be seen that Miller's Law is an intrinsic aspect of recognizing and assessing the effects of Singularity, and in eliminating its influence on the process of understanding.

Methodologies for defining and understanding the concepts of Ranking and Singularity should include exercises that personalize the theories to the recruits, making them tangible and real. One idea would be to request short, written observations of times when recruits were faced with examples of these postulates in action, and to have the more pertinent of these read out, with permission, to other members of the class. Other examples of these postulates could be elicited from storylines in television shows (sitcoms are a particularly rich area for examples), or from politics or other current events. Having instructors re-tell of cases in which these postulates occurred in real-life law enforcement situations utilizes a tried and tested method of instruction in the Police Academy arena, and will be especially effective with these postulates. Examples could include stories such as those given in chapters five and six of this present study, and these should be used to highlight the fact that Ranking and Singularity will occur on the part of both the citizen and the police officer. It will be seen in the following sections that this is seen at some times more than others, and that there are times when these postulates may be utilized as defensive tactics by both parties, though for differing reasons. This is discussed further below as practical aspects of this training are suggested with relation to particular communicative situations.

Recognizing and Responding to Linguistic Categories in the United States

Following the outlines above, it is suggested that the police recruit in the United States and in the United Kingdom be prepared with operational and actualized definitions and recognition skills for the categories of Quantity, Relevance, Manner, Politeness, Ranking and Singularity, all within a framework of Miller's Law that encourages investigation from the perspective of Truth Detection. With these communicative tools in mind, it is possible that police officers may be able to make certain assessments as to events unfolding in the first-contact interview and that these may be effectively utilized in truth detection and in matters of Norm Resistance.

As such, the cadets would be introduced to aspects of the interview process that interact in an "overlapping effect" (Figure 7-1). This image shows how the "social level" of Miller's Law affects and is affected by the regions of Hardman's DT postulates and Grice's maxims. The postulates operate on a cultural level and contain the conversational maxims, that are primarily language-related, but which are realized by and affect both the cultural and social levels of the communicative event. Communication, therefore, operates in the area of the diagram in which all three levels are interacting. This simple diagram should be supplied as the concepts are introduced and reviewed whenever they resurface during the progression of the syllabus. Using the heuristic below (Figure 7-1) in this way will aid the students in connecting Miller's Law, the postulates, and the maxims, and in associating and linking the relevance of each level to the others.

It would not be necessary to rework the entirety of the current curriculum to incorporate the instruction of these maxims and postulates, and basic education on defining the categories should not take an excessive amount of time. It is sufficient to introduce Miller's Law very early in the introductory aspects of the curriculum, to bring

in the maxims and postulates at the beginning of the unit on Interpersonal Communication, and to reinforce and maintain focus on these aspects throughout the units on Human Interaction and Interviewing, as well as during parts of other, related modules.

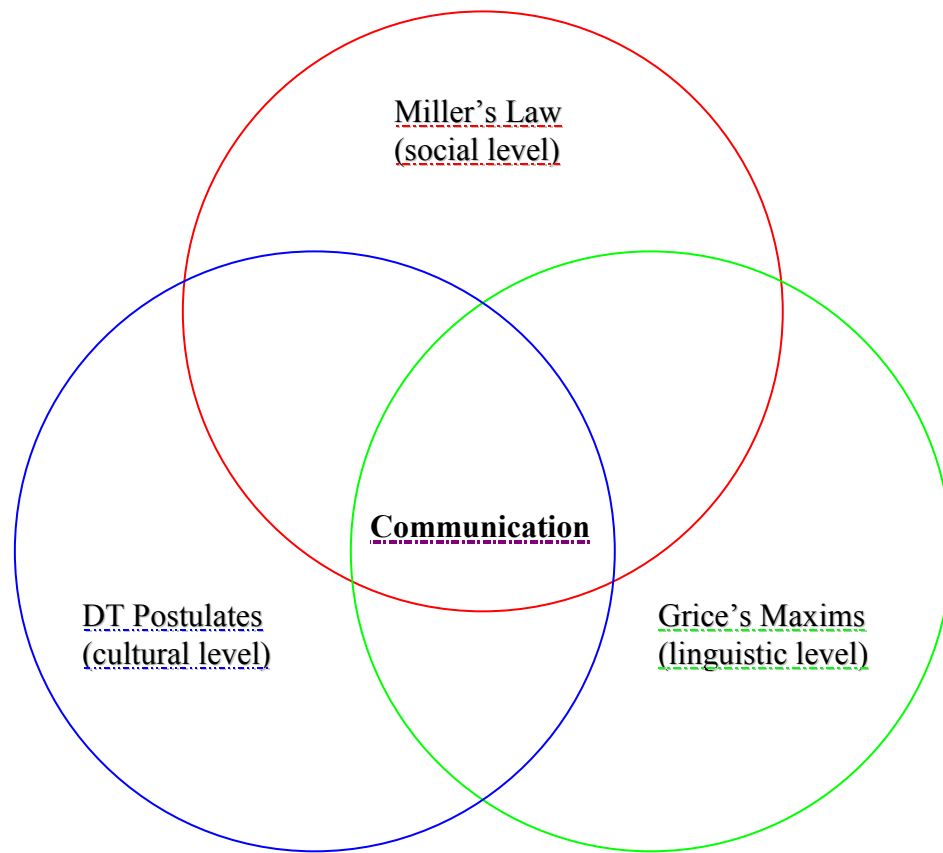


Figure 7-1: The Overlapping of Theoretical Constructs

The current syllabus includes enough practice with role playing exercises and other such activities, that the theoretical categories above could be easily incorporated. For example, incorporating identification tasks involving the postulates with the existing role play exercises on identifying aspects of human body language would achieve a dual purpose: i) It would give the recruits practice with the specific categories (as is the purpose of the existing exercise), and ii) It would require the recruits to perceive both

linguistic and extra-linguistics communicative cues simultaneously. This would result in a far more realistic exercise that trains police officers in methodologies that they can utilize in the field.

Class time would be saved from the current program structure through a basic re-ordering of the instruction to include all aspects of Ranking under one heading, instead of using the repetitious method seen in the present program where similar issues are covered multiple times under different titles. Eventually, once these concepts are firmly understood, it is possible to begin associating witnessed occurrences of each feature with particular communicative happenings in the first-contact interview – such as the current foci of truth detection and Norm Resistance. The following sections summarize the findings from chapter five, and expand on these basic results to include some instructional techniques for recruits at the basic police academy level.

Truth detection in the United States

As was seen in chapter five, several of the categories above are active in the task of truth detection during the first-contact interview. The ones that co-occurred most highly with Quality violations were:

1. Quantity
2. Manner
3. Relevance/Ranking by Citizen¹²⁴
4. Ranking by Police
5. Number by Citizen

Beginning with the most frequently observed, it is a comparatively simple matter for interviewers to identify Quantity violations, though recruits should be told that the

¹²⁴ These were tied, each showing in just under 5% of the witnessed first-contact interviews.

violation can move in either direction, that is, the interviewee could be speaking too much for the current communicative needs, or too little. This alone will not be a reliable indicator that there are truth violations occurring in the communicative event (although Quality violations were witnessed in almost 40% of first-contact interviews that displayed Quantity infractions), but it can be an easily identifiable signal that there is something unusual in the behavior of the interviewee, and should act as a signal for the police officer to be alert for further maxim or postulate violations. In fact, in only six cases of Quality violations that were signaled by Quantity infractions were no other maxims or postulates activated making this a useful cluster of which to be aware.

The next two most frequently active categories are those of Manner and Relevance. It was suggested in the preceding sections of this chapter that it should be a basic training technique for police-citizen interaction that police officers insist on clear and lucid accounts of incidents and, if this is achieved, these two maxims will both remain unbroken. Lack of clarity or insufficient explanations will also be relatively simple conversational matters for interviewers to assess, though it will require taking one extra step for this matter to be satisfied. In a surprisingly large number of first-contact interviews witnessed for this study, police officers were satisfied to accept partial stories, retellings of accounts containing people or events that were not relevant to the current situation, or to allow statements to be completed without a full understanding of the parties mentioned during the interviewee's account. If questioned as to why this is permitted, officers will cite time constraints or the fact that they cannot be expected to delve deeper and deeper into subjects' statements for fear that the interview will expand out of all proportion. These are genuine concerns, but by utilizing clearly constructed, yet

simple, questions, these situations could be avoided. For example, if an interviewee repeatedly mentions something that occurred in Jacksonville, but does not elaborate further, a pertinent questioning technique for the police officer would be, “What happened in Jacksonville that is relevant to this incident?” Answering this type of directed, yet open-ended, question will require a measure of precision on the part of the citizen, and will necessitate clarity and accuracy. If further violations of Relevance and/or Manner are seen, it could be one more signal that there are truth issues with the statement being provided.

It was noted in chapter five that Ranking on the part of both the Police and the Citizen were tools utilized in certain situations. For example, in the expected first-contact interview (one in which the citizen or someone in their vicinity has called for assistance, and the interviewee is prepared in advance for the possibility of interaction with a law enforcement officer), Ranking was seen to be a frequent aspect of the speech of the Citizen, whereas Ranking by Police was observed more often in unexpected (police/self-initiated) interactions. It was suggested that these are conversational strategies that allow these participants a measure of control over the communicative event. For example, the citizen in the unexpected interview Ranks herself (and frequently displays singularity, i.e., the next most frequent category of Number by Citizen) in order to assert her role in the reason for the call, or to attempt to explain and justify herself if she is the reason for which the call was originally placed. In the unexpected interview, however, the police officer will be seen to employ Ranking on a disproportionate number of occasions (in comparison with other first-contact interactions) to assert a measure of authority and control over an unexpected and potentially dangerous event.

