

The Field of Law Enforcement

LEARNING OBJECTIVES

As a person interested in the field of law enforcement, you need to understand that it is not a simple field of study; many forces in today's society influence the operation of law enforcement agencies. This chapter introduces you to the field and the complex set of factors that influence today's agencies. It also reviews several approaches to viewing how law enforcement functions in the United States. After studying this chapter, you should be able to:

- Define and explain the concepts of law enforcement and policing.
 - Define and explain the concept of social control.
 - Describe four basic perspectives of the policing function.
 - Understand how to apply the systems perspective to policing.
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CHAPTER OUTLINE

- I. The Basic Concept of Law Enforcement
- II. Law Enforcement and Policing
- III. Law Enforcement as Social Control
- IV. Four Perspectives to Law Enforcement
 - A. The Legal Perspective
 - B. The Public Policy Perspective
 - C. The Systems Theory Perspective
 - D. The Global Perspective
- V. The Perspective of This Text
- VI. Summary

KEY TERMS USED IN THIS CHAPTER

representative democracy	full enforcement
law enforcement	zero tolerance
police powers	public policy perspective
policing	proactive
police officials	systems theory
social control	global perspective
socialization	Vienna Convention on Consular Relations
legal perspective	diplomatic immunity
discretion	
selective enforcement	

THE BASIC CONCEPT OF LAW ENFORCEMENT

In our society, as in all modern societies, the enforcement of the law is vital—without some type of law enforcement, a society would eventually cease to exist. Generally speaking, the function called law enforcement is a society's formal attempt to obtain compliance with the established rules, regulations, and laws of that society. Without law enforcement, society as we know it would probably succumb to social disorder and chaos.

The United States is a **representative democracy**, which places great emphasis on the protection of individual

freedoms and liberties; as such, its institutions must reflect those principles upon which the country was founded. Because the United States is predominately an open and free society—in the political sense, with freedom to disagree from region to region, state to state, and city to city about how to design and direct law enforcement and develop policy—it is common to have disagreements about how to enforce the law. Historically, our country's citizens have often questioned the actions of government officials. As citizens, we may not always agree with what happens on the street, in police stations, in courtrooms, in jails, or in prisons, but people in the United States possess the freedom to criticize and protest governmental actions (or inactions) because of the structure of our criminal justice system. That structure and the Constitution may occasionally appear to be in conflict with one another, but that may also be evidence that the system works. The debate over civil liberties and national security that has emerged since the 9/11 terrorist attacks on the United States is another example of our principles at work. Inevitably, such issues prompt us to ask two significant questions: (1) how can the law enforcement community function to preserve the civil liberties and freedoms that are cherished and protected by the Constitution?, and (2) how do we balance our constitutional rights with public safety and national security concerns?

The purpose of this book is to help you answer these questions by providing information about the field of law enforcement, so that you have an understanding and appreciation for both its objectives and activities. Such a background is necessary for you to develop *informed* opinions about the field, rather than opinions based on limited knowledge and experience. Everyone has opinions; some are more informed than others. Informed persons have a foundation (facts and evidence) for their arguments and reasons for doing things, making choices, and advocating changes. Society needs informed, knowledgeable citizens that understand the field of law enforcement and its impact on social behavior.

Law enforcement is one means of formally supervising human behavior to ensure that the laws and regulations of a society are followed and that there is a certain amount of security and stability in society. The enforcement of law in all of its forms (statutes, regulations, administrative codes, ordinances, zoning laws, etc.) is legally authorized

Different uniforms, same mission



by the concept of police powers, which is the government's lawful authority to enact regulations and laws related to health, safety, welfare, and morals. Police powers are carried out by the various levels of government in the United States, including the establishment and regulation of water and sewer systems, highway and transportation systems, fire protection, monetary regulatory systems, health and medical systems, park and recreation areas, general assistance to the economically deprived, and food processing. In short, police powers provide the authority for law enforcement officials to act.

The process of law enforcement is a formal one sanctioned in the United States by the people (voters) through their elected governmental bodies. Of the three branches of government in the United States, the law enforcement function is the responsibility of the executive branch. Executive branch officials include the President of the United States at the federal level, governors at the state level, and mayors at the local level. These officials and their representatives use their governmental authority in the appointment of law enforcement officials and the establishment of philosophies and general policies under which they will operate. The other branches of government also affect the ability of law enforcement officials

FIGURE 1-1 The Government's Involvement in Law Enforcement

BRANCH	Legislative	Executive	Judicial
OFFICES or TITLES	Congress Legislatures Boards Councils	President Governors Trustees Mayors	Courts Justices Judges Magistrates
LAW ENFORCEMENT ROLE	Enacts statutes, codes, ordinances and resolutions Establishes policy	Enforces legislative enactments Operates law enforcement agencies Initiates criminal prosecutions Establishes agency procedures/rules	Reviews enforcement actions Adjudicates legal disputes Tries criminal cases Issues orders and sanctions

to perform their jobs. The legislative branch provides the statutory authority under which law enforcement officials operate. This authority includes the lawful right to use different levels of force to achieve law enforcement goals and objectives, and it is the authorized use of this force that sets law enforcement officials apart from other occupations. Also, the legislative branch is formally responsible for defining behavior that is to be considered criminal in a particular jurisdiction. The judicial branch of government reviews the actions of law enforcement officials according to the established rules of constitutional law, civil law, criminal procedure, and evidence. This review normally occurs during judicial proceedings, such as initial hearings, preliminary hearings, suppression of evidence hearings, and trials (civil and criminal). The judicial branch, through the review process, creates rules for how law enforcement may operate in a given context; examples include the rules of interrogation, arrest, and the use of force. **Figure 1-1** summarizes the role of the three branches of government regarding the law enforcement function of the United States.

LAW ENFORCEMENT AND POLICING

The concept of law enforcement encompasses all levels (federal, state, and local) of the executive branch of government. It includes agencies that enforce administrative

codes and regulations (rules of agencies) and criminal laws related to the health, safety, and welfare of the people. A broad spectrum of officials with titles such as inspector, compliance officer, deputy, special agent, trooper, auditor, investigator, ranger, marshal, constable, or police officer can be found in law enforcement agencies. These officials may be employees of agencies that inspect the food supply (Department of Agriculture) and places of employment (Occupational Safety and Health Administration), investigate the causes of fires (State Fire Marshal), protect abused and neglected children (County Children Services), investigate airplane accidents (Federal Aviation Administration), conduct audits of government expenditures (State Auditor's Office), investigate criminal complaints (federal, state, and local law enforcement), and/or apprehend offenders (any agency with arrest authority).

