

Towards an integrated theory of police management

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ABSTRACT

Although there has been, for many years, a growing body of literature considering aspects of general management in business and commerce, much of it has little direct applicability to policing. Much of the police-related management material is poorly integrated with the realities of policing and tends not to form an academic discipline in its own right. Police management as an academic discipline is best described as the study of the management of discretion in the regulation of community conflict. It is the integration of those two aspects of police work with broader managerial theory that this article considers. The partial paradigm presented here demonstrates what may be considered the emergence of a new and robust academic discipline that presents opportunities for the development of a distinctive body of theory

specific to police management. The article reviews the major portions of the paradigm and provides a sketch of the defence of the principles selected.

INTRODUCTION

Often debated and frequently studied is the value of criminal justice education for police managers. A criminal justice degree has positive value without doubt, as the area of academic concentration in criminal justice deals with the study of issues related to crime, causes of crime, and organisational behaviour. Police management has existed as a study area for nearly 100 years, yet the discipline has been difficult to define conceptually. What has been missing is the structure that a paradigm can provide.

This article has been written to provide hypotheses that support an emerging paradigm for police management. The paradigm is supported by the development of the concepts of: *discretion* and *community conflict*. Together those concepts establish the identity of police management as an independent academic discipline.

A necessary requirement of a paradigm is that it must delineate the boundaries for police management as an academic discipline. The paradigm must take into account the critical processes that are common to all local policing efforts. Those

boundaries are in the broadest sense established through acknowledging that police managers' most distinguishing academic endeavours centre on *the management of discretion in order to regulate community conflict*. In part, supporting rationale for that claim is provided through a very brief review of the literature pertaining to discretion.

REVIEW OF THE LITERATURE

The police managers' concern with discretion is rooted in legal theory. In support of that view, Pound (1960, p. 11) states that '[r]ules of law are of general and absolute application, whereas moral precepts must be applied according to circumstances and individuals'. That is because democracies in western civilisation can be identified as being in the stage of what the jurist Pound refers to as the mature law which considers law as applied, as well as individual interests and the interests of the community. Also the jurist Wendell Oliver Holmes (see Lerner, 1946) emphasises the importance of viewing law as the living law. Holmes emphasises that necessary adjustments be continuous in refining and applying the law and further states (Lerner, 1946, p. 2) that law 'deals with general conditions and situations, and seeks to deal with them in universal rather than local terms. When there are local conditions and situations rules become necessary' (Holmes, p. 2). Basically, the law is a police officer's option. It is on the street, where police services are delivered, and with consideration to the interplay of criminal law, the individual, the security and expectations of the community, and the welfare of the individual, that such matters are important.

Davis (1969) wrote the landmark text addressing discretion, out of concern that he had not found a systematic study of discretionary justice. The work of Davis has provided a body of knowledge for understanding discretion as it pertains to justice.

His work provides great insight into the place and processes of discretion within the police profession.

Davis (1969) raises many profound issues and questions regarding the administration and the management of discretion, much of which will be integrated into this paradigm as it develops. For example, in respect to justice, Davis (p. 3) states, '[t]he goal is not the maximum degree of confining, structuring and checking; the goal is to find the optimum degree for each power in each set of circumstances'. Justice, the ultimate aim of criminal law, can only happen when careful consideration of all circumstances takes place on a correct balance. That statement is central to the spirit of this theoretical construct as it applies to community conflict and the delivery of all police services. It buttresses the importance for police managers to have a keen understanding of local community norms and local conditions which will guide the effective use of discretion. It is through the understanding of law, social and political community norms as well as psychological forces and processes within the mind which will help to determine the extent of useful rule-making and of appropriate levels of discretion. Discretion must be properly managed. As Davis points out, unfettered discretion opens the delivery of police services to injustice.

The study of discretion as a pillar to support the discipline reveals that, '[t]here is no single expected pattern of behaviour associated with the social status of the police officer' (Driscoll, 1977, p. 107). 'It seems clear that any consideration of the police role or roles cannot realistically be given in universal terms which are applicable to the country as a whole or even to the majority of agencies.' (Driscoll, pp. 118–119.) Yet, '... the average policeman in his perceptions of the everyday, common sense world wants and badly needs something more definitive as a frame of reference for his

police work and for purpose in his life' (Driscoll, p. 144). Driscoll (p. xi) also states that '... discretion is a fundamental and inescapable part of police work'. Furthermore police managers must manage what Dworkin (2000) refers to as choice-sensitive, decision-making activity which can pertain to any role which is engaged in by the line officer. Dworkin relates that choice-sensitive decisions reflect consideration of competing alternatives. All factors must be weighed. Police managers must manage the exercise of discretion with attention to the line officers' access to '... information, goals and alternatives ...' (Gottfredson & Gottfredson, 1988, p. 49) which may influence decisions made.