It is to be assumed that recruits will pick up the habit of asserting their authority in such situations without the aid of formal instruction in the area, and focusing on this communicative activity will only be of use in understanding and correcting those cases where the Ranking is abused to the point of prejudice. The basic training (and in-service reinforcement) scheme in existence is very detailed with regard to the lack of tolerance for such behavior, and it is suggested here that centering on this conversational strategy should be avoided for fear of encouraging inappropriate Ranking. On the converse side, however, recruits should definitely be made aware of the fact that citizens will employ these tactics in the expected interview. The importance of this is to understand that Ranking and Number by Citizen should not be interpreted as an affront to the institutional authority of the police officer, merely as an approach commonly used to assert a particular position and to maintain a measure of control. The societal backing of the uniform worn by police officers is typically sufficient to represent the institutional power of the law enforcement position and this will evince, in some cases, a need by the citizenry to be more forcefully assertive than would otherwise be expected. Understanding and, to some extent, expecting this behavior will be a major tool in ensuring a smooth communicative interaction and decreasing the possibility of conflict. It may also serve as a useful instrument in comprehending the reasons for any singularity displayed, and aid the police interviewer in maintaining an open perspective to unfolding events.

Norm Resistance in the United States

Displays of confrontation against police officers are inherent examples of Norm Resistance, due to the social and cultural backing of the position of law enforcement officer that is currently maintained in North American society. This may come under the

heading of “Norms of Deference” (cf. Lanza-Kaduce and Greenleaf, 2000), and is instilled in the position of the police officer by history, institutionalization, and current social and governmental practice.¹²⁵ Nevertheless conflict does occur, and the risks will be heightened in certain circumstances due to the co-occurrence of differing societal factors, and this was shown during the preceding analyses. Supplying recruits with appropriate training with regard to such possibilities will give them a measure of Sophistication (backed by the Organization of the Law and police agencies in general) that will aid in the recognition and management of Norm Resistance.

With regard to the theoretical categories utilized in this present study, the following were seen to co-occur most frequently with instances of Norm Resistance:

1. Politeness
2. Ranking by Citizen
3. Quality/Manner

In the original analysis, it was suggested that the high co-occurrence of Norm Resistance with Politeness violations is not unexpected, and that it is sometimes used as an offensive conversational strategy by citizens to intimidate or even frighten the police officer. This was especially frequent when the officer was young, female and/or non-white, and officers displaying these characteristics should be made aware of the increased risk of this occurrence. This was not always the case, however, and even older, more experienced, male, and white officers will face politeness violations as they go about their work. Trainee officers must appreciate the increased possibility of Norm Resistance (manifested as verbal or physical conflict) in these situations, and be informed that this is

¹²⁵ These “Norms of Deference” are culturally defined, as can be seen in the varying levels of respect awarded to British and North American police officers, as discussed in chapter six.

especially evident in unexpected interviews. It is suggested here that little formal training will need to be undertaken in this area, as this relationship exists not only in the first-contact interview, but in general, daily interaction. The possibility of conflict is heightened, and often signaled, in any communicative interaction by violations of politeness, and police recruits will be no less aware of this than any other person. For this reason, little time should be expended on this co-occurrence, aside from informing recruits that intimidation may be an issue, and that they should also be aware of cultural variation in politeness levels, or violations that may be entirely due to the stress of the situation.

Another aspect of the unexpected interview that co-occurs frequently with instances of Norm Resistance was that of Ranking by Citizen. This was seen in the preceding section to be a frequent aspect of the expected interview, but in the unexpected interview it co-occurs more often with instances of conflict. In almost 50% of unexpected first-contact interviews during which Ranking by Citizen was discerned, Norm Resistance was also witnessed. Given these results, training in recognition and management of Ranking by Citizen in the self-initiated interview is of heightened importance, and will be an important tool in the recognition of early signs of conflict. Current practices in this area include training officers to immobilize potential threats, e.g. to handcuff persons on traffic stops who are making verbal or physical threats whilst the officer goes about her duty. Counteracting the Ranking by Citizen will require high levels of Sophistication on the part of the police officer in order to neutralize, rather than challenge, the interviewee. Achieving this will be a delicate operation, though its effectiveness will be invaluable. The most promising method of attaining this goal will be through the technique of active

listening, which, as mentioned previously, will be aided greatly by an appreciation of Miller's Law and a lack of singularity on the part of the police officer. If she can maintain an open and broad listening perspective, citizens will feel that they are at least being heard and not simply dismissed by the police officer. This simple step may be an intrinsic part of countermanding possibilities of Norm Resistance in the unexpected first-contact interview and again demonstrates the value of a focus on Miller's Law in the training and daily duties of law enforcement officials.

The categories of Quality and Manner violations were the next most frequent to co-occur with Norm Resistance. These typically appear in expected interviews and were a noticeable cluster in the US data, that is, where three or more factors repeatedly co-occur – in this case, Norm Resistance, Manner and Quality violations. Police officers adhering to the training scheme presented in this paper will be alert to the task of truth detection and, as such, will be requiring clear and unambiguous accounts from their interviewees. Upon discovering untruths, however, or through probing Manner violations that reveal inconsistencies or contradictions, officers appear to be opening themselves up to the possibility of Norm Resistance. In more than one third of cases in which Quality and Manner violations co-occurred, Norm Resistance was also witnessed. This is an unfortunate side-effect of the truth detection process, as people caught in a lie or those having inconsistencies in their stories disclosed will sometimes react violently in a “knee-jerk” reaction to distract from the untruth. Making officers aware of this situation and that it is mostly seen in expected first-contact interviews, is going to be an important aspect of training them to recognize the possibility and early signs of Norm Resistance. In this

way, the effects of the conflict may be mitigated or annulled before the situation becomes too serious.

From even this brief discussion, it is apparent that there are some valuable suggestions to be made with regard to the appropriate and effective preparation of police recruits in the United States. The preceding sections have shown how the statistical analysis given in chapter five, which was based on extensive, first-hand observations of the first-contact interview process, may be expanded and extrapolated upon to create training ideas for North American policing agencies. The following section performs the same task using the results from chapter six. This will provide localized ideas for training British police cadets based on the observations made with agencies in Wales and England.

Recognizing and Responding to Linguistic Categories in the United Kingdom

Although no definite suggestions as to changes in the United Kingdom training scheme can be made without a thorough investigation into what police recruits on that side of the Atlantic are already being taught, it is reasonably safe to make the assumption that Grice's maxims, the Derivational Thinking paradigm and Turk's Norm Resistance theory are not part of the regular curriculum. For this reason, some suggestions, following the patterns of those given above for the North American training program, may be offered. These may be incorporated at the basic training level, which is now undertaken by each individual policing force in the United Kingdom rather than at centralized academies.¹²⁶ This is a very recent change in the training arrangement and will allow for

¹²⁶ Training of police officers in Wales and England has been under the control of CENTREX (the Central Police Training and Development Authority) since the Criminal and Police Justice Act of 2001. The Police

a great deal of localization of the instructional program, tailoring it to the particular environment in which the rookie police officer will be working. It will also unfortunately breed and maintain stereotypes and prejudgments, as ritualized notions of the community are passed down from each police “generation” to the incoming recruits. Reinforcement of the DT postulates will be of great assistance in warding off the entrenchment of these learning environments, though constant maintenance will be required, especially during the initial stages of introduction of the program, in order to maximize the effectiveness of the techniques.

The following sections give some specific training suggestions for officer recruits in the United Kingdom. These qualitative suggestions are directly related to the quantitative analysis that was performed in chapter six. A short summary of results from that chapter is provided of each pertinent area, and then suggestions are made as to which areas should specifically be highlighted in educating the British officer in the area of first-contact interviews.

Truth detection in the United Kingdom

The categories seen to co-occur with Quality violations most frequently in the British data are:

1. Quantity
2. Ranking by Citizen/Manner
3. Ranking by Police
4. Politeness

and Justice Act of 2006, however, ratified the creation of the National Policing Improvement Agency (NPIA) that will come fully into being on April 1st, 2007. The NPIA will also take much control of the national technological aspects of the British policing service (including the national Police Computer mentioned in chapter two) and the Serious Organised Crime agency unit, as well as managing all training standards and promotional exams as they are undertaken by each, individual policing service.

As will be apparent, these are similar to the categories and their level of occurrence given in the section above for training the North American police cadets. The only category activated in this listing that is not present in the US data is that of politeness, and this is an important matter for officers in the United Kingdom.

As was mentioned in the conclusion to chapter six, there is a huge variation in the respect levels afforded to police officers in Wales and England in comparison to that given to American officers. For this reason, a larger block of time must be spent on educating British recruits as to the significance of politeness violations that they encounter in their work. Frequently these violations will be insignificant to the matter at hand and will be a simple manifestation of frustration with the government and the institution of policing that is prevalent in this environment. The significance of politeness in the task of truth detection may, therefore, be reduced due to the high levels of politeness violations that already occur (regardless of truth levels) in police-citizen interaction. With occurrences being observed so frequently, it is inevitable that they would also co-occur with Quality violations.

This being said, it will be sufficient for the British officer to receive the same training in performing truth detection tasks as that given to the police recruits in the United States, with a slight variation only in explaining the possible significance (or lack thereof) of politeness violations. As British recruits undergo their field training, it will become apparent to them that they will experience varying levels of politeness from certain facets of society, depending on whether they are in uniform, or not. If they are unaware of the sentiments towards police officers given their own upbringing (which will more than likely have been in the United Kingdom), it will become clear very quickly. It

will be a highly significant aspect of the British police curriculum to instruct recruits that impoliteness and insults are mostly addressed to their uniforms, not to the officers themselves. Internalizing this concept will be a major factor in promoting peaceful police-citizen interactions.