The term **policing**, on the other hand, refers to a subset of law enforcement that applies to the process of regulating the general health, safety, welfare, and morals of society as it relates to criminal behavior. The policing function in the United States is primarily observed through the operations of the criminal justice system in the prevention, detection, investigation, and prosecution of crime. The personnel affiliated with agencies who are engaged in policing functions can be referred to as law

enforcement personnel; however, in the United States, **police officials** are a unique group of law enforcement officials because they are armed and are authorized to use coercive and physical force, under certain conditions, when carrying out their duties. They are non-military, armed, governmental personnel who are granted the authority to prevent, detect, investigate, and prosecute criminal behavior and to apprehend alleged offenders. **Figure 1-2** illustrates the policing agencies as a subset of the law enforcement community.

The focus of this text is on the policing agencies of the law enforcement community as identified in

Figure 1-2. However, it must be understood that the entire law enforcement community is quite extensive. The term law enforcement also is used to describe one of the many functions within policing agencies; in fact, the local policing agency personnel normally spend less than 20–30% of their time engaged in crime-related law enforcement functions (Greene and Klockars 1991, 279). Most of their time is spent on prevention, general public service, and order maintenance functions. This relationship is depicted in **Figure 1-3**. Today's professional police officials often do not want to emphasize their law enforcement functions; they prefer to be thought of for

FIGURE 1-2 The Law Enforcement Community

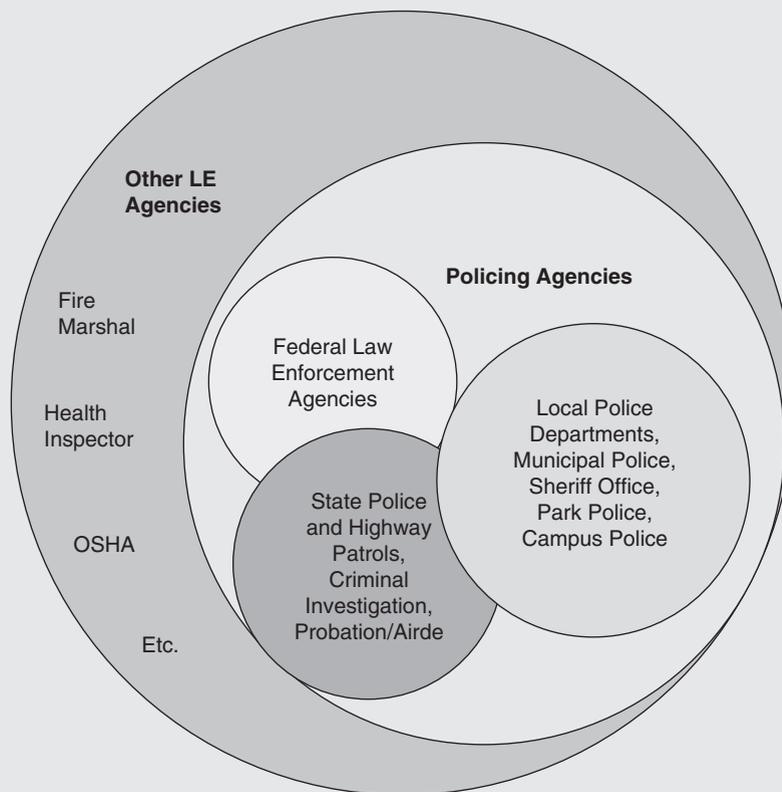
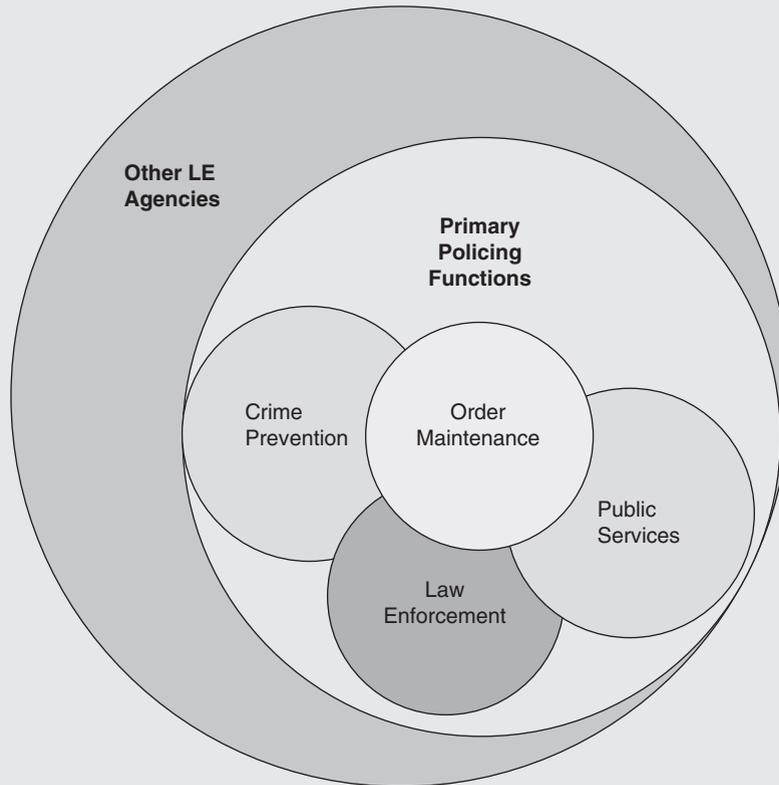


FIGURE 1-3 Primary Policing Functions in the Law Enforcement Environment

their service, especially the public safety functions which do not involve enforcement activities.

Some states add to the confusion of terms by using the phrase “peace officer” to refer to an entire class of policing officials who generally are authorized by statutory law to make arrests and serve warrants. A sample of such statutory language for the state of Ohio is reprinted in **Figure 1-4**. Notice that the state has 23 different types of peace officers. (It is also interesting to note that, for definitional purposes in Ohio, “sheriffs” and “state troopers” are not peace officers. However, there are other statutes that describe their authority as “law enforcement officers.”)