'Where law ends individualized justice begins' (Davis, 1969, p. 21). Such a comment further helps to underscore why the management of discretion lies at the heart of the police management discipline. '[t]he police are among the most important policy makers of our entire society. And they make far more discretionary determinations in individual cases than any other class of administrators; I know of no close second.' (Davis, p. 223.) Finally, consider what Hoover (2004b, p. vii) has stated in that '[t]he capacity to use coercive, deadly force is so central to understanding police functions, one could say that it characterizes a key element of the police role'. The implications for discretion can be seen as fundamental to the management of police officers.

The methods of managing police discretion involve more than the creation of rules. Consideration must be given to all methods which a police manager has available at his disposal including: the development of guiding principles; training; officer evaluations; disciplinary actions; and field supervision. Highlighting the limitation of the effectiveness of rules alone, Hawkins (1992, p. 4) stresses the importance of avoiding too

simplistic an approach to managing discretion in that, '... rules sometimes do not work in intended ways, may promote injustice, may leave gaps or may collide with other rules'. Manning (1997, p. 150) states '[t]o see how rules make possible a sense of order, greater emphasis must be placed upon the underlying and assumed organisational reality to which the rules are "referred"'. To that end the Wheaton, Illinois police department, mindful of the limitation of rules alone to guide proper police discretion, has developed an understandable, comprehensive, and useful set of principles which helps to guide police discretion (Meloni, 2005).

Many other police management authors have provided insights that will ultimately impact on the evolution of this paradigm. Due to space considerations the review of most of those authors will not appear at this time. Special reference will however, be made to the work of Goldstein (1990). His work places heavy emphasis on the police manager as reflecting sensitivity to, and focus on a critical level of geographically based sub-communities within the greater community. Suitable in importance for the larger police agency, Goldstein places his study emphasis on the exercise of police discretion and services delivery within smaller geographical segments that comprise the greater community. Among other considerations attention is directed towards the police management's place in problem-solving, conflict management, and an involvement in supportive social service agencies. Goldstein's work deals with ease in addressing the subjective issues of police organisation, community, and factors to be considered in managing human behaviour. As a result of his approach, Goldstein has provided insight pertaining to the large organisation and the large municipality, which insight addresses important concerns in the application of the paradigm to the

large agency police manager's work environment. Goldstein's approach implies a full draw on the concept of discretion and indirectly will lead to police involvement in various types of community conflict with the degree of intimacy which Goldstein proposes with sub-communities. Not included in this work, but of possible benefit, would be a view of the police manager as constructing a local, politically prominent role for himself or herself through deliberative relationships with segments of the community. The role of the police manager in respect to the opportunities and obligations apparent within the concept of representative democracy could be developed to clarify the police manager's professional relationship with the segments of the community. The development of proportional and threshold concepts of democracy would apply to this literary work and could further support the police manager's effectiveness in dealing with geographically based as well as fragmented segments of the greater community. The result of applying those concepts to Goldstein's approach should fine-tune the paradigm's focus on the importance of the exercise of discretion in the regulation of community conflict within the large urban police agency.

STATEMENT OF THE PROBLEM

While excellent literature addressing police discretion is available, the literature in most cases is not presented with a focus on the needs of police managers. Lacking is a simple, comprehensive construct that allows police managers to conceptualise the management of discretion. The authors did not tie in their review of police discretion with a comprehensive review of community conflict. It is within the setting of community conflict that the police manager must manage the exercise of police discretion. Finally, another matter which is not addressed by the writers is the crucial role

of the management of discretion as it assists in the development of the police management discipline.

PURPOSE OF THIS ARTICLE

This article provides a brief overview of an emerging paradigm. The emerging paradigm focuses on discretion and community conflict that are offered to define the study area of police management as an academic discipline. Additionally, this emerging paradigm is intended to serve as an blueprint. It identifies particular opportunities for the creation of new theory, integrated, mid-range and applied. Finally, the paradigm is offered to assist in building more practical knowledge to assist the professional police manager.