Another minor difference in the UK and US training scheme is that it will be unnecessary to differentiate between the expected and the unexpected interview when teaching police cadets in Britain. Whilst there were shown to be a greater percentage of occurrence of certain factors in one of the other situation in the British data, the actual positioning of maxims and postulates according to their frequency of occurrence in each type of interview is almost identical. When considering Figure 6-4, it becomes apparent that the scale of occurrence given above (i.e., 1. Quantity, 2. Ranking by Citizen, etc.) remains identical for both expected and unexpected interviews. The only exception is in the case of Relevance, which is addressed below. With the aim of simplifying the training scheme, therefore, it is possible to ignore this particular differentiation, and to generalize this ordering to the task of truth detection in all first-contact police interviews in the United Kingdom, regardless of whether they are the result of 999 calls or of police-initiation.

It seems apparent from the results shown in chapter six that there is very little need to focus upon the category of Relevance in the training of British police officers. This was not seen to be highly active in either truth detection, or in identifying Norm Resistance. It will, given these circumstances, be possible to conflate the two categories of Manner and Relevance in the United Kingdom to become a “super maxim” under the heading of Manner. In this way, Relevance can become one aspect of the clarity upon

which the officer should insist as she collects information regarding an incident, and this will simplify further the training required in this area.

Norm Resistance in the United Kingdom

Norm Resistance in the British data was witnessed most frequently with infractions of the following categories:

1. Manner
2. Politeness
3. Quantity/Ranking by Citizen

This is a great deal different from that of the US data and will, therefore, benefit from some localized consideration. One regional aspect of these occurrences that was seen to pattern in the United Kingdom was the persistent clustering of Manner and politeness violations with Norm Resistance. This will be a valuable tool in the British police academy, and training recruits to recognize when these factors co-occur will be a major asset in recognizing and counteracting the possibility of conflict.

As was suggested for the US training program, British police cadets should be taught from the very early stages of their program to operate within the framework of Miller's Law, and to understand the relationships shown in Figure 7-1 between the linguistic, cultural and social aspects of their work. Whilst this will keep their focus on truth detection, rather than searching out deception, it will also allow officers to enter an interviewing setting with an open mind, rather than a predetermined set of goals. This wider perspective will oblige interviewers to seek clarification of ambiguous or vague statements, and will aid them in recognizing Manner violations. As mentioned previously, politeness infractions should be comparatively simple to distinguish, and when these two co-occur it will be an important indicator to the British police officer that

she should be aware of the possibility of Norm Resistance. As was mentioned in chapter six, there was only one incident in which Manner and politeness violations co-occurred that Norm Resistance was not also manifested – and this may have been mitigated by the fact that the subject was hooked onto a perimeter fence at the time. This being the case, the importance of this cluster to the safety of police officers and the citizenry that they serve is extremely evident.

Whereas it was deemed unnecessary to differentiate between expected and unexpected interviews in the matter of truth detection, this will be a valuable distinction in educating officers to gauge the possibility of Norm Resistance. For example, Quantity violations were seen to occur frequently with instances of conflict – but exclusively in expected first-contact interviews. As Quantity is an uncomplicated infraction to identify, this should be a simple training point for British recruits. However, there also exists a pertinent cluster in the expected interview context that will be a little more difficult for the interviewer to spot. In several witnessed incidents, Quantity, Relevance (which is now contained within Manner), and Sex-based gender by Citizen (which is under the heading of Ranking by Citizen) co-occurred with Norm Resistance. By using the more obvious Quantity violation as a signaling device, police officers should, by this point, be trained to pay attention to further maxim and postulate infractions. By their insistence on clear and concise stories, Manner/Relevance issues will be highlighted, and Ranking will become apparent through the interviewer's own knowledge of and training in prejudicial behavior. British recruits should be made aware that, when these factors co-occur in the expected interview scenario, the possibility of Norm Resistance is greatly increased and they ought to take suitable precautions (such as immobilizing immediate threats, etc.).

With regard to the unexpected interview, instruction for police officers in the United Kingdom should address certain factors that contribute to the possibility of Norm Resistance when they are making self-initiated stops or calls. One example of this is the category of Number by Citizen that co-occurs with Norm Resistance exclusively in unexpected interviews. Extreme singularity in perspective is not an uncommon feature of the first-contact interview, and this fact has been reinforced frequently in this study. As interviewers utilize Miller's Law to keep their own minds open to the possibility of variation in perspective, singularity displayed by the interviewee will be conspicuous. As this was only seen to manifest into Norm Resistance in approximately 3% of the cases observed, it will be sufficient to instruct police recruits that this is merely a signal that something may be afoot, not something to which they should immediately react. Recognizing and teasing the singularity out of the citizen's viewpoint where possible, however, will be a valuable tool in calming a situation and in reducing the possibility of further conflict stemming from this particular incident.

Conclusion

As shown in the preceding sections, it is not necessary to advocate a huge upheaval in existing police academy training programs, at least with regard to education in interviewing and interactive processes. The categories listed above as being valuable to the police recruit are often already included as part of the current training scheme. By labeling and fore-fronting them, though, they may be applied to a huge number of situations, rather than remaining localized to particular interactive events as is the case in the current syllabus. This generalization will be a valuable tool for the police officer in all police-citizen interaction, and need not be limited to the first-contact interview.

Full appreciation and utility of these simple constructs, and of Miller's Law, requires frequent reinforcement throughout the academy training schedule (and, indeed, through their law enforcement career as they undergo in-service training in police-citizen interaction), though this is possible through the incorporation of these matters into already existing role playing and scenario activities. Frequent referral of the cadets to Figure 7-1 would maintain a focus on the concepts, and would relate each back to the current issue that is being addressed. Instructors and recruits alike will be required to maintain a focus on Miller's Law and the categories listed above, and to highlight them as they resurface. As these language and social features pervade much human interaction this is not a difficult task to achieve, but it will require a certain level of commitment. This can only be accomplished when the techniques are recognized and backed by state and governmental law enforcement training centers and agencies, which will require a great deal of experimentation in the field. As this can be done with minimum disruption to current programs, it now remains only to find a forward-thinking police academy to implement the changes, or for some practical experimentation to be undertaken by sworn police officers in the field. This is a future aim of the research project that is discussed in the following, concluding chapter.

CHAPTER 8 CONCLUSIONS AND FURTHER RESEARCH

The ideas given in the preceding analysis and discussion are intended to improve the police-citizen interaction process, to increase the potential for a favorable outcome (given the particular aims of these encounters), and to limit the possibility of conflict that occurs as a result of communicative frustration. In order to achieve these aims, however, the program detailed above would need to be implemented and backed by law enforcement agencies. It is apparent that, before this can happen, some field experimentation is required and that to truly comprehend the usefulness of the categories suggested direct application and testing are obligatory. In order to begin this field testing, the next step for me will be to attend a police academy, undergo the existing training, and enter the field as a sworn law enforcement officer. This will perform the multiple purposes of giving direct and entrenched exposure to the academy instruction, allowing an “insider’s” view of the existing attitudes and perspectives held by teachers, field training officers, and police cadets, and permitting an interested researcher and practicing police officer access to both the professional and theoretical aspects of the policing profession.

Observations made second-hand (as were collected and utilized in the above research) are useful for the design of a program, but to understand whether it truly works it is absolutely crucial to undertake first-hand trials. It would be futile to attempt to teach recruits something that the instructor had not experienced, and this endeavor would also lack the practical evidence that will provide the recommendations necessary for law

enforcement agencies and training centers to recognize and support the program. This particular profession is highly resistant to outside influences and “interference”¹²⁷, and it was for this reason that the Ethnography of Communication was initially chosen as an appropriate methodology for data collection. Being part of the “in-group” and reinforcing theoretical suggestions with direct, practical experience is a vital step of the acceptance process in this close-knit and unusual segment of society. It is my belief that the ultimate aims of this research are important enough to warrant such commitment, and that the benefits to society and to the image and performance of the law enforcement profession will be significant.

Implications of this Research

One of the major implications that could be hypothesized if this research were to be committed to and undertaken on a reasonably large scale would be a marked and noteworthy improvement in the relationship between police officers and the citizens for whom they work. In both the United States and in Great Britain the image of the policing service is tarnished through multiple examples of clashes with members of the community. Whilst there are large-scale reasons for some of these occurrences (such as racial unrest, civil rights disputes, etc.) that may not be related directly to the performance of the police per se, it can not be denied that a great number of conflicts, usually on a smaller scale, are as a result of dissatisfaction with the policing service as a whole and their treatment of citizens in particular. Much of this is due to a mutual

¹²⁷ This is especially true in the United States, though less so in the United Kingdom where there are multiple examples of collaboration between police and academics in the field of investigative interviewing. This can be seen in the works of Rebecca Milne of the University of Portsmouth and Ray Bull of the University of Leicester, for example, both of whom have very close ties with a number of British policing agencies and are intimately involved in the design of police training programs (cf. Milne and Bull, 2002, and 1999).

disrespect that pervades society, and which is expressed and perceivable in the communication between police officers and citizens with whom they come into contact on a daily basis.