As a student of the policing function, you should know that the terminology associated with police officials and their agency affiliations is important and occasionally confusing. Several terms (police powers, law enforcement, policing officials, and peace officer) have been used above and may appear to be very similar. It is essential to know that titles in the law enforcement field are important, and to know the different titles that distinguish policing officials. At the federal level, such officials are usually referred to as “agents” or “special agents,” although members of the US Marshal’s Office are called “deputy marshals.” At the state level they may be called “troopers,” “state police officers,” and/or “agents.” At the local level,

FIGURE 1-4 The Definition of Peace Officer in Ohio

- (A) "Peace officer" means:
- (1) A deputy sheriff, marshal, deputy marshal, member of the organized police department of a township or municipal corporation, member of a township police district or joint township police district police force, member of a police force employed by a metropolitan housing authority ... or township constable, who is commissioned and employed as a peace officer by a political subdivision of this state or by a metropolitan housing authority ... ;
 - (2) A police officer who is employed by a railroad company and appointed and commissioned by the secretary of state ... ;
 - (3) Employees of the department of taxation engaged in the enforcement of Chapter 5743 ... ;
 - (4) An undercover drug agent;
 - (5) Enforcement agents of the department of public safety ... ;
 - (6) An employee of the department of natural resources who is a natural resources law enforcement staff officer ... a park officer ... a forest officer ... a preserve officer ... a wildlife officer ... or a state watercraft officer ... ;
 - (7) An employee of a park district who is designated pursuant to section 511.232 or 1545.13 of the Revised Code;
 - (8) An employee of a conservancy district who is designated pursuant to section 6101.75 of the Revised Code;
 - (9) A police officer who is employed by a hospital that employs and maintains its own proprietary police department or security department, and who is appointed and commissioned by the secretary of state ... ;
 - (10) Veterans' homes police officers ... ;
 - (11) A police officer ... employed by a qualified nonprofit corporation police department ... ;
 - (12) A state university law enforcement officer ... ;
 - (13) A special police officer employed by the department of mental health ... or the department of developmental disabilities ... ;
 - (14) A member of a campus police department ... ;
 - (15) A member of a police force employed by a regional transit authority ... ;
 - (16) Investigators appointed by the auditor of state ... ;
 - (17) A special police officer designated by the superintendent of the state highway patrol ... ;
 - (18) A special police officer employed by a port authority ... ;
 - (19) A special police officer employed by a municipal corporation ... at a municipal airport, or other municipal air navigation facility, that has scheduled operations ... ;
 - (20) A police officer who is employed by an owner or operator of an amusement park that has an average yearly attendance in excess of six hundred thousand guests ... ;
 - (21) A police officer who is employed by a bank, savings and loan association, savings bank, credit union, or association of banks, savings and loan associations, savings banks, or credit unions, ... appointed and commissioned by the secretary of state ... ;
 - (22) An investigator ... of the bureau of criminal identification and investigation ... commissioned ... as a special agent ... ;
 - (23) A state fire marshal law enforcement officer ... ;
 - (24) A gaming agent employed under section 3772.03 of the Revised Code.

Source: Section 109.71(A) of the Ohio Revised Code, 2010; specific details omitted.

members of the county sheriff's office are "deputies" or "deputy sheriffs," and members of municipal and village police departments are called "police officers." The terms "constable" and "marshal" may be used in some

jurisdictions at the local level, particularly in townships and villages. Members of federal and state forestry, park, or wildlife divisions may have the title of "ranger" or "warden." It does get confusing, but personnel in the law

enforcement field do make these distinctions for reasons of courtesy, respect, and clarification of responsibilities. An analogy might be that most of us drive vehicles, but some insist on referring to their vehicles by name—Focus, Camry, Civic, Tacoma, and so on; not all vehicles are created equal, and some people want you to know that! In this same vein, police officials are of different types and serve different jurisdictions, and may also possess different legal authority under the law. All police officials are law enforcement officers, but not all law enforcement officers are called “police.” It is possible that you may encounter some police officials who are sensitive about their titles. If you plan to become an employee in the criminal justice field, it is recommended that you pay attention to titles and job classifications.

The Courtroom—formal social control. The Donald E. O’Brien Electronic Courtroom—Sioux City Iowa



Law enforcement personnel occupy unique positions in American society. They act with the authority of the state, meaning that they have been entrusted with the lawful right to enforce the law. Few people in the United States are given the authority (under certain carefully defined conditions) to use coercive force to carry out that duty. Some of these officials are uniformed (and therefore

easily visible), and others are not. Regardless of the title or whether they wear a uniform or not, police officials in our society serve in a formal social control capacity. **Social control** is the process whereby a society encourages or enforces compliance with social norms, customs, and laws. There are various viewpoints regarding how limited or extensive this social control function should be. Let us examine in greater depth some of the aspects of the concept of social control.

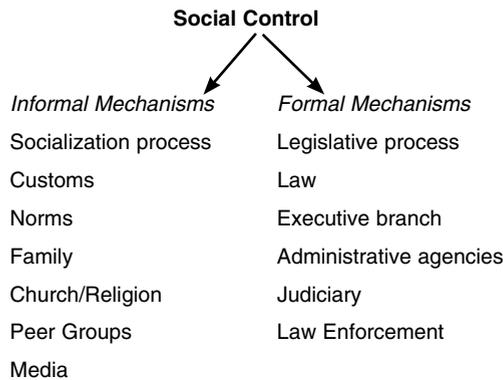
LAW ENFORCEMENT AS SOCIAL CONTROL

Law enforcement is a societal function necessary for internal stability and security. Through the process of law enforcement, society exercises a form of social control of behavior, deviant or otherwise. Every society has social control mechanisms because they serve as a means of **socialization**, or the process of teaching the culture and norms of the society to its members.

Social control mechanisms are either formal or informal. Formal mechanisms generally refer to the units of the governing authority of the country; formal social control units in the United States include the executive, legislative, and judicial components of the governmental structure at all levels of government. Informal mechanisms include family, peers, religious organizations, significant others, and so on. **Figure 1-5** depicts a simplified version of selected social control mechanisms.

Social control mechanisms are not as simple to classify as **Figure 1-5** might indicate. For example, where should education be placed? The educational process can be considered a formal control mechanism because it is often supported (via taxes) by government institutions. What you learn in school, however, is not simply the formal curriculum, but many other things as well (such as social skills, teamwork, manners, customs, etc.). Thus, it would fit equally well as an informal mechanism.

The social control mechanisms of a society do not exist in a vacuum. Social, economic, and political influences impact social control. These influences cause shifts in attitudes and values over time, in that they can cause a society to become more conservative or more liberal in its approach to controlling behavior. Social influences come mainly from the interaction between people and groups

FIGURE 1-5 Social Control Mechanisms**FIGURE 1-6** Influences upon Social Control

Social	Economic	Political
Fads/Trends	Inflation/Recession	Major Parties/ Elections
Social Movements	Unemployment Welfare	Party in Power
Morality	Interest Rates	Wars/Conflicts
Religion	Poverty	Arms Race
Poverty	Energy Costs	Poverty
Homelessness	Consumer Confidence	Congress
Race Relations	National Debt	Patriotism
Abortion Debate	Crime Control	Government Regulation
Crime	Costs	Government Policy
Mass Media Entertainment	Credit Rate	Foreign Relations
	Advertising	Foreign Aid
	Imports/Exports	Terrorism

and include forces such as customs, values and religion. Economic influences refer to resources (employment, income, and inflation) and the distribution of goods and services (transportation systems and businesses). Political factors include the policy-making process (elections, legislative actions, lobbying) and its related institutions (Congress, legislatures, and city councils). **Figure 1-6** identifies a number of examples of these influences upon society.