PRINCIPLES OF MANAGEMENT OF DISCRETION

Principles pertaining to the management of discretion, distinguishing police management from all other disciplines, are based on the recognition that discretion must be managed with the awareness that:

1. discretion governs actions by line personnel in direct response to controlling the behaviour of individuals or groups that violate or are believed to be about to violate a criminal law;
2. discretion is exercised in the delivery of primary police services under the constraints of rapid response or emergency delivery methods;
3. discretionary *design* and *delivery* of police services must fit appropriately within the mandate of the community, statutory authority, state constitutional authority or court mandate, but are not services mandated by the US Constitution;
4. discretionary action which may lawfully include the use of physical force

and even lethal force against domestic citizens or residents who have not necessarily been adjudicated by a court of law to serve a court imposed sentence;

5. the exercise of discretion may be used to determine police action regarding making an arrest, the use of physical force, and even the decision to deliver lethal force by line personnel, who are not necessarily acting under the direct control of a field commander.

PRINCIPLES OF MANAGEMENT OF COMMUNITY CONFLICT

Principles pertaining to the management of community conflict distinguishing police management from all other disciplines is based upon the recognition that community conflict must be managed with the awareness that:

1. primary police services are delivered in response to community conflict;
2. group community conflict can constitute underlying causes to produce actions by individuals and by other groups to act in violation of the law; and
3. with minimal force the police manager with the use of dialogue and persuasion can more effectively mitigate community conflict that may give rise to the occurrence of crime.

QUALIFYING REMARKS ON THE SELECTION OF THE CONCEPTS AND PRINCIPLES

The statement of the concepts and principles has been presented for two reasons. The first reason is to establish the importance of the place of discretion and community conflict for the police management discipline. The second reason is to begin to

define the application of those concepts as important as they apply more uniquely to the police management discipline than to any other social science discipline or study area.

Each of the other academic disciplines and study areas tend to define their study area through identifying *process and object concepts*. For example, sociology is generally recognised as the study of groups and the inter-relationship of groups. Psychology is generally recognised as the study of the adjustments of the individual. That process and object concept relationship delineates the boundaries of those disciplines.

By contrast study areas such as corrections have not benefited from a generally agreed upon conceptual boundary. For example, do corrections deal primarily with the study of individual deviant behaviour, social conditions which contribute to the occurrence of deviant behaviour, the rehabilitation of the offender or the containment and maintenance of the offender? All of those process and object concepts would be true depending on the orientation of those who endeavour to study corrections. Without an agreed upon conceptual boundary there is no discipline.

Another phase of establishing the identity of a discipline involves the existence of a body of knowledge. Sociology was built up in part through the incorporation of other study areas which were already underway. As sociology's process and object concepts were identified there was further development of pertinent knowledge. At what point does the development of the body of knowledge become critical in the development of a discipline? No doubt, the greater the development of knowledge which supports the core concepts of the paradigm, the broader the recognition of the study area as a discipline. In recognition of a dearth of supportive, applicable knowledge in support of the principles cited for

the police management discipline, the discipline is at this time an *emerging discipline*.

PERSPECTIVES ON DISCRETION

Discretion as instantaneous

At the outset, clarification will be provided to help to clear the murky water of what role discretion plays in an instantaneous reaction. Time is needed in order for an officer to make the correct decision with regard to any given services delivery matter. An instantaneous reaction as can be the case in the use of physical force and lethal force may be seen as a perception by the officer and a response. The perception may bypass the normal cognitive processes and simply result in a response. The truth of that proposition is not debated in this paradigm in this paper. Any condition that helps to govern the instantaneous response may have been put into play with prior pre-service or in-service training, supervisory influence, policy directives or disciplinary action. Those sources of information may subtly influence the line officers' instantaneous reaction, implicating police managements' role in designing discretion. For the purposes of this paradigm, 'instantaneous' does not necessarily preclude the use of discretion; it only shifts the burden back to police management.

Discretion as ambiguous

Discretion as a concept is ambiguous. Discretion is no less ambiguous than *inter-relationship* or *adjustment* as those concepts support the identification of sister, social science disciplines. Discretion in both management and application will yield no less dramatic insights into the proper study of police management than the aforementioned have yielded insight into our sister social sciences.

How can discretion be a major portion of a paradigm for the police management

discipline when all professionals in all fields are widely recognised as using discretion? The application of discretion as a major distinctive portion of the discipline is further supported by recognition of the sheer number of police professionals exercising discretion, the consequences for those who are subject to their exercise of discretion, the highly subjective nature of important circumstances surrounding the determination of choice such as ethnicity, sex, age, economic status, physical proximity to the occurrence of a crime, and the perception of events.