It would be unrealistic to suggest that implementation of the training suggestions contained in this research would be sufficient to address this problem on a community level, but it is apparent from the observations made in this study that active listening and an adherence to Miller's Law would provide a framework that would not allow the vicious cycle of disrespect that was seen to be manifested during some first-contact interviews to be perpetuated. Disrespect will breed disrespect, and it is a sad fact that avoidance of this attitude on the part of the police would be an uncomplicated matter, requiring a (relatively minor) shift of perspective. This would prove to be an effective and ultimately invaluable step toward increasing the potential for improvement in the effectiveness of policing services, and in breaking the existing cycle of lies and conflict that are a direct result of contempt and derision that exist on both sides of the police-citizen encounter. For example, possessing the ability to identify and label a linguistic behavior (such as Ranking, singularity, etc.) that becomes a pattern is an essential part of disallowing this behavior from becoming a controlling issue during an encounter. Being able to identify and respond these mannerisms in others will also be a valuable tool in calming disagreements. By utilizing the intellect in this way, which requires holding the linguistic categories necessary to define and examine such behaviors, attention will be focused on the interaction, rather than on emotional reactions or responses.

It was shown in this research that current police training programs spend a large percentage of their curricula focused on "practical" aspects of policing, such as driving,

use of weapons, defensive tactics and physical fitness. Whilst these facets of the job can obviously not be ignored, it is suggested in much academic research throughout at least the last seven decades (including this current analysis) that they are not sufficient, or even realistic, methodologies in preparing rookie officers for actual police work (cf. Chappell, 2005, Marion, 1998, Reiner, 1992, Sheehe, 1945, and Hanson, 1936). Recognition and acceptance of this fact by the establishments responsible for providing and assessing police instruction will be an important step in reassessing what recruits are taught, and in re-evaluating the basic education programs. This will, as mentioned above, need to come from within the services, however, and will require a greater level of collaboration between high-ranking police officers, police training agencies, and researchers of police science than is presently seen. The chasm that exists between theoretical research and practical application in this field is acknowledged, and it can be hoped that the British experiment of allowing greater communication between these two parties will be a success. It is certainly a historical fact that North American policing is greatly influenced by its cousin in the United Kingdom, and that success in other foreign countries is being recognized and implemented by police administrators throughout the world (cf. Fairchild and Dammer, 2001). For these reasons, it can be hoped that the outlook in this case is also promising and that the need for advances will be recognized and embraced (see Hoover, 2005, and Skolnick and Bayley, 1986).

Commitment to change is an intrinsic part of research into and improvement of policing services, and evidence that this is a current mindset can be seen in the recent and continuing implementation of Community-Oriented and Problem-Oriented Policing programs. A great number of police academies are dedicated to the furtherance of their

curricula, and the Florida Department of Law Enforcement (FDLE), for example, view their syllabus as a “living, breathing document” about which “instructors/academies in the state constantly provide feedback”, (Chappell, personal communication). If the focus on improvement of the industry as a whole continues in this fashion, and if consultation can be encouraged, supported, and maintained between theoreticians and academics, there is no reason for the outlook to be anything but optimistic. For change to happen, however, a level of dedication will be required of all members of the policing community and administration, and one of the main obstacles to this kind of progress and change is the prevalence of existing attitudes and negative feelings that will countermand and nullify training suggestions such as those made in this current research. This is but one problem that these programs will need to address in order for true and continuing change to be implemented and maintained, and this is one of the limitations discussed in the next section.

Problems and Limitations

As mentioned above, some of the major difficulties in effecting modifications and modernizations in a deeply traditional industry such as that of policing are the pre-existing viewpoints and perspectives. It is consistently observed in policing research (Walker 1998, Monkkonen, 1981) that police recruits predominantly tend to be of a particular type: white, working class, educated to high-school level, conservative, heterosexual, and male. It is also undoubtedly the case that these categories are becoming less definite in modern times. For example, recruits are now entering the police academy with higher levels of education than previously seen (cf. Wimshurst, 2007, Hoover, 2005, Sherman, 1978, Staufenberger, 1977, and Guller, 1972), and more women and minorities are also taking up policing as a career (Reiner, 1995a). Such changes are slow in showing

a widespread effect, however, and it persists that the predominant attitude of policing can be misogynistic, racist, and traditional.

Police academies attempt to address this position and perspective at the very early levels of education and most are extremely conscious of issues of bigotry and prejudice, an attitude that is reflected in their syllabi. Whilst there are still examples of, for example, sexist behavior in these establishments (Marion, 1998), the predominant outlook is one of progress and change. Unfortunately, it is at the field-training level that much of a rookie police officer's education occurs, and these first few months attached to a specific agency prove to be crucial in the continuation or adjustment of training received in the academy (cf. Chappell, 2005, Reiss, 1992). It is a common standpoint held by law enforcement officers that the field training period is the time during which recruits receive their "real" training, and this makes the predominant attitudes of Field Training Officers essential to the prospect of progress and change. While it is imperative to ensure that graduating police trainees receive a balanced and diverse education, it remains irrefutable that "culture trumps ideology" (Hardman, personal communication), and this will require a commitment to change at both the academy *and* the agency level, which must be embraced and embodied by Field Training Officers. Until this can be guaranteed, any success achieved at the academy stage will be mitigated, if not erased, during the first few months of employment as a sworn police officer.

Another problem that will certainly affect this current research directly is that of assessment. With the current situation in place, the success level of a communicative exchange between police officers and citizens is judged according to whether the officer maintained control of the situation. It is apparent that losing control would not be an

effective communicative strategy, but the use of “control” as a measure for accountability will impede all attempts to encourage an attitude of active listening. There is an inherent social power differential manifested between the police and the citizenry (cf. van Dijk, 1993, Fairclough, 1989). This is embodied in the uniform and badge of the officer, and reinforced through societal upbringing, cultural understanding, and institutional Organization (as defined by Turk, 1995, 1966). With this in mind, and with the current research as support, it is almost inevitable that citizen interactants in a communicative situation such as this will feel the need to assert themselves in a stronger fashion than in typical conversational exchanges. If officers continue to be assessed on the levels of control that they display, such assertiveness will require them to display equal or greater levels of command and force, and this could be manifested or (mis)understood as aggression.

Given the preceding analyses and the resulting suggestions and philosophy, it is apparent that the type of situation described here would result in conflict and Norm Resistance, and may lead to instances of Quality violation in certain circumstances. For this reason, it is not sufficient to recommend adjustments be made solely to the training systems to which recruits are subjected, it is also necessary to re-evaluate and adjust the assessment and grading classifications that their performances receive. It is also not enough that this only be activated at the academy level. Field Training Officers and in-service training programs would be required to acknowledge and understand these procedures and changes, and to embody them in their programs, philosophy, and teaching.

One final limitation of this study that should be addressed (though many more do, of course, exist) is that of its scope. Whilst suggestions for training in Florida may be safely made given the fact that the research was undertaken in that region, and the current training standards that were examined were provided by an FDLE training establishment, further studies should be undertaken in other regions to assess the validity and applicability of the suggested adjustments. This is especially true if such steps are to be taken in the United Kingdom (or any other country, for that matter), as a thorough investigation of the existing training procedures will be required in order to appreciate the current practices, and to make suggestions as to how the categories may be incorporated into the syllabus. It is for this reason that so much time and space were spent in the early chapters describing the data collection techniques and the theoretical underpinnings of this project. It is hoped that, with this clear and detailed framework in hand, further experiments may be undertaken by other researchers that will compare and adjust these theoretical categories, and provide resultant suggestions that are appropriate to the relevant environment. In this way, it will be unnecessary to “reinvent the wheel” with each investigation and, if the guidelines can be followed and duplicated, assessing the variability of results across numerous tests and observations will be possible. This will allow for further honing and personalization of subsequent research, and for the furtherance of police training systems throughout a range of regions and countries.

Future Research

This study has provided an examination of police-citizen interaction on a number of levels – social, cultural, and linguistic. By providing a detailed, comparative history of the British and North American policing services, it was shown that many historical aspects of the profession can be traced directly to current practices on both sides of the

Atlantic Ocean. These practices were, in turn, seen to contribute to perceivable communicative features in police interviewing, and these were observed and documented using theories from the fields of Linguistics, Anthropology, and Criminology. Through this documentation process, patterns were uncovered and, with a dual focus on truth detection and situations of verbal and/or physical conflict which are significant and explicit considerations in the field of police work, it was possible to make some very basic suggestions that could be implemented at early levels of police academy training. These uncomplicated categories would better equip police officers in the situation of the first-contact interview, whether the communicative event was expected (as a response to an emergency call for assistance) or unexpected (i.e., officer initiated upon the witnessing or suspicion of a legal infraction). Police officers are currently trained, and show a marked over-reliance, on extra-linguistic features of communication, especially aspects of pop-culture body language. Through an improved understanding and appreciation of the inter-relations between linguistic, cultural, and social happenings, and by attending more to *language* features, the possibilities of achieving the specific purposes of the first-contact interview could be maximized. This would ensure that the potentially stressful experience of interacting with law enforcement officers could become a non-threatening and communicatively satisfying event for police officers, as well as the citizenry that they serve.

APPENDIX A GLOSSARY OF TERMS

- **Cultural Norms:** The verbal formulation of values. For the purpose of this paper, this indicates the letter of the law as a publicized requirement to which members of society are, ideally, meant to adhere.
- **Forensic Linguistics:** The study of the intersection of language and the law. This may include courtroom discourse, authorship identification, interpretation of legal language, the treatment of vulnerable witnesses, and (as seen in the current research) police-citizen interaction.
- **Manner:** Maxim concerning clearness of expression. Violations for the purpose of this current research include ambiguity, lack of chronology, impaired clarity.
- **Miller's Law:** "In order to understand what another person is saying, you must assume it is true and try to imagine what it could be true of", (Hall, 1980:46).
- **Norm Resistance:** Resistance towards an authority figure. For the purposes of this research this is shown as resistance towards a law enforcement officer in the pursuance of their duty as a representative of the legal system, including resisting arrest, attacking the officer physically, verbally attacking the law or its representatives, or obstruction of justice.
- **Norms of Deference:** Usual and expected social expressions of respect towards other members of society, for example, the elderly. For the purposes of this paper, this may be seen as respect for a police officer in the pursuance of her duties as a representative of the established and maintained legal system of the society.
- **Organization:** The level of support for actions in a group. In this current research, this includes the institutional backing of the legal establishment in the work of a law enforcement officer, or the backing of an action undertaken by an audience (e.g. encouragement for resisting arrest provided by a crowd, or the rallying together of combatants in an altercation against the perceived intrusion of the police).
- **Politeness:** Principle concerning verbally expressed civility towards another person. For the purposes of this paper, violations included insults directed at a law enforcement officer, or other involved party, on a personal (not professional) level.