As with the placement of formal and informal social control mechanisms, the influencing factors are not easily categorized into social, economic, or political ones. For example, the factor of “poverty” is listed in all three categories. Is poverty a social condition? Is it an economic one? What influence do politics and public policy have on poverty? You could persuasively argue each of these positions, and there is validity to each. Likewise, “terrorism” is listed under political influences, but doesn’t it also influence social and economic issues?

Social control issues raise several questions for law enforcement. How much of a role should policing have in the social control function in society? Should there be greater emphasis placed on formal control mechanisms,

that is, the government’s influence on controlling behavior? Or should the informal control mechanism be emphasized for guiding and influencing behavior? Ultimately, the question becomes one of how much influence the police should have on controlling people’s behavior. A person who believes that the police should not have much of a role in controlling societal behavior would probably believe that there should be greater emphasis placed on the informal mechanisms (e.g., family, church, peer group), while one who believes the police should play an active role in controlling social behavior may emphasize tough policing measures to control behavior and greater use of the courts and formal punishments to influence behavior. Let us examine four common perspectives (viewpoints) to social control and their impact on policing in the United States. These perspectives are important because they reflect the diversity of ideas and beliefs of how our government agencies should function. They reflect how citizens view crime and influence government policies related to preventing and controlling criminal behavior.

FOUR PERSPECTIVES TO LAW ENFORCEMENT

There are several ways to view the world in which we live. Some people take a narrow viewpoint of certain issues, while others take a broader approach in perceiving situations. For example, in a verbal description about the design of a building, the architect may have one mental image or perspective, the builder a different one, and the prospective resident yet another. The architect may be concerned about how the building “fits” into the landscape or with the surrounding buildings. The builder is possibly thinking about cost and what types of materials are to be used. The resident could be concerned about the location of internal features, the size of rooms, utilities costs, and how soon it can be built. Each viewpoint is valid in and of itself, but the focus of the discussion can become very confusing if the three persons do not attempt to see the other person’s approach to the building. In this example, a comprehensive set of blueprints and architectural drawings could help each person better perceive the others’ concerns. In the following discussion, various approaches to viewing the field of law enforcement are presented. If a person is an advocate of one of these approaches and is discussing law enforcement with a person who holds a different viewpoint, there could be confusion or heated debate. The purpose here is to increase your understanding of each approach to help you reduce confusion and conflict over issues in policing, as sometimes situations are improved when one can see the other person’s point of view. It must be remembered that these approaches are not totally independent of one another; occasionally some aspects overlap with other perspectives. It is also possible that a person can hold one perspective on a particular issue and a different perspective on another issue.

The Legal Perspective

One common approach to policing is that “the law is the law.” **The legal perspective** is an approach that views behavior from a rule-based philosophy, in that the law is paramount and it is the guide for behavior that everyone must follow. Strong advocates of crime control and severe punishment for infractions often adopt this perspective. While there is merit in holding the law in high regard, one must be careful to evaluate a particular law’s purpose and whether it is too restrictive. The legalistic approach is

evident when someone says, “there should be a law against that.” The person is implying that making the behavior a crime will stop people from doing it, or at least allow the authorities to intervene.

Most people in the United States obey the majority of laws. According to the 2009 crime victimization survey, about 6.6% of the population were victimized that year (Truman and Rand 2010) and there were approximately 13.6 million arrests made in the United States (Federal Bureau of Investigation 2010). It is believed that 20% of offenders commit 80% of the offences, at least for some types of crime (Clarke and Eck 2005). Of course, we cannot know who breaks the law when a crime is not officially reported (which happens, on average, nearly 50% of the time) or when there is no suspect to arrest (which happens almost as often, depending upon the type of crime), but evidence suggests that most of these crimes are committed by repeat offenders who will eventually be caught unless they “age out” and stop offending. As such, we can say the vast majority of men, and nearly all women, obey the law. This probably occurs for two reasons: (1) the majority of laws are deemed appropriate, and/or (2) most people respect the law. However, not everyone believes all the laws are appropriate. There also are different levels of legality. For example, gambling is generally against the law in most places, but certain types (e.g., bingo, horse racing, and lotteries) may not be, and some people believe that all forms of gambling should be legal. Some believe that crimes related to certain sexual actions (e.g., prostitution or having sex with children) should not be against the law, while others believe that the law should enforce traditional sexual morality. As any society becomes more diverse in terms of ethnic (national origin), racial, religious, and social backgrounds, agreement on what should be legal and illegal diminishes. This lack of agreement leads to many problems for policy makers as well as law enforcement officials, as too many laws against too many behaviors can reduce respect for the law.

In this perspective, police officials are placed in an awkward position, since they have sworn to enforce the laws of the nation and the state. They know that if they strictly enforce the law, many, many people would be arrested or given summonses; therefore, these officials

must evaluate behavior in terms of “the letter-of-the-law” and “the spirit-of-the-law.” If the letter-of-the-law is adhered to, then any violation of law results in official intervention by the police. If the spirit-of-the-law is followed, degrees of seriousness and contextual factors may be considered. Some laws may not be enforced at all, and some people who non-flagrantly violate the law may be handled informally (e.g., verbal reprimand, warnings) or with no intervention at all.

This evaluative process leads to the use of **discretion** and **selective enforcement**. Discretion is the process of making a choice among appropriate alternative courses of action. Although most state codes do not give peace officers the lawful right to use discretion, it has been professionally and judicially acknowledged. (Discretion is described in greater detail in Chapter 6.) The police simply cannot enforce every law that has been enacted; selective enforcement refers to enforcing those laws deemed

appropriate to the situation or related to the priorities of the agency and the community. The opposite of selective enforcement, **full enforcement**, is enforcing all laws all the time, which, again, is not possible. One major drawback of the legal perspective is the belief that simply passing and enforcing criminal laws can solve most social control problems. A type of full enforcement directed toward certain problems, such as gang, drug, or traffic offenses, is called **zero tolerance**. It is exemplified when officers use every violation for justification to intervene in situations. It often occurs for targeted problem areas (driving under the influence) or types of offenses within a jurisdiction (gun violence). The empirical evidence, to date, fails to support this approach except in limited and rare circumstances, such as “hot spot” enforcement with directed patrols (Mazerolle et al. 2000), and if the efforts are not maintained after the initial implementation, the targeted problem usually resurfaces shortly after the zero tolerance

Terrorism Here and Abroad—the Global Perspective



Source: <http://www.loc.gov/rr/frd/Pentagon.htm>

approach goes away. Some recent studies related to school discipline and violence indicate ineffective results from current zero tolerance policies (American Psychological Association Zero Tolerance Task Force 2008; McNeal and Dunbar 2010).