The governance of discretion in general

The ability to exercise discretion is central to the ability of police managers to provide community services in an appropriate manner. The line officer cannot hope to deliver the services without a wide range of options for action because of the complexity which is intrinsically interwoven in the world of human behaviour and circumstance. Worldwide it is the exercise of police discretion which makes the headlines when things go wrong. Universally injustice is associated with the perception of wrongfully exercised discretion.

In keeping with the times with regard to public administration as a discipline is to recognise that discretion is important for government employees in general. The rewards inherent in doing the job well in the interests of the public are rising to the forefront as acknowledged motivators of the better trained and better educated public employees today. There has also been a trend to pass decision-making down to the lowest level of the organisational chart, in terms of identifying the lowest level in the organisation where a decision can be responsibly made. That has more or less always been the case with the delivery of police services. That condition has reaffirmed the need for training, policy and

supervision, that will better support line officers. Furthermore, the effective use of discretion can prevent the actions of the line officer from becoming an unwitting cause of community conflict.

Considerations for the management and exercise of discretion

Discretion is a broad and complex study area. Presented here is a brief summary of the basic concepts in the management and exercise of discretion. Some of these concepts were developed with assistance from S. Souryal (personal communication, August, 2004). These concepts will provide the framework that enables us to incorporate existing knowledge concerning discretion as the paradigm is to be developed. The concepts presented will assist in the effort to relate the broadest concepts of discretion and community conflict to the practitioner's work environment within the emerging police management discipline.

Freedom

The line officer must be aware of alternative courses of action in order to have the freedom to decide. The police administrator does not want unnecessarily to restrict the line officer's freedom to make decisions on the street. Yet unchecked freedom to decide will cause subordinate personnel to *do it their way*. Additionally unstructured discretion has another pitfall. Unless policies exist to guide the exercise of discretion by line officers, the line officers may not even be aware of all of the options they have, until they discover their options through training in departmental policy.

Also, there are *natural limits* imposed on the unrestricted freedom to decide. The limits on freedom do not constitute accountability: they are different. Limits on freedom include the police manager as concerned with: equipment, training, time,

cognitive and physical abilities and limitations of line personnel, and budgetary considerations. Limits on freedom are different from accountability in that they do not necessarily impose penalties back on the local manager and the line officer. A limitation on freedom constrains and stops freedom at some point. Davis (1969) and Driscoll (1977) acknowledge the role of constraints in the exercise of discretion. Natural limits or constraints must be dealt with as alternate choices may not be correctly appraised at the outset because of presumptions of immovable limits on freedom. The other conceptual matter which impacts the freedom of discretion is accountability.

Accountability

The line officer must be made aware of standards of accountability in order to be properly constrained when making a correct decision. The accountability environment compels police officers to engage in or refrain from certain actions due to legal, political, social or economic forces that are locally in play (Behn, 2001). Accountability is the necessary balance to freedom in the exercise of discretion.

The police manager has ample opportunity to be in direct touch with the residents, appointing authority and the line officers themselves. Through further analyzing those sources of accountability the police manager expands accountability *before the fact* to prevent discretionary abuses and moves further from errors which occur *after the fact* when the punishment may be dealt out. There is perhaps no greater threat to the freedom of the exercise of discretion than when a pattern of improperly exercised discretion emerges. That means that, unnoticed or ignored by the police manager, the pattern of improperly exercised discretion may be noticed by *out-of-agency forces*. The out-of-agency forces include primarily the local governing body, the court

system and the local residents. The out-of-agency forces produce a punishment cycle (Behn, 2001).

Accountability may be placed on the police agency by a prosecutor or a local court when discretionary abuses come to light. The prosecutor may refuse to prosecute or may too quickly reduce cases down to lesser crimes. The judge may throw cases out of court through dismissal. In any case discretionary abuses will cause the coproduction (Whitaker, 1976) of police services to suffer. Local residents may punish the police effort by not cooperating as witnesses. They may fail to comply with police requests. The city council or state legislature may react to discretionary abuses through promulgating more restrictive ordinances or laws. The city council may fire the chief of police and the voters may vote the sheriff out of office. Civil and criminal liability can attach to those responsible for discretionary abuses. The failure to exercise proper discretion becomes costly for the public and the police. Almost always accountability, when imposed by out-of-agency forces results in some loss of discretionary freedom. It is that freedom which is critical in allowing the police and the community to function harmoniously.

Davis (1969) comments that the administrator has the obligation of feeding information back to lawmakers. That notion provides the basis for legitimately making adjustments to develop harmony in response to the forces of accountability. Harmony can also be supported through the use of logical reasoning.