- **Quality:** Maxim concerning the truthfulness of an utterance. Violations for the purpose of this current research include lies, concealing the truth, or the provision of contradicting accounts by people involved in an event.
- **Quantity:** Maxim concerning the amount of information provided in response to questioning. Violations may include speaking too much or too little, given the typical social expectations of the situation.
- **Positional Authority:** The authority granted to a person through the recognition of power granted by the rules of the society. For the purposes of this paper, this is concerned with the authority granted to a law enforcement officer by the cultural acknowledgement and maintenance of a policing service. This will include recognition of the right to use force and the power of arrest or detention.
- **Ranking:** Social hierarchies existing in society. For the purposes of this research this may be seen in racism, sexism, homophobia, and so forth.
- **Relevance (also known as “Relation”):** Maxim concerning the apparent significance of responses to questions. For the current research, violations may include the provision of seemingly irrelevant information, talking about people apparently unconnected to the pertinent event, or reference to ostensibly unrelated happenings.
- **Sex-based Gender:** The derivation of the feminine from the masculine, as seen in terms such as “waitress” or “actress”. For the purposes of this paper, this is often manifested as sexism directed either at the law enforcement officer or at other parties involved in the event at hand.
- **Singularity:** This is seen in this research primarily in aspects of perspective with relation to events that may have occurred and the inability to see things from another person’s point of view. Singularity may also occur in matters of ownership and “quality of life” issues, which revolve around the consideration of the needs and comfort of a community as opposed to those of an individual.
- **Social Norms:** Actual patterns of action. In this research this is shown in whether and to what extent laws are actually followed and enforced.
- **Sophistication:** Knowledge and understanding of the behaviors of others. For the purposes of this current research, this includes the ability of “suspects” to manipulate police officers and other interactants in the event at hand, and the level of training, experience, and preparation that law enforcement officers take with them to a call.
- **Truth Detection:** The process of uncovering actual events, as much as can be possible. The focus on “truth” as opposed to “lie” detection maintains a focus on respect for citizen interactants and an open-mindedness that allows law enforcement officers to perceive multiple perspectives.

APPENDIX B
“COPS” TRANSCRIPTIONS

(This is a ‘narrow’ transcription recording simply what was said. There is no detailing here of overlap, accent, tone, or prosodic features that are evident on the video recording.)

Cops 1: Buffalo, New York

Participants:

- C1 & C2: Buffalo City Police Officers
- M1: The ‘victim’ – an older, working-class man
- M2: The ‘suspect’ – a mid-thirties, working-class man
- W1: M2’s partner/wife

- 1 C1 - You call?
2 M1 - Yes, I called. He’s over here, throwing records over here.
3 C1 - All right. If you kids don’t live here, go home.
4 M1 - I’ve been telling this, that’s the word I’ve been telling them.
5 C1 - If you don’t live in front, in this house, go to your house.
6 M1 - I just put a windshield in here yesterday. And he’s throwing [bleep]. Two weeks
7 ago... I just put one in the back here. Kids over here throwing [bleep]. I’m sitting here
8 watching TV, me and my family, a record. Here’s some of the record here, here’s some
9 over there. A guy came across the street pick ‘em up say “I’m Sorry”. Here’s a [bleep]
10 big dent here in my [bleep] thing. OK?
11 C1 - Did you see who threw that on your car, sir?
12 M1 - Right over here. Right here.
13 M2 - It was an accident. It hit the tree...
14 M1 - You ain’t got no business throwing it in the first place.
15 C1 - You threw it.
16 M2 - It was an accident...
17 M1 - Not over this way.
18 C1 - Why would you throw it?
19 M2 - I was, it was, they were old records and we were just throwing them up the air and
20 that. It hit the tree and then it came down on his car.
21 C1 - How old are you?
22 M2 - I’m 30, sir.
23 C1 - You’re 30 and you’re out on the street throwing a record up in the air.
24 M2 - It was ju- we were just playing around...
25 C2 - Who’s ‘we’?
26 M2 - They’re my kids.
27 M1 - All these kids, these grown-ups, they’s, they’re destroying these little kids. The lady
28 over here, she can’t sleep. Her window’s busted by his nieces and nephews. Her window
29 right here is busted.
30 M2 - I don’t know about that.
31 C2 - Try and calm down. Try and calm down a little.

32 M1 - You know about it.
33 M2 - No I don't, sir.
34 C1 - What's your name, guy?
35 M2 - Allen.
36 C1 - How you gonna pay - this guy - this is a '93 Cadillac.
37 M2 - I don't know. It hit the tree.
38 C1 - What are you going to do to pay for this guy's hood? Are you working?
39 M2 - Yes, I am, sir.
40 C1 - What do you do?
41 M2 - I work at [erased] Fitting. On New Orlean...
42 C1 - You make enough money to pay for this guy's hood?
43 M2 - No, I don't, sir.
44 C1 - Well, who's gonna take care of this? This guy?
45 M2 - I don't know.
46 M1 - Just like this guy here. These older kids, this guy here. They're destroying these
47 little kids. Instead they aren't trying to lead them in the right direction, they're giving
48 them the wrong direction.
49 C1 - Well, unfortunately we're not going to be able to help somebody raise their kids.
50 M1 - I can understand that. The parents suppose to do it themself. I raises mine. The
51 parents is supposed to do it, OK? I did the best thing I could do is call the cops. I'm
52 sitting in my house here, sitting down, relaxing, working five days a week, my wife
53 working...
54 C1 - I understand, you aren't in the wrong at all here...
55 M1 - And I here something go 'bang' here, and I tell her about and she is like 'who'?
56 'Who'? Just like this, you know what I mean?
57 C1 - You're absolutely right.
58 W1 - I understand what you're saying. I'm trying to do the best for mine, too. I'm
59 working half the time. Half the time I cannot be with my kids.
60 M1 - There's a park right over there. Let 'em go in the park. Let 'em go down the street
61 to play. Why they come down here between this house and this house here and play all
62 the time? I tell them...
63 W1 - But is it...
64 M1 - The first thing I tell them "Hey, go down there and play with the ball" I say, "Go
65 down there and play with the ball". The first thing they tell me "My parents told me not
66 to play in front of my house". I don't want them in front of my house any more.
67 W1 - I understand.
68 C1 - Are you going to pay for this? Someone got to pay for this, they did the damage that
69 is that. Even though it wasn't intentional...
70 W1 - I didn't do the front...
71 C1 - The damage is done. How else are we gonna resolve this?
72 M2 - We could come to some kind of arrangement...
73 C1 - Let's handle it this way. Where do you guys live?
74 M1 - I live here, 'cos I look out for the whole neighborhood.
75 W1 - I live right there.
76 C1 - 41? I'll meet you right at 41. Go ahead. Go, go right to 41.
77 M1 - I'm tired of it, I want it stopped.

78 C1 - I'm gonna go over there and get that information from this guy for you. You call
79 your insurance company. Our, my, our names are gonna be on here...
80 M1 - Very good.
81 C1 - If there's any question about him saying that whether he did it or not, or whatever,
82 he should pay for the deductible,
83 M1 - I can understand that...
84 C1 - And then if you gotta take him to small claims, or something, you're good to go.
85 M1 - I understand that.
86 C1 - It wasn't intentional, therefore it's not a crime, so the police are out of it. But I'll,
87 I'll...
88 C2 - We were here when he admitted it...
89 C1 - Yeah, so that's what I'm trying to tell you. We'll help you out there. He's a nice
90 guy.
91 M1 - I understand, I understand. Like I say. He come over here to pick the record up and
92 see the big mark, he said "I'm sorry", he admitted it. What's sorry going to do? You
93 know what I mean?
94 C1 - Sir, he gonna fix your hood.
95 M1 - It's not the hood, or anything. It's the principle. This been going on and on and on
96 and on. And you talk to the parents. It's like the kids, the parents are the..., it's vice versa.
97 C1 - Boy, Johnny why don't you run for councilman around here?
98 M1 - I'm serious.
99 C1 - I am too. I'm going to get a phone number. Hang on a minute. You understand
100 what's going on? You didn't intend to do it, I know you didn't intend to do it. What's
101 bin' going on back and forth here, there's a lot of kids, it's a small street. I understand
102 that, but this doesn't make this guy's life any easier. You know what I'm tryin' to say?
103 It's a '93 car. We advised him to contact his insurance company, get an estimate on his
104 car. You didn't intend to do it, but you did tell us that it happened while you guys were
105 throwing a record up in the air.
106 M2 - It was stupid, I know I was being stupid.
107 C1 - So, it should probably cost you a few bucks for doing it, and maybe you'll learn a
108 lesson not to throw the thing up in the air. If I were you I'd get it squared away and just,
109 uh, take care of it there.
110 M2 - OK, sir.
111 C2 - Set something up. If you can't afford it, you know what I mean? Set something up
112 where you give him 50 a month for a couple of months, or whatever.
113 C1 - Yeah, yeah.
114 C2 - Just, just take care of business, otherwise it'll be ongoing, you know.
115 C1 - That's the right thing to do. Looks, looks like more than one record was tossed
116 [chuckles]...
117 C2 - Anything good?