The Public Policy Perspective

Public policy, broadly defined, is made up of the rules and regulations legislative bodies and agencies choose to establish. For example, if drug or spousal abuse requires regulation, a city council or state legislature may pass a law or an ordinance regarding domestic violence and drug dealing. Similarly, a bill might be passed to provide counseling for those charged with spousal abuse or drug use. Both of these actions are examples of public policy developed to address societal problems (Cochran and Malone 1995). This approach is similar to the legal approach we just discussed; however, greater emphasis is placed on the political process and on internal agency operations in the public policy approach.

Policy also is established in administrative organizations such as law enforcement agencies. A departmental policy regarding citizen complaints might set out the procedure for reviewing a complaint and detail the possible alternative solutions. Policy can also be made simply by consistently doing something in a particular way. For example, some police departments may tend to avoid domestic violence arrests or ignore concealed weapons found on citizens who have no criminal record. In both cases, a policy has been constructed and followed, even if it is not written.

Using a public policy approach to study law enforcement is important for a number of reasons. First, as the field of law enforcement evolves and becomes more **proactive** in community problems, more policy will be made at the department level. (A proactive response to problems is one that anticipates potential problems and tries to prevent the worst consequences from occurring.) Second, law enforcement managers may need legislative assistance in enacting policy because of current legal restrictions or because they lack the proper authority. Therefore, it is important to understand the political nature of the policy-making process and the importance of defending or justifying a policy in an appropriate manner.

Formal policy making at the agency level is a function of the executive team. The chief of police, sheriff, or department head is generally the final authority on policy (although it might be a safety director or city manager). Policy cannot be made without considering internal procedure and management, legal and political influences, and community expectations. Internal management issues might include union reactions, current contract language, and officer morale or resistance. Community expectations might come from meetings held with civic groups or from public meetings on selected issues (e.g., curfew enforcement, treatment of juveniles, or rumors of a growing gang influence). Political influences can relate to local politics and the campaign promises of elected officials who have some influence over the department's budget. Other forces that impact policy development and evaluation are pending litigation over the actions taken by officers and severe fiscal problems that may cause layoffs or a cut in agency services (Gilmour and Halley, 1994). Issues related to political concerns and their impact on law enforcement agencies are discussed in later chapters.

Border Patrol Agents and a Detainee



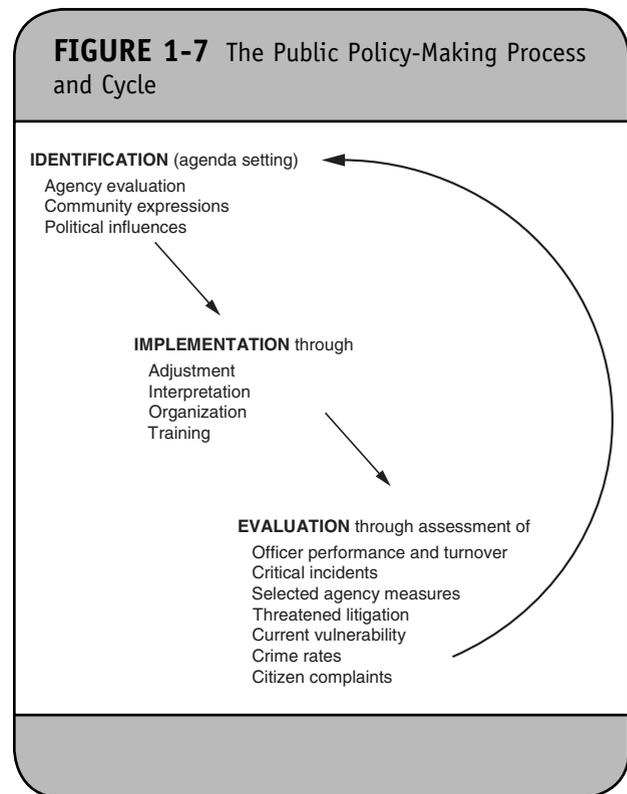
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Establishing policy within an agency is a three-step process. The first step is the identification of the need for policy. This often becomes apparent when things do

not function properly or serious problems have developed, such as an officer who used deadly force when not authorized to do so. However, identification of policy needs also occurs during agency evaluations and reviews of existing policies when compared to model (suggested) policy. The professional literature and associations often publish the experiences of other agencies in terms of policy.

The second step involves implementation, or putting the policy into action. Obviously, this relates to how the written word is translated into practice by the persons affected; this means that policy must be properly interpreted, conveyed, and practiced by the agency's personnel. This often involves meetings and training sessions to explain the policy, its rationale, and significance. Policy implementation is a complex interaction of organizational and environmental variables, and frequently policies will fail not because they were bad policies, but because they were poorly implemented. This is particularly true in the justice system inasmuch as there are so many different institutions with an interest in policy outcomes (Lemley and Russell 2002).

The third step in establishing policy is evaluation. In the current law enforcement environment, it is critical to evaluate the effectiveness of all law enforcement policies to ensure that the anticipated improvements have actually occurred. Policy effectiveness can be evaluated through periodic assessment of officer performance, critical incidents, threatened litigation, selected agency measures, and current vulnerability. For example, the policy under Tennessee law prior to 1985 permitted police officers to fire upon fleeing suspects regardless of the threat the suspect posed to officers or others. In *Tennessee v. Garner* (471 US 1), the United States Supreme Court struck down the policy, setting a common law "defense of self or others" when facing an "imminent threat" as the new standard. Subsequent analysis demonstrated that these changes caused the Memphis Police Department to substantially alter its behavior in regard to officer-involved shootings (Sparger and Giacomassi, 1992). It should be noted that the evaluation process also leads to the identification of weaknesses and needs for future policy; therefore, the process becomes cyclical and permits continuous updating of policy. Each aspect of policymaking—identification,



implementation, and evaluation—must be understood for an agency to function effectively as we enter the next century (Fischer 1995). **Figure 1-7** summarizes the policy-making process.

The Systems Perspective

Law enforcement can also be viewed from the context of **systems theory**. This approach views the entire context (environment) in which an issue exists by analyzing all the forces or influences (or drivers) impacting on it; in other words, law enforcement or a particular agency is perceived by analyzing all the influences upon it from the environment in which it operates. Systems theory is more easily understood if one understands the concept of subsystems. As an example, let us consider a person sitting at home in an air-conditioned room. If the focus of discussion is on the person's body, we could use systems theory to examine the situation. The body itself is made up of