Logical reasoning

The line officer must present a course of reasoned logic to demonstrate that the correct decision was reached. What is logical reasoning? Most directly, logical reasoning is that which '... applies intuitively to reasoning that conforms to good common sense

...?' (Houde, 2004, p. 206). Logical reasoning is supported through the use of good sense, inductive and deductive reasoning.

Good sense is logical reasoning that is defensible. Good sense allows for the identification of a clear line of thought leading to action. Good sense if present will result in action that is considered appropriate by an impartial review of the action. Good sense is the test to determine that, within the context of the situation, action was logical and reasonable. Good sense is what supports the police manager's design of discretion. Logic can be defined as what is expected in working cause and effect (Agnes, 2003). Reason is concerned with motive or explanation (Agnes). Philosophy provides us with the use of the processes of inductive and deductive reasoning in order to achieve recognised logical reasoning. Inductive and deductive reasoning are used to establish probable cause and are used to guide officers as they discover what happened during the investigation of a crime scene. The use of inductive and deductive logic can be easily applied to better policy creation which governs the delivery of discretion.

Logical reasoning in the police management discipline must involve extensive formal study, involving the workings of the human mind. That is critical when training is developed, field supervision occurs and policies are constructed or critiqued due to failures. In the police management discipline formal study must emphasise an understanding of how the human mind processes information, and in that way causes adjustments of the individual to a situation. That study supports management efforts to support line officers and should at a minimum include an in-depth understanding of *attitude, belief, value, desire, perception, intuition, experience and memories*. Those concepts provided to us by psychology allow us to examine these elements of judgment. Familiarity with each concept as the

process for developing policy helps to build logical and reasonable principles and policies to govern discretionary actions. Now let us consider, is the design and the delivery of discretion ethical?

Ethics

The line officer must demonstrate that fairness in consideration to community norms, logical reasoning and the law was the basis for making the decision. Ethics can be seen as an umbrella of civility under which the law can be more meaningful, rational and obeyable (Souryal, 1992). Professor Souryal reminds us that ethical discretion is concerned with ‘. . . one’s moral commitment to both society and the agency served’ (Souryal, p. 88). It is within the small community and small police agency where conditions exist that can cause ethical police conduct more easily to become a natural condition. The large police agency manager’s methods meet with greater difficulty due to large group dynamics and diverse community needs and expectations when fairness is at stake.

Small communities and small police agency managers’ methods of obtaining valid information upon which to design discretion in order to integrate fairness, are readily identifiable and are at hand. Through studying methods of direct agency and community exposure the small agency chief of police acting alone can be effective. In respect to ethics, large communities and large police agencies have had to try to re-establish conditions that already exist within small communities and small police agencies. That is to say that, due to the complexities that arise from the existence of large heterogeneous communities and large complex police organisations, large police agencies have lost touch with their community residents’ expectations. For those managers, community based policing and ethics courses are two methods used to

bridge the gap that lies between establishing the basis for fairness for the police and the community.

Ethics is perhaps a more important study for small rural community policing in regard to *out-of-community* concerns. Those concerns deal with addressing conditions that seem to have allowed some small communities to have become separated from mainstream society. A few small communities have become so isolated that they seem to condone significant illegal behaviour.

Now that freedom, accountability, logical reasoning, and ethics have been considered it is time to make a decision. The decision-making process is the conclusion of the process of discretion.

Decision-making

The line officer must actually make a choice based on demonstration of a recognised process of consideration. Making a decision is the end result of discretion. The actual process of assisting line officers to reach a good decision is a matter of following guiding principles. Method is a key to good decision-making. I will paraphrase some general guidelines presented by Souryal (1977, pp. 300–302) as they relate to the process of decision-making. Decision-making is: a purposeful process; the art of compromise; a continuous process; a rational process; a hierarchal process; and a process that is necessarily based on applied values.

Reaching a good management decision takes time. When the police manager takes the time to make good decisions as reflected through policy, training and supervision based on the design of discretion, the line officer’s delivery of discretion is better supported. The line officer is better supported because the officer often does not have the luxury of time to reach a good decision. Line officers may have to reach a decision within a minute or two in the case of a citizen calling for service, or within a split

second in the case of police pursuits and the use of physical or lethal force.

Development of the study of the management of discretion can result in making better decisions. Through properly managing discretion, the likelihood of the line officer as a contributor to community conflict can diminish.

COMMUNITY CONFLICT MANAGEMENT

Community conflict as a natural condition

Conflict naturally occurs within all communities. That is especially true within a democracy. 'Power in a democracy is supposed to be highly fragmented' (Downes, 1976, p. 92). Conflict within the community can be seen as a positive force. Simmel (1955, p. 13) states that conflict '... is a way of achieving some kind of unity'. It is through the redress of grievances that adjustments are made within the political and social life of any community. It is the expression of the will of the people from various factions or social fragments of the community, by which an issue is fully examined politically.