Cops 2: Buffalo, New York

Participants:

- C3, C4 & C5: Buffalo City Police Officers
- PM1: A Buffalo City Paramedic
- M3: The ‘victim’ – a mid-thirties, working-class man
- M4: A ‘witness’ – a mid-forties man
- M5: A ‘witness’ – unseen man
- M6: The ‘suspect’ – a teenage male
- W1: M1’s partner/wife

- 1 M3 - I was driving along here with Jay in the truck, kid was drinking a 40, as I came by
 2 he punched my mirror on my truck.
 3 C3 - Who is he?
 4 M3 - He broke it.
 5 C3 - Who is he?
 6 M3 - I don’t know.
 7 W1 - Jumped in the middle of the street.
 8 M3 - Jumped out here and he starts swinging, so I punched him real hard one time and he
 9 went out. Then his buddies started coming and I kicked him.
 10 C4 - When you say ‘he went out’, what does that mean?
 11 M3 - ‘Pow!’ he went up off his feet and fell flat on the ground.
 12 C4 - And then he got up and ran away.
 13 M3 - No he laid there. And then I left here to go up to the police station to tell the cops
 14 about it, and you got like a hundred people waiting in line.
 15 C4 - All right. We’ll go over there and see if we can find out where he, what he...
 16 M3 - I’ll stay here.
 17 C4 - Yeah. Stay here in case we find him. Sounds like a drunk was starting some trouble
 18 and he got a little street justice. Basically we’ve got to find him and find out how badly
 19 he’s hurt, and if he’s not hurt too bad, we’ll see if these people want to, uh, do anything
 20 about him. You know breaking bottles and causing trouble down here. He was, uh,
 21 breaking bottles in the middle of the street and he walked up and uh...
 22 C3 - Hey, what’s up?
 23 PM1 - You here for the same thing we’re here for?
 24 C3 - Yeah...
 25 PM1 - I don’t see anybody. They say he was knocked unconscious in the junkyard there,
 26 off that corner, went down the air field, or...
 27 C4 - He’s supposed to live on Hartman, 56 Hartman
 28 PM1 - I didn’t see anything.
 29 C4 - OK, we’ll look at the house.
 30 PM1 - You know what house? Want me to follow you...
 31 C4 - Yeah, just follow us over, see if he’s all right.
 32 [...]
 33 M4 - That’s kid’s only like 15, 14 years old, the one who got beat up.

34 C3 - Where is he? The one who got beat up?
35 M4 - I don't know. He hit him once, the kid fell down.
36 C3 - Did, uh...
37 M4 - He went to get up again and the kid went out. Then he wound up and kicked him in
38 the head and stomped on his back. Then I chased him, got the plate number...
39 C3 - Yeah, we have that, have that.
40 M4 - 5-8, something...
41 C4 - We're trying to find the kid now so that we can see what we're gonna do.
42 M4 - His eyes are all dazed, they said. He got up, his eyes are all dazed.
43 C4 - Anybody see which way he ran?
44 M4 - No. The other four kids, they took him away.
45 C3 - You may be getting a call...
46 C4 - Was he in a car? Did they take him in a car?
47 M4 - No, they walked down one of these streets here.
48 C3 - OK.
49 C4 - I see a group of kids down at the other end of the block, we'll check it out and see...
50 M4 - He kicked his head so hard it went like this [pushes his head back].
51 C4 - He kicked him in the head? Punched him?
52 M4 - Punched him? He knocked him out.
53 C3 - All right. Take care.
54 C4 - We're just gonna look around the neighbourhood, see if we can find these kids.
55 [...]
56 C4 - There he is, the complainant, soon to be defendant... So how did this start? He threw
57 something at your truck...
58 W1 - He had a forty-ouncer...
59 M3 - He had a forty-ouncer in his hand...
60 C4 - This was earlier, this started from earlier then?
61 M3 - No, no, no. He didn't see me.....
62 W1 - About twenty minutes ago.
63 M3 - He didn't see me. And then I come home to get a paper, and I'm driving back, and
64 he runs out in front of my truck. I thought he was going to dive in front of my truck. And
65 he stopped and as I went by he popped my mirror, and then I spun around, and the kid
66 goes 'What d'you hit me for?' And his hand's bleeding. I said, 'What d'you hit me for?'
67 And I said, 'Oh, you want me to hit you?'. I threw it in reverse and backed up like I was
68 gonna hit him.
69 C4 - We had some people saying that, you know, you kicked him when he was down on
70 the ground, too. Is that...
71 M3 - I lost it, I blacked out.
72 C4 - OK. If the kid's really hurt, you know, you're gonna be looking at charges.
73 M5 - You know where you might find him - on the corner of East, by, by the church,
74 C4 - That's it, because, yeah, he broke your, yeah, he broke your mirror...
75 M3 - I'm getting tired of it...
76 C4 - You know. But if you know who he is, and he's easily located from the
77 neighbourhood...
78 M3 - I don't know who he was. He's been kicking cars as they go by, too. Every car that
79 goes by he was booting it...

80 M5 - He didn't know who he was until I came to the corner...

81 M3 - Right...

82 C4 - OK.

83 M3 - I mean, every time I come out, something's done, to my truck. I'm getting tired of

84 that...

85 C4 - And you think it's done by him, huh?

86 M3 - I've replaced three windows in my truck, my other Bronco.

87 C4 - Let us, uh...

88 M3 - They've stole two of my stereo systems

89 C4 - We'll go over there and see what's going on

90 M3 - You need us over there? To identify him? I'll be at the garage there on the corner.

91 C4 - All right.

92 [...]

93 C3 - What's up man? We just want to talk to you. ... Come on, we just want to talk to

94 you...

95 M6 - No, no you ain't got no [bleep] put me in no [bleep]. You ain't got no right [bleep]

96 C3 - Don't ... make a fist.

97 M6 - You got no right [bleep].

98 C4 - Now you're going to jail, shut up.

99 C3 - Got to relax, man. What's your problem?

100 M6 - You got [bleep] [bleep]...

101 C3 - Then don't be, man...

102 M6 - I don't want to be...

103 C4 - Causing trouble, you got to...

104 C5 - Put him on a suicide watch,...

105 C3 - OK...

106 C5 - 'Cos he said, if he goes to jail he's going to commit suicide.

107 C3 - All right, no problem.

108 [...]

109 C4 - If this kid would've, you know, co-operated with us a little in the investigation, then,

110 you know, we might have been winding up locking up the complainant, but this kid's

111 attitude was...

112 C3 - I agree.

113 C4 - ... he was strictly out raising hell today. Maybe there is a little street justice after all.

114 And, he's going to jail for that.

Cops 3: Buffalo, New York

Participants:

- C6 & C7: Buffalo City Police Officers
- M7: The 'suspect' – an early twenties male
- M8: The 'victim' – a mid-thirties, working-class man
- M9: A 'witness/bystander' – unseen male
- W2: M1's mother, M2's partner/wife

1 C6 - How you doing? You called us up?
 2 W2 - Yes, I did. My son just, chased me off my porch with a knife.
 3 C6 - Your son chased you off your porch with a knife?
 4 W2 - Yeah.
 5 C6 - Where's he at?
 6 W2 - I don't know, he went down the street. There he come right there. There he come...
 7 C6 - He got a knife?
 8 W2 - I don't know if he still got it, or not, he had, he had it when he ran off down the
 9 street.
 10 C6 - Let me see your hands, young man.
 11 M7 - I got a knife, I'm gonna throw it down...
 12 C6 - Keep, keep your hands up, I'll get the knife, keep your hands up. Why you carrying
 13 around a knife like that?
 14 M7 - The man just pulled a gun out on me.
 15 C6 - Who just pulled a gun out on you?
 16 M7 - Her boyfriend. I didn't do nothing...
 17 C6 - Just be still, man...
 18 M7 - ...didn't assault nobody...
 19 C6 - Keep your hands up.
 20 C7 - He live here with you?
 21 W2 - Yeah, he live with me.
 22 C6 - You can go...
 23 M7 - Excuse me, officer.
 24 C7 - Why d'you pull this knife out on your mother?
 25 M7 - I didn't pull no knife out on my mother. I just freaked out...
 26 W2 - You came, you came after me, Vern...
 27 M7 - Momma, why d'you sit up here ... I didn't come after you...
 28 W2 - You came...ran through the house
 29 M7 - Why you sitting...Why you sitting here lying on me, man?
 30 W2 - I ain't lying on you, boy...
 31 C6 - Relax, man, relax, relax, relax, man. Just talk to us.
 32 M7 - Aaah - no, I won't never say nothing to her another day in my life, man.
 33 C6 - Relax, where you stay at?
 34 M7 - Lying on me, man, you see this right here, but the man who beat me and everything,
 35 did some [bleep] to me

36 C6 - Just calm down, just calm down...
37 M7 - I hate this, man, this ain't nothing right, ain't nothing...
38 C6 - Wait, wait. Come here. Let me talk to you, just calm down...
39 M7 - I just don't...I'm moving it, I'm moving my stuff, man. The man pulled a gun out on
40 me too many times, man...
41 C6 - Hold on, hold on, man. Come here. Talk to me. Tell me who pulled a gun out on
42 you.
43 M7 - Her boyfriend, man.
44 C6 - Come show me. What kind of gun was it?
45 M7 - Little .32, man. Chrome, man. Sit up there lying.
46 W2 - ...and him...and everything...
47 M7 - Here we go right here, man.
48 M8 - He ain't going back in here tonight.
49 M7 - I'm gonna get my stuff...
50 C6 - Wait a minute...wait a minute...
51 M8 - You ain't going in that house...
52 C6 - ...wait a minute, now. Sir...
53 M8 - I don't want him in my house...
54 C6 - Sir, did you pull a gun on him?
55 M8 - No, I ain't pulled no gun...
56 M7 - You did pull a gun on me.
57 M8 - Who seen me pull a gun on him...
58 C6 - Wait, stay over there, stay over there...
59 M7 - You gonna speak up? You gonna tell them right now he pulled that gun out, man?
60 M9 - All I see...I was coming out...
61 M7 - Officer, you want that gun. Just go get a search warrant, he got an upstairs stash, he
62 got two of them. He got a Dillinger, and a .32 chrome.
63 C6 - You got a gun in your house, sir?
64 M8 - No, I ain't got no house.
65 M7 - I'm pressing charges.
66 C6 - You got a gun in your house, sir?
67 M8 - No, I ain't got no gun in my house.
68 M7 - He ain't supposed to even be here. He do not supposed to even be here, officer.
69 M8 - No.
70 M7 - I ain't...
71 M7 - this boy's trying to kill his momma...
72 C6 - What's this. It's my cigarettes.
73 M7 - So why d'you lying?
74 M8 - I'm sick of this.
75 M7 - You know you do. I'm out here sitting on this porch... He pulled a gun out on me
76 again, Keith.
77 C6 - What's going on?
78 M8 - He wants to kill her, and I'm not going let him do it. That's my woman, for twenty
79 years...
80 C6 - Sir, OK, so you was using a gun as protection?