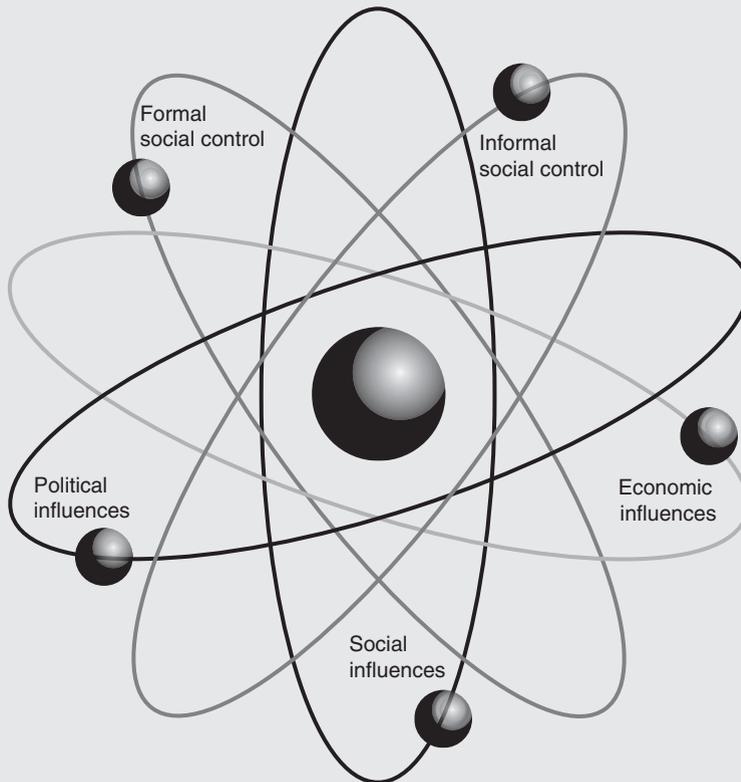
subsystems—the nervous subsystem, the respiratory subsystem, the cardiovascular subsystem, the skeletal subsystem, and the digestive subsystem, for example. When all of the subsystems function properly, the body as a whole functions well. But, if something affects one subsystem, it can impact the others. If some external force frightens the person, say a bolt of lightning striking the tree outside the room, various subsystems can be affected: fright causes the heart to beat faster, breathing may become shallow and rapid, digestive juices are released by the nervous system, and the stomach may become upset, or the sudden jolt and noise may additionally cause the body to jump or swing around quickly, bumping into a table and breaking a finger bone, causing pain. The subsystems are interconnected, and their functions impact the others. In organization theory, the “biological model” is often employed to compare organizational functioning with that of a biological system, such as the ecosystem or the human body. In this regard, internal and external influences are all considered, producing a much more robust and complete view of organizational functioning in the real world.

In this example, the systems theory approach would describe the person’s body and the immediate surroundings of the room and house as the “environment.” This approach attempts to consider the forces or influences of the environment and their impact upon the entity or issue being considered. Taking a systems perspective to the earlier discussion of social control and its influences (Figures 1-4 and 1-5) would mean viewing each factor as having a possible impact on the others as well as an impact on social control. In other words, the various types of social control and the different types of social, economic, and political influences that impact it are interrelated. The best symbol to illustrate the systems approach is that of the atom. The nucleus becomes the issue being considered (e.g., the concept of social control or the police agency as an organization), and the orbiting electrons and their paths become the factors that influence the issue being discussed. **Figure 1-8** is a systems approach illustration of the concept of social control with its various influence subsystems, and **Figure 1-9** is a systems representation of a law enforcement agency with its various subsystems in today’s society. All of the subsystems

interrelate and influence each other. When applying this model to policing, try to think of the illustrations as three-dimensional.

Viewing law enforcement from a systems perspective is important because it ensures that we consider the impact and influence of other environmental forces in our society. It assists in understanding the impact and possible implications of decisions and to anticipate their impact on other subsystems. We say that, in a systems approach, everything affects everything else. It is a view that makes one consider issues that otherwise might be overlooked. For example, what if a neo-Nazi or Ku Klux Klan group seeks a permit to hold a rally in a city? City officials must consider all the implications (forces) and outcomes (effects) to the decision. Examples of questions to be considered regarding this matter include:

- If denied, might the group have standing to sue the agency for a breach of constitutional rights of freedom of expression?
- Is the city willing and financially capable of fighting the matter in court?
- If the permit is granted, will the rally be orderly or will there be opposition groups present seeking a confrontation?
- Might people get injured and need medical attention?
- Will officers have to work overtime to provide necessary security?
- Will the budget of the department permit overtime to be used?
- Does the city policy require such groups to have insurance coverage for any damages that may be incurred as a direct result of the rally?
- Does the permit require the group to pay overtime to the officers providing security to the group?
- Will the group provide any security of its own?
- What are the public media/community relations ramifications?
- Who protects the rest of the city when most of the officers are protecting the rally?
- Can you enlist the assistance (mutual aid) of state and neighboring law enforcement agencies? If so, what formal process must be undertaken to do so?

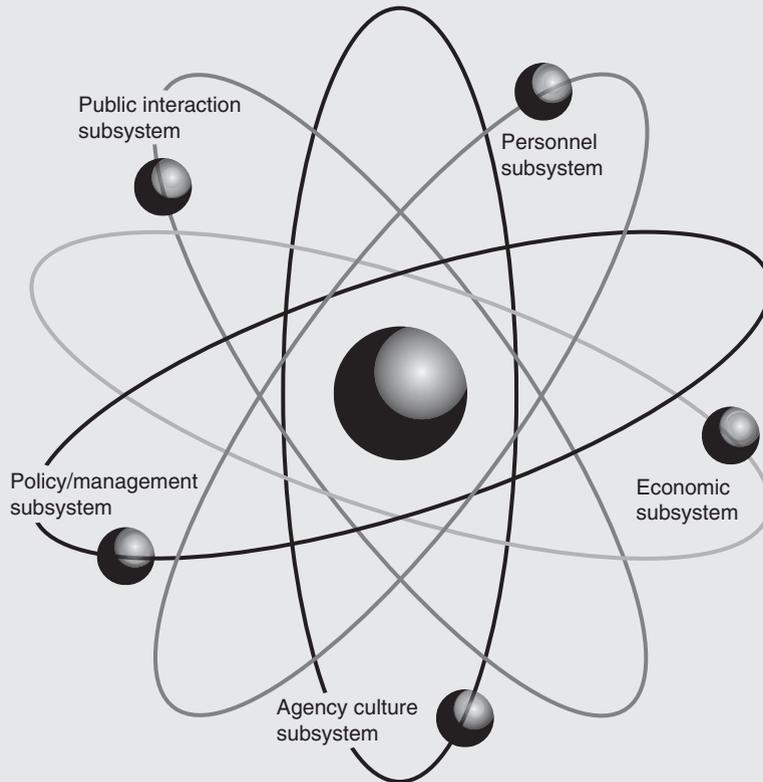
FIGURE 1-8 The Systems Theory Applied to Social Control

In short, the systems approach assists in analyzing issues from a broader perspective, one in which the agency is just one entity (subsystem) among many in the total environment. In this example, the total environment includes several city officials such as the mayor, law director or prosecutor, council members, the fire department, ambulance/medical services, and the city services director.