Community conflict is concerned with groups in addition to the primary, traditional police concern with the individual. Individual actions that violate a law or ordinance are acts of community conflict. Additionally the role of groups in community conflict must be thoroughly understood. Groups are important to examine because groups can encourage an individual to commit an act of aggression, in order to further the perceived success of the group. Even if a group does not reward unlawful behaviour, a group can *fan the flames* of dissatisfaction causing conflict which in turn accounts for individual actions becoming brutal and out of hand. Fortunately

communities are organised in various ways to handle most traditional conflicts.

Social organisations, religious institutions and local government agencies, informally and formally handle many conflicts. Social organisations that deal with services to the underprivileged sometimes resolve benefit inequities, thereby preventing conflict. State school administrators become involved in youthful disturbances that may threaten to disrupt the classroom. A church may intervene in an extended family squabble and may resolve the issues causing the conflict. The police manager as the manager of community conflict must make full use of those services and organisations. Additionally the district or county court, municipal court, city council, various specialist boards and commissions representing local governments reconcile conflicts. The occasional failure of non-law enforcement entities to control community conflict causes the local police manager to become the *catch-all* and inevitably to become involved in community conflict.

Community conflict defined

The police management discipline must examine with full vigour the role of police management in relation to community conflict. Social and community conflict cannot be understood without reference to understanding the role of groups within the community. Simmel (1955, p. 91) describes the role of groups in a social context by stating:

... groups as a whole may enter into an antagonistic relation with a power outside of it, and it is because of this that the tightening of the relations among its members and the intensification of its unity, in consciousness and action occur.

In order to underscore that point, Zerubavel (1991, p. 76) states, '[i]t is the

mind that organises reality in accordance with a specific logic yet it is usually a group mind using an unmistakably social logic', when describing how an individual views and understands society. Groups are, for those reasons, an important part of defining and understanding community conflict, even in the instance of the actions of the individual perpetrator.

Much community conflict would be typical of what Coser (1956, p. 50) calls 'realistic'. It is conflict that is clearly focused on an issue or object. That is the most healthy form of conflict. Normally there is some rational connection between what the group wants and what can happen. It is when a group or groups in the community engage in what Coser (p. 50) refers to as 'non-realistic' conflict that problems more typically exist for the police agency almost immediately. Non-realistic conflict is not focused on any particular issue or object. Non-realistic conflict is conflict that is random. It is that form of community conflict with which the police manager must be the most heavily and directly involved. Groups engaged in non-realistic conflict cause those spontaneous bursts of criminal behaviour, with little or no warning, when a line officer action is under way.

In respect to non-realistic conflict situations, Coser (1956, p. 57) states: '... the aggressive energies have accumulated in the interaction between the subject and other persons prior to the release of tensions'. In other words, a member of the 'posse comitatus' (ie, local militia) may be inspired to *act out* because of status rewards received from the group when the member acts out aggression. In a small community a long-term stable relationship between a posse member and a police officer can explode for no apparent reason because of the member's intimacy with the group. In the small community, an ongoing relationship of familiarity between the perpetrator and the officer can exacerbate the potential for an

explosive encounter when an officer is perceived to breach an assumed trust and undertakes police action. A concerted proactive effort involving dialogue and persuasion is the method to be cultivated by the police management discipline, aimed at minimising both the intensity of such a group and the growth of new membership.

Community conflict management has different faces. Coser (1956, p. 140) states: '... conflict leads to the formation of associations and coalitions between previously unrelated parties. If several parties face a common opponent, a unifying bond is created for them'. That means that the chief of police must continually *go to the community* in order to keep abreast of changes. The Houston Texas Police Department exemplifies going to the community through allowing a 30-day comment and review period regarding police department policies before the policies go into effect. Even community conflict that is not directly related to the police chief's job performance can impact on the chief of police directly. Community conflict can result in the community replacing a majority of the municipal council, providing a new employer for the chief of police.

Causes of community conflict

What causes community conflict? In the broadest sense community conflict occurs because something is perceived to be unfair (Bercovich, 1984). Resource asymmetry and institutional imbalance may underlie the sense of unfairness (Worchel & Simpson, 1993). The perception of unfair police action can cause community conflict. When police managers have not been in communication, in particular with groups which are already in conflict, more conflict can result. It is for those reasons that the police manager must be more proactive than is usually the case. That suggests a greatly expanded role for the police manager. At present the

police manager is too focused on supervising the chronic and diminutive efforts of managing the *cleaning up of the mess* that remains after a crime occurs.