81 M8 - No, I ain't using no gun. Period. He's on the telephone and I come downstairs, and
82 he runs out the front door behind her with a knife...And he is threatening her constantly.
83 She got a warrant out on him already.
84 C6 - Can, can I search the premises for a gun?
85 M8 - No, you don't wanna search my premises, but I ain't got none. I ain't got nothing to
86 bring you...Why you wanna...
87 C6 - You must have a gun up there, then...
88 M8 - Why?
89 C6 - He alleges you have a gun up there. So where's this gun at? Hold on, hold on.
90 M8 - He's lying.
91 W2 - I'll let him...
92 M7 - You should be ashamed of yourself.
93 W2 - I'll let him talk.
94 M7 - To really be my mother, you should be ashamed of yourself.
95 C7 - Now what do you say? She said go ahead and talk.
96 M7 - You see this? I had this for a year. And guess who put it there...OK, OK, I got
97 reasons why I don't like this man. OK, understand, he taking care of my mother. I don't
98 like it, 'cos I know what he, what he's about. But that's personal.
99 W2 - Stop, stop...
100 M7 - Hold on, no, no, no, no. No, no, no, no.
101 C7 - Hold on.
102 W2 - Want me to tell you why that came about?
103 C7 - Why'd that come about?
104 W2 - He got hit on the head...
105 M7 - Excuse me, officer, can I go and press charges, please?
106 W2 - ...'cos I had a eight year old daughter at the time. Vern came in the house about
107 4:30 in the morning. I don't know what he was on, what he had had, anything. He was
108 talking about knocking my daughter's head off, and everything. And he came downstairs
109 and told him, 'that's your sister, you don't touch your sister like that'.
110 M7 - Enough.
111 W2 - I said '[bleep] this and all this other stuff'. And I told him, 'I do this, and I do this
112 for you...And, uh, it went off from there.
113 M7 - I love my mother.
114 C7 - So listen. He got some place where he can go?
115 W2 - He don't have no place to go. None of his relatives want to be bothered.
116 C7 - What happened to you yesterday?
117 M7 - I'm through.
118 W2 - Ain't nobody going to be bothered with...
119 C7 - What happened to you yesterday?
120 W2 - You had...You told me...
121 C6 - ...permission to search your house...
122 C7 - Did he pull a gun on him?
123 W2 - No.
124 C7 - Do he got a gun?
125 W2 - No.
126 M7 - Take me away from here, man. Take me away.

127 C7 - Oooh. He fired up.
128 W2 - Vernon is on something. I don't know what it is. Me and him gonna sit down and
129 talk. And when he on this stuff this the way he act.
130 C7 - Was he smoking or something?
131 W2 - He smoking. He smoking. Now he want to kill me. He don't want to do no harm to
132 him. The harm is, is he want to do to me.
133 M7 - I'm pressing charges.
134 C7 - You want to press charges?
135 W2 - It ain't gonna do no good. I did it before.
136 M7 - Why do you think I ever said those bad things to you, Ma? You took his side over
137 mine, Ma.
138 W2 - No, Vernon.
139 M7 - You always took his side over mine.
140 W2 - No, Vernon. No. That's not true.
141 M7 - You did.
142 W2 - That's not true.
143 M7 - You did.
144 W2 - I listened to your side, and I listened to his. I explained to you today, Vern. I
145 explained. Everything he do for me, he do for you. As much as he regretted, he do for
146 you.
147 C6 - Where you going? You got somewhere to go?
148 M7 - I got nowhere to go. I got places, but not off the top of the head, man. My stuff in
149 the house.
150 C6 - Well. Why don't you go before you get yourself in trouble?
151 M7 - I'm not going to do that. I...I'm...I staying. If I step off now, come back, cool down.
152 C6 - Yeah.
153 M7 - I'm still able to come back get my stuff.
154 C6 - Yeah.
155 M7 - Just get out the house.
156 C6 - Yeah.
157 W2 - I don't know what happened.
158 C6 - The mom doesn't want to press charges. She's already got an order of protection.
159 And he's going to go over tomorrow and get his things with a police escort. And
160 hopefully that'll be the end of it.

Cops 4: Atlanta, Georgia

Participants:

- C8 & C9: Atlanta City Police Officers
- M10: The 'victim' – an older, working-class man
- M11: The 'suspect' – a mid-thirties, working-class man

1 M10 - A man in that Thunderbird just drove by me, pointed a gun at me. Right there.
2 C8 - Hold on.
3 C9 - In this parking lot?
4 M10 - Right here. In the striped shirt.
5 C8 - Thunderbird. Where are you, man.
6 C9 - Hold up, man. You got a gun on you, man?
7 M11 - Sir?
8 C9 - You got a gun on you?
9 M11 - It's my wife's. It's in my car.
10 C9 - It's what?
11 M11 - It's my wife's.
12 C9 - You got a gun in the car?
13 M11 - It's my wife's. She left it in the car.
14 C9 - Come on. Let's go back over here to the car.
15 M11 - It's in my pocket. I'm going to take it to my wife.
16 C8 - It's in your pocket now?
17 M11 - Yes, sir.
18 C8 and C9 - Hold on. Hold. Woah.
19 C8 - Hold up. Don't be doing that. You suppose he already pulled it out and pointed it at
20 someone.
21 M11 - No. No. No. I didn't...I didn't point it at no-one.
22 C8 - Then how they know you got a gun?
23 M11 - I don't even know who that man is.
24 C8 - How did he know you got a gun?
25 C9 - Put your hand up ... Put your hands up, man.
26 M11 - It's my wife's. It's just a...
27 C9 - Wait a minute.
28 M11 - I don't have anything. It's my wife's. It's not loaded. I wouldn't pull no gun on
29 him. He was trying to get me to pick him up.
30 C8 - So how he know you pull a pistol on him there.
31 M11 - I didn't point no pistol at him.
32 C8 - how he know you had a pistol?
33 M11 - Sir?
34 C8 - How did he know you had a pistol.
35 M11 - I didn't even point a gun at him.
36 C8 - Apparently he know something.
37 M11 - I swear to God on my life, I did not pull a pistol on him.
38 C8 - Sir, let me tell you something.

39 M11 - Sir?
40 C8 - Put your hands up here. Put your hands up here. Spread your legs, man.
41 M11 - Sir, I...
42 C8 - Put your hands on the car.
43 M11 - There's not ... There's no bullets in the chamber, sir.
44 C8 - I'll tell you. That gun is loaded, whether it's in the chamber, or not.
45 M11 - I did not...
46 C8 - Put your hands ...
47 M11 - pull a gun on him.
48 C8 - ... on the car. How did he know you had a gun, then?
49 M11 - Because the gun was in my car, and he walked up to my car, and he asked me if
50 I'd pick him up. I told him 'no!'. I don't have any money to pick him up. He tried to pick
51 me up, and I told him 'no', and he looked in my car. That's exactly what happened.
52 M10 - That's the car right there.
53 M11 - Yeah, that's my car.
54 C9 - Where did you have the gun at?
55 M11 - It was in my ... on my ... sitting on my console. It's my wife's gun. It's registered
56 to Lisa [bleep]. I'm a bounty hunter. I mean, you know.
57 ...[radio talking]...
58 C9 - You got a warrant, huh?
59 M11 - From where?
60 C9 - I don't know yet. And your carrying a concealed weapon.
61 M11 - It's not mine, sir. I'm telling you.
62 C9 - I don't care whose it is. It was in your pocket. Concealed. Loaded.
63 M11 - But there was no bullet in the trigger, or whatever you call it.
64 C8 - Doesn't matter.
65 M11 - See. I didn't know that. I've never. I'm a bounty hunter, I did not know this kind
66 of stuff.
67 C8 - How do you not have a permit to carry a gun if you're a bounty hunter?
68 M11 - I don't carry it, that's the point. My dad carries the gun, I just go with him. You
69 know, that's my girlfriend's gun, you know, we bought it ... Actually, we just bought it
70 the other day. She left it in my car.
71 C8 - Everything I've seen in your wallet shows me that your bounty hunter thing has
72 expired.
73 M11 - No, look under ... there's a bail enforcement agent in there, sir.
74 C8 - Yeah, it's right here.
75 M11 - I work in parts of Clayton County. Yeah, that's not expired.