The Global Perspective (or Extended Systems Approach)

The **global perspective** is an extension of the systems approach. In addition to recognizing the immediate

environmental influences, it gives significant recognition to world events and the international influences upon the agency. The instability of a government can cause problems for other countries. Many great societies and nations have risen and fallen during the last 3000 years. During the twentieth century, for example, many government officials in powerful countries have lost their right to govern. Some lost that right as a result of war (e.g., World Wars I and II, the war in Vietnam), and some as a result of internal conflict and unrest (e.g., East Germany and the former Union of Soviet Socialist Republics during the early 1990s). Changes continue to occur in the trouble spots

FIGURE 1-9 Systems Approach Applied to Law Enforcement Agencies

around the world. Events in the Middle East, Africa, and East Asia are a constant threat to regional and even world peace. The terrorist attacks of the 1990s and post-9/11 are changing the way people and governments view the world. Over \$1.5 billion was spent on security and law enforcement protection at the 2004 Olympic Games in Greece, and the estimated cost for the 2012 London Olympics is \$2.3 billion (Merrick, 2008). The 2003–2004 Iraq War and the security struggle that followed drew the world’s attention to terrorism and the effects of overthrowing a harsh dictator; the international and national divide about the actions of the United States in Iraq will continue for years.

According to the National Defense Council Foundation (2004), during 1995 there were 71 “little wars” across the globe, which was double the tally of 1989, while in 2002 the number of conflicts had dropped to 53. According to the United States Institute of Peace (2010), there were over 100 active conflicts around the world by 2010, and the US State Department reported that during 2009, “ethnic, racial, and religious tensions led to violent conflicts and serious human rights violations and fueled or exacerbated more than 30 wars or internal armed conflicts” (US Department of State 2010). According to the State Department, in 1999 there were 1,649 US law enforcement

personnel permanently assigned overseas for crime fighting, intelligence, liaison, and training purposes; that number has risen since 9/11 but exact numbers are not made public. Today, some large city police departments in the United States have officers overseas for gathering intelligence related to investigative and counter-terrorism activities. Currently, figures on overseas assignments are not generally published for security reasons; however, some statistics recently have been released (Fuentes 2007 and Ford 2007):

- The FBI has 60 fully-operational Legal offices and 15 sub-offices, with 165 agents and 103 support personnel assigned for a total of 268 employees stationed around the world.
- At least 696 officials in 63 countries work for the Drug Enforcement Administration.
- The US Marshal's Service has a permanent presence in three countries with a total of seven agents. In addition, USMS currently has 16 agents in Iraq and 5 in Afghanistan.
- Immigration and Customs Enforcement had 298 investigative agents in 52 offices in 41 countries.
- Customs and Border Patrol has 943 personnel deployed to 28 countries.
- The US Secret Service operates abroad with 54 agents staffed to 19 offices in 15 countries.
- The Department of State has approximately 590 Regional Security Officer special agents assigned to 202 Foreign Service posts throughout the world, making it the most widely represented U.S. law enforcement agency overseas.
- The Container Security Initiative (staffed by unarmed personnel) is in place at 58 ports overseas in 35 countries.

One may ask what world events in other countries have to do with policing in the United States? The answer is a great deal, depending on where you are. The United States, as a prosperous world leader, is often called upon to provide military and humanitarian aid to those in need. Although the country's success to date places it in this position, continuing this role in the future may become more challenging. The opportunity exists to assist many people in their struggles to survive and to relieve their

pain and suffering, but realizing these goals reduces the resources available for American needs of all types, including the enhancement of public safety. For example, whenever the National Guard or Reserves is activated in the United States, police departments are adversely affected since officers are often members of these forces. The call-up of thousands of military reservists during the Iraq Wars created staffing hardships for many law enforcement agencies in the United States. By law, agencies cannot replace personnel called to active duty, and if they fill the spot temporarily, the agencies pay for training knowing (as does the temporary officer) that when the other officer returns, the temporary officer is out of a job. When you consider that more than 50% of agencies in the United States have fewer than 50 officers to cover three shifts over seven days, losing even one person, let alone two, is devastating.

The global approach is very similar to the systems perspective in that it views the situation in terms of outside forces and environmental impact. The major difference between the two is that the global approach places primary focus on the international influences on the field of policing. The federal law enforcement community, without doubt, is more involved and concerned with the global approach than are local police, but this approach is important to all US law enforcement officials because they must be alert for possible trouble in the United States because of situations in foreign countries. Terrorist activities are no longer confined to other countries, as witnessed by the 9/11 attacks in the United States. Immediately following the attacks, many US agencies assigned additional personnel to protect Muslim neighborhoods, businesses, and mosques. Other examples of international incidents include the bombing of Pan Am flight 103, returning to the United States from Europe in 1988, killing 270, and the 1993 bombing of the World Trade Center in New York City that killed six and injured more than 1,000. On March 29, 2010, two female suicide bombers killed 38 passengers in two attacks, timed 30 minutes apart, on the Moscow subway system; US transit systems were put on high alert and passengers on New York City and Washington, DC subway systems were subject to random inspections (CBS/AP 2010). Alerts also were triggered by an attack on a train in Spain in 2004 that killed 191 people,

and by four attacks on the London subway system in July 2005 that killed 52.

These kinds of events have increased the cautionary measures law enforcement must take to protect national security and local public safety. For example, since 9/11, the Transportation Security Agency has replaced private screeners at airports, the Department of Homeland Security was created, and the number of FBI/state/local joint terrorism task forces has risen from 34 to 106 (US Department of Justice 2010).

The global approach to social control realizes that law enforcement is a global challenge and is impacted by global events. While most law enforcement personnel in the United States are probably not affected greatly by global events, more have been affected in the last decade than in previous decades. The professional law enforcement officer understands the importance of world events and their possible impact on policing domestically.

There were 55 million international visitors to the United States in 2009 (US Department of Commerce 2010) and, unfortunately, some of them have contact with law enforcement and criminal justice officials in their official capacities. The top ten cities for overseas visitors are listed in **Table 1-1**, along with their market share of the visitors and the approximate number of visitors to the city.

Officers in larger cities also often have contact with persons possessing (and claiming to possess) **diplomatic immunity**. Diplomatic immunity means that the person enjoys certain privileges and immunities from the laws of the United States and its political subdivisions. The legal basis for diplomatic immunity and other issues relating to consular affairs stems from a multilateral agreement called the **Vienna Convention on Consular Relations (VCCR)**, which was completed in 1963. The provisions of the VCCR became effective in the United States in December of 1969. Currently, over 165 different countries are party to the VCCR. The provisions related to actions by law enforcement officials in the United States are summarized in **Table 1-2**. While some people have difficulty understanding why members of the foreign diplomatic corps should not be subject to our country's laws, we must remember that US diplomats abroad also enjoy diplomatic immunity from the laws of other countries. It should be remembered that most diplomats enjoy their assignments

TABLE 1-1 Overseas* Visitors to Select US Cities in 2009

2009 Rank	City	2009 Market Share	Visitation (000)
1	New York City	32.8%	7,792
2	Miami	11.2%	2,661
3	Los Angeles	10.6%	2,518
4	Orlando	10.1%	2,399
5	San Francisco	9.4%	2,233
6	Las Vegas	7.8%	1,853
7	Washington, DC	6.5%	1,544
8	Honolulu	6.3%	1,497
9	Boston	4.8%	1,140
10	Chicago	4.7%	1,117

Source: US Department of Commerce, Office of Travel and Tourism Industries, May 2010.