Indirectly, another cause of community conflict, through providing the opportunity for open conflict, may be the group's perception of local community weakness. It is well known that individual criminals will prey upon those who are the most defenceless. The same calculated behaviour can be true for the group. If local police are too tolerant or too weak in their ability to enforce laws, an open invitation is noticed for any group that might wish to exploit the opportunities available. Ineffective police managers can contribute toward that perception of weakness through not recognising community conflicts.

Community conflict may be noticed by the police manager through the stage of conflict between groups. When, for example, aggression is present in group conflict, that may be an indicator that the police manager needs to become involved through the use of dialogue and persuasion. Community resources of all types may be used to regulate a community conflict with the police manager's skilful guidance. Further, mediation programmes can be a constructive referral process used by the police manager for conflict resolution. When a local mediation programme does not exist, especially in the smaller communities, it is the function of the police manager, in the role of community conflict manager, to organise a mediation centre.

As it has been carried out, conflict management is too often conducted by line personnel case by case and after the fact. In a fast moving, complex community, it is on the level of executive involvement that the role of *community conflict management* can be executed more effectively before the fact.

Why then should police managers want to deal with community conflict groups? Some groups are groups of concern due to

their ideology, public declarations and their actions. They may create the conditions for crime or fuelling underlying community conflict, which may contribute toward criminal acts. A major concern of dealing with any of those groups or any case involving a police-offender confrontation is that, '... on occasion, the police are the issue at protest. However, most often we [police] are in the position of trying not to become baited into becoming the issue' (Hoover, 2004b p. 10). That effort cannot be realistically handled effectively when the police manager is only concerned with keeping a low profile. Police managers as community conflict managers can only be effective through their proper involvement. That is an excellent example of why the *fuzzy realm of community conflict groups* and the management of police discretion become so important. Greater emphasis on community conflict management is necessary in order to deal effectively with crime and to ensure public safety.

Would dialogue and persuasion constitute an effective approach to dealing with individuals and groups engaged in community conflict? Community conflict groups, which contribute to the occurrence of crime, can be dealt with with some effectiveness. The police manager can meaningfully use dialogue and persuasion. '[M]ost conflict situations are essentially bargaining situations' (Schelling, 1960, p. 5). In fact, '... conflict can be useful in stimulating productive dialog ...' (Kellet & Dalton, 2001, p. vii). That means that individuals and groups involved in community conflict should have a receptive audience that is equipped with proper skills to engage those who are involved. Further '[d]ialogue occurs when conflict participants engage themselves and the other(s) in the deep questions that lead to mutual understanding and resolution of the conflict' (Kellet & Dalton, p. 5). The conflict situation is the

proper setting to identify and deal with issues on the part of the police manager if the conflict situation appears to be promulgating the conditions for crime. Conversely, '... [m]onologue creates and sustains separation' (Kellet & Dalton, p. 111). Because of unrestricted monologue, groups can become closed social systems. They have closed themselves off from the broader community intentionally, or as a consequence, because of their methods. Those closed systems occur because of a lack of communication. Face-to-face communication with the group's leadership tends to destroy a closed system. The contact weakens the 'we' versus 'they' isolationism which they foster. It is likely that '... most conflicts would be easy to resolve if the participants truly communicated, but they rarely do' (Kellet & Dalton, p. 5). It is that special, extra effort on the part of the police manager that could expand the order maintenance role into a role of greater effectiveness. The focus in the tenor of the police management discipline should properly be the standard of *intellectual force* as minimal force.

Discretion and community conflict: tied

It has been the purpose of this article to establish the basic concepts for the academic discipline of police management. Discretion and community conflict form the umbrella under which all recognised roles for police services delivery operate. Peace keeping (order maintenance), law enforcement, social services delivery and public safety are included under this umbrella. Regardless of the police role it must be recognised that *it is the judgment used by the police manager and consequently by the police officer, both prior to and after the fact, in an instance of community conflict, whether an individual or group is responsible for the concern, that forms the core of the police management discipline.*

CONCLUSIONS

The pursuit of the development of the academic discipline must not be inappropriately sidetracked to an examination of only police roles or police action in a particular type. The development of the academic discipline will not occur through studying police management as a component of criminal justice. It is the combination of police managers' design of discretion and the use of dialogue and persuasion in the appropriate stage of community conflict that exposes the discipline. The study of discretion and community conflict thus cannot be divided.