APPENDIX C
POLICING SERVICES OF WALES AND ENGLAND

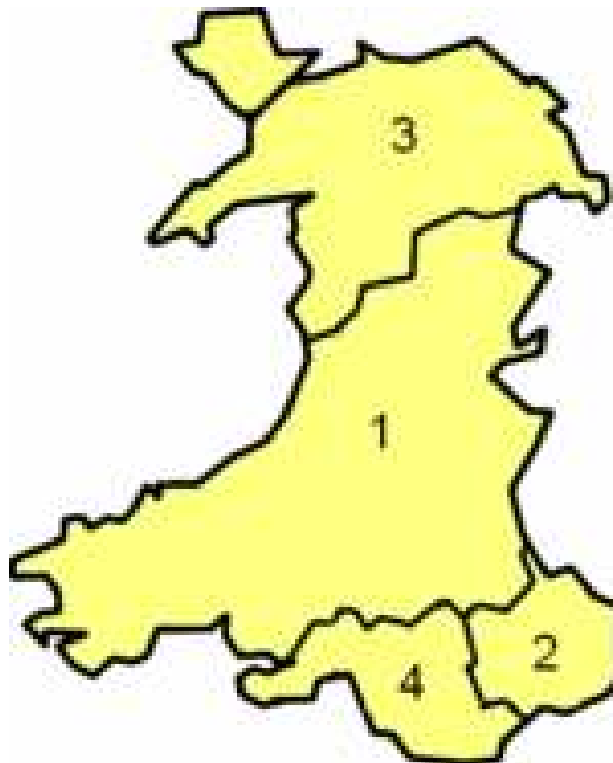


Figure C-1: Welsh Police

1. Dyfed-Powys Police (*Heddlu Dyfed Powys*) – serving the counties of Dyfed and Powys
2. Gwent Police (*Heddlu Gwent*) – serving the county of Gwent
3. North Wales Police (*Heddlu Gogledd Cymru*) – serving the counties of Gwynedd and Clwyd
4. South Wales Police (*Heddlu De Cymru*) – serving the counties of South Glamorgan, Mid Glamorgan and West Glamorgan

1. Avon and Somerset Constabulary
2. Bedfordshire Police
3. Cambridgeshire Constabulary
4. Cheshire Constabulary
5. City of London Police (not shown)
6. Cleveland Police
7. Cumbria Constabulary
8. Derbyshire Constabulary
9. Devon and Cornwall Constabulary
10. Dorset Police
11. Durham Constabulary
12. Essex Police
13. Gloucestershire Constabulary
14. Greater Manchester Police
15. Hampshire Constabulary
16. Hertfordshire Constabulary
17. Humberside Police
18. Kent Police
19. Lancashire Constabulary
20. Leicestershire Constabulary
21. Lincolnshire Police
22. Merseyside Police
23. Metropolitan Police
24. Norfolk Constabulary
25. Northamptonshire Police
26. Northumbria Police
27. North Yorkshire Police

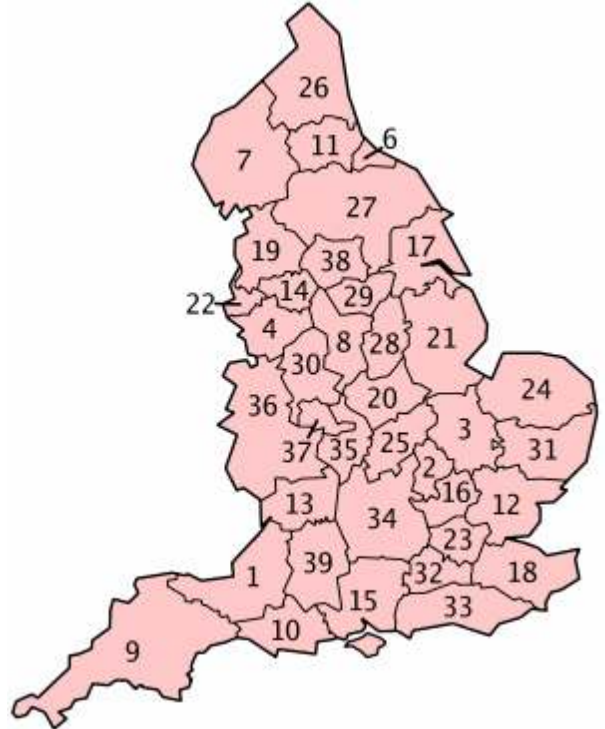


Figure C-2: English Police

28. Nottinghamshire Police
29. South Yorkshire Police
30. Staffordshire Police
31. Suffolk Constabulary
32. Surrey Police
33. Sussex Police
34. Thames Valley Police
35. Warwickshire Police
36. West Mercia Constabulary
37. West Midlands Police
38. West Yorkshire Police
39. Wiltshire Constabulary

APPENDIX D
CONNECTICUT STATE POLICE TRAINING GUIDELINES

Table D-1: Connecticut State Police Curriculum

100	Introduction to Law Enforcement	
Course Number	Subject	Hours
100-A	Orientation To Basic Training	4
100-B	Notetaking And Study Habits	2
101	History And Principles Of Law Enforcement	2
102	Police Ethics And Moral Issues	2
103	Police Authority And Discretion	2
104	The Connecticut Criminal Justice System	3
105	Connecticut State Police	0
	Total	11
200	Police and the Law	
Course Number	Subject	Hours
201	Constitutional Law	4
202	Connecticut Liquor Laws	2
203	Civil Liability	9
204	Connecticut Criminal Law	31
205	Open	
206	Laws of Evidence	7
207	Laws of Arrest	18
208	Search & Seizure	26
208-A	Search Warrant Preparation	4
209	Use of Force	8
210	Hunting Laws	1
211	Weapons & Permits	3
212	Courtroom Testimony And Demeanor	2
212-A	Mock Trial	3
	Total	118
300	Practical Policing Skills	
Course Number	Subject	Hours

301	Firearms	52
301-A	Shooting Decisions...On Practical Skills Day	[8]
302	Open	
303	Tactical use of Weapons (SWAT)	2
304	First Responder Course	50
305	Water Safety	4
306	Officer Safety/Mechanics of Arrest, Restraint & Control	29
306-A	Handcuffing.....[2 hrs]	
306-B	Defensive Tactics.....[23 hrs]	
306-C	Police Baton Training	12
306-D	O.C. Spray.....[4 hrs]	
307	Practical Skills Day	24
308	Driver Training	24
309	Open	
310	Physical Fitness	[80]
	Total	197
400	Human Relations	
Course Number	Subject	Hours
401	Human Behavior/Interpersonal Relations	7
402	Stress Management	6
403	Police And The Public	2
404	Connecticut Juvenile Law / Dealing With Juveniles	10
405	Suicide Recognition, Management, and Intervention	2
406	Supervisor - Subordinate Relations	2
407	Substance Abuse Issues	2
408	Career Development	2
409	Victim / Witness Advocacy	2
410	Law Enforcement & Citizens With Special Needs	4
411	Conflict Management	6
412	Cultural Awareness & Diversity	6
	Total	51
500	Criminal Investigation	
Course Number	Subject	Hours
501	Principles Of Investigation	2

502	Crime Scene Processing	5
503	Interviewing Techniques And Skills	12
504	Admissions & Confessions / Criminal Statements	2
505	Fingerprinting	2
506	Photography	4
507	Surveillance	1
508	Alcohol Tobacco & Firearms	2
509	Explosives & Incendiary Devices	4
510	Identification & Handling of Drugs	15
510-A	Narcotic Field Testing	
511	Criminalistics	3
512	Sexual Assault / Rape Crisis	6
513	Counterfeiting	0
514	Gambling & Organized Crime	2
515	Case Preparation	2
516	Informants & Intelligence	2
517	Motor Vehicle Theft	4
518	Child Abuse	3
519	Identification of Suspects	2
520	Arson Awareness	2
521	Death and Potential Death Cases	2
522	Crimes Against People	6
523	Crimes Against Property & Public Policy	6
	Total	88
600	Patrol Procedures	
Course Number	Subject	Hours
601	Accident Investigation	24
602	Community Policing	8
603	Crime Prevention	2
604	Crimes In Progress	12
604-A	Building Search	
604-B	Stopping suspicious persons / suspects	
605	Handling Animals	1

606	Crowd Control & Civil Disorder	3
607	Domestic Violence	9
608	Hazardous Materials	4
608-A	Electrical Emergencies	2
609	Principles & Operation Of Radar	4
610	Impaired Driving	14
610-A	Intoximeter Certification	8
611	Motor Vehicle Law & Enforcement	35
612	Preparation & Techniques	2
613	Radio And Telephone Procedures & Protocol	3
614	Collect	8
615	Diplomatic Immunities	0
616	Vehicle Stop Tactics	16
616-A	Low Risk Stops.....[10 hrs]	
616-B	High Risk Stops.....[6 hrs]	
617	Civil Complaints & Service	2
618	Note Taking & Report Writing	8
619	Roadblocks	2
620	K-9 Teams	2
621	Seized Property	1
622	Open	
623	Traffic Direction & Control	6
624	Gangs	4
	Total	180
	<i>Grand Total</i>	<i>646</i>

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BIOGRAPHICAL SKETCH

Kerry Linfoot was born in Germany and grew up in the United Kingdom. She received her BA (Honours) degree in linguistics from the University of Hertfordshire in 1995, after which she moved to Taiwan. She taught English as a Second Language for 6 years and during the last 2 years of her time in Taiwan, she also pursued her MA degree in linguistics with the University of Surrey, UK. Upon graduation, she moved to the United States and began her doctoral studies at the University of Florida in 2003. Upon her expected graduation in 2007, she aims to pursue a career in professional law enforcement, and to continue research into interviewing techniques and crisis negotiation.