Large municipal police departments have been the model for the development of scholarly material for police management. Large municipal police agencies are an important part of the police management family but have been the *unstated, assumed benchmark* for the development of most police management academic and training material. While all recognised police roles fit under the umbrella of discretion, the proper management of police services delivery depends upon specialised training which takes into account features of the different work environments. Specialised work environments include large municipal police agencies, sheriffs' departments, small municipal police agencies, state police and university police. Each work environment features unique political and social characteristics that are mostly different from one another. Academic study for police managers can further shed light on the concerted development of a knowledge base for the police manager with consideration to *political police management, sociological police management, psychological police management and police management communications*. Each study area can further develop and apply the contribution of the sister social sciences to the police management discipline.

Though there has been much valuable

information produced by many fine authors in police management, there is no organisation of the overall effort. Special studies have further caused the study area to become a *random mixture* of seemingly *unblended ingredients*. This paradigm is offered to add *consistency to the batter*. This paradigm is necessary in order to recognise core principles and to provide a clear vision of direction in the development of appropriate knowledge. Without focus and without clarity regarding key needs for knowledge in the core employment areas within police management, cohesive and useful information cannot be developed.

The paradigm as applied to the work environment

The use of *one size fits all training* for police managers is commonly used at present. Training in police management would be more effective if it took into account the fundamental characteristics of the work environment. In that fashion applications of principles from the paradigm will be appropriately applied to the focused work environment.

It may be noted that the work environment theory can be seen as related to the paradigm's principles as presented, but the concerns within the application do not parrot the paradigm's principles. Additionally, some hypotheses that can be seen as exposing topics of concern to a practitioner within one particular work environment may not apply at all or may apply but in a different degree to another work environment. The small police agency manager's application is presented below.

Political environment

- Subordinate officers within the small police agency can more easily rival the police manager in directly exerting influence upon members of the city council.

- In rural areas, politically and ideologically formed groups that may be of interest to the police manager as posing a legitimate concern, tend to be of a conservative orientation.
- The work environment involves a more intense, three-tiered relationship between formal authorities (appointing authority), power brokers and community residents, than is the case in a large community-large police agency setting.
- In rural areas the sheriff's department is more likely to play a dominant role in coordinating police services delivery (Weisheit, Falcone, & Wells, 1999).
- Small communities have lost much representation in federal and state political arenas causing small communities and small police agencies to be economically disadvantaged in their ability to deliver police services.

Social environment

- In smaller communities the understanding of which informal rules of social conduct are in force is less likely to be a problem than would be the case in a large community (Knight, 1992).
- Small communities have topographical features that allow local residents to be more accessible to the police manager.
- Successful integration of the small police agency and small community is dependent upon the police official's regard for the individuality of each resident.
- Small communities tend to be more homogeneous in population than would be the case in a large urban community, permitting the police manager to experience the needs of the community more effectively.
- The police manager as an individual can develop a detailed awareness of the needs for police service from the community residents.

- Rural residents have a more positive image of their local police than do their urban counterparts (Weisheit, Falcone, & Wells, 1999).
- Police services are delivered in a social environment characterised by a reactionary status to the influence of mass society.

Organisational environment

- The small police agency chief may function as the top administrator, line supervisor, and even occasionally as a line officer, placing special emphasis on the need and effectiveness for the chief of police to function effectively by example.
- In the smallest of police agencies only one officer or no officer may be on duty at any given time, thereby placing special emphasis on the need for voluntary community assistance.
- Residents of the small community have a greater amount of access to the police manager, professionally and as a private person than do the residents living within a large urban community.
- Community access to the police manager must be managed in order to prevent the police manager from suffering from over-exposure to the community.
- There may be a tendency for an over-reliance in the smallest of police agencies on community friendships and organisational line officer relationships, in order for the chief of police to make administrative and managerial decisions.
- The small police organisation can be reinforced by management as the primary group for subordinate officers without causing the primary group to function as a subculture, because of the regularity of relationships which subordinate officers have with members of the community at large.

- Small police agencies may saturate their community with a patrol presence (Thurman & McGarrell, 1997), consequently demanding management effort to prevent that condition from impacting on the public perception of being over-policed.
- Police officers in small communities tend to relate to the local residents as family, as opposed to police officers in large communities who may be more inclined to view residents of their community with punitive attitudes (S. Souryal, personal communication, August, 2004).
- Small police agencies share their street visibility with other police agencies to the extent that another police agency may represent 100 per cent of the police visibility in the small community at any one time, thus emphasising the importance of including those agencies into the police management and leadership efforts.

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