*Excludes Canada and Mexico.

in the United States and seldom are a problem for public law enforcement. Diplomats are not immune from their home country's laws, and generally, they do not want to be sent home for what is considered serious criminal behavior in the United States.

The VCCR also affects every local, state, and federal law enforcement agency and every US citizen that travels abroad. Other provisions of the treaty address the duties and responsibilities of law enforcement agencies when a foreign national is detained or arrested. In short, persons who are not citizens, including foreign visitors, legal permanent aliens, and illegal aliens, have the right to have their consulate notified of their detention or arrest. These treaties also give consular officers the right to have access to their citizens in these situations. Criminal justice officials are obligated by law to comply with the provisions of the VCCR. The US State Department provides publications and training materials on such matters. Failure to comply can cause an

TABLE 1-2 Diplomatic and Consular Privileges and Immunities from Criminal Jurisdiction

Summary of Law Enforcement Aspects						
Category	May Be Arrested or Detained	Residence May be Entered Subject to Ordinary Procedures	May Be Issued Traffic Citation	May Be Subpoenaed as Witness	May Be Prosecuted	Recognized Family Member
Diplomatic						
Diplomatic Agent	No ¹	No	Yes	No	No	Same as sponsor (full immunity and inviolability).
Member of Administrative and Technical Staff	No ¹	No	Yes	No	No	Same as sponsor (full immunity and inviolability).
Service Staff	Yes	Yes	Yes	Yes	Yes	No immunity or inviolability. ²
Consular						
Career Consular Officers	Yes, if for a felony and pursuant to a warrant. ²	Yes ⁴	Yes	No—for official acts. Testimony may not be compelled in any case.	No—for official acts. Otherwise, yes. ²	No immunity or inviolability. ²
Honorary Consular Officers	Yes	Yes	Yes	No—for official acts. Yes, in all other cases.	No—for official acts. Otherwise, yes.	No immunity or inviolability.
Consular Employees	Yes ²	Yes	Yes	No—for official acts. Yes, in all other cases.	No—for official acts. Otherwise, yes. ²	No immunity or inviolability. ²
International Organizations						
International Organizations Staff ³	Yes ³	Yes ³	Yes	No—for official acts. Yes, in all other cases.	No—for official acts. Otherwise, yes. ³	No immunity or inviolability.
Diplomatic-Level Staff of Missions to International Organizations	No ¹	No	Yes	No	No	Same as sponsor (full immunity and inviolability).
Support Staff of Missions to International Organizations	Yes	Yes	Yes	No—for official acts. Yes, in all other cases.	No—for official acts. Otherwise, yes.	No immunity or inviolability.

1. Reasonable constraints, however, may be applied in emergency circumstances involving self-defense, public safety, or the prevention of serious criminal acts.

2. This table presents general rules. Particularly in the cases indicated, the employees of certain foreign countries may enjoy **higher** levels of privileges and immunities on the basis of special bilateral agreements.

3. A small number of senior officers are entitled to be treated identically to “diplomatic agents.”

4. Note that consular residences are sometimes located within the official consular premises. In such cases, **only** the official office space is protected from police entry.

Source: US department of State: <http://state.gov/documents/organization/20047.pdf>

“international incident” over a person’s detention or arrest. In April 2010, three Houston Police Department officers arrested and injured a Chinese diplomat following a traffic stop. The officers were placed on desk duty during the investigation, and within a few weeks, local law enforcement personnel attended a special training session on dealing with representatives of foreign governments (Turner, 2010). One summary of the requirements pertaining to foreign nationals provides the following six guidelines (US Department of State 2010, 2):

- When foreign nationals from most countries are arrested or detained, they may, upon request, have their consular officers notified without delay of their arrest or detention, and may have their communications to their consular officers forwarded without delay. In addition, foreign nationals must be advised of this information without delay. (See examples in **Figures 1-10** and **1-11**.)
- For foreign nationals of some countries, consular officers must be notified of the arrest or detention of a foreign national even if the foreign national does not request or want notification.
- Consular officers are entitled to communicate with and have access to their nationals in detention, and to provide consular assistance to them, including arranging for legal representation.
- When a law enforcement or other government official becomes aware of the death, serious injury, or serious illness of a foreign national, consular officers must be notified.
- When a guardianship or trusteeship is being considered with respect to a foreign national who is a minor or an incompetent adult, consular officers must be notified.
- When a foreign ship wrecks or a foreign aircraft crashes in US territory, consular officers must be notified.

THE APPROACH OF THIS TEXT

The field of law enforcement is one component of the process of social control. The focus of this text is on crime-related law enforcement services provided by those agencies commonly referred to as the police. The

approach taken in our presentation is primarily the systems approach, which encompasses all the forces or influences in society that impact policing. Among those influences are issues related to politics, public policy, social trends, international events, and national issues. The text describes the background of the field of policing: where it has been, where it is now, and where future challenges remain. Basic elements of management and organizational principles are also included.

The systems approach to policing recognizes the significant involvement of government and public policy makers in setting goals and objectives for law enforcement. By taking a systems perspective to policing, the text incorporates selected aspects from the other perspectives of law enforcement. In the systems approach, it is understood that sometimes the other perspectives have merit in certain situations. Sometimes public policy issues are very important to the issues being discussed, and sometimes an officer must have a global perspective to understand the “big picture” of the events that he or she is managing. Whatever the situation, professional law enforcement personnel must understand the power and influence of their office. They make policy-related decisions and/or carry out policy every day they are on duty. They affect the lives of people they encounter, and they possess some of the most powerful discretion of any person working in the criminal justice system.

The chapters that follow should be viewed from a systems perspective. For example, the history of policing influences present-day mindsets; it has an effect on public policy, and it helps shape our culture. Law enforcement was first formed during the emergence of political influence in the administration of governmental affairs. Police from the 1830s to the early 1900s were brutal, untrained, and politically controlled. In reaction to that, policing organizations became more professional and more separated from communities, and this produced its own set of problems in the 1960s. The result was the reform movement now known as the “community era,” which involved community policing, problem-oriented policing, and similar themes. These changes influenced the design of organizations and their relationship with the surrounding environment. Those structures and external political forces influence the selection and training of law enforcement

FIGURE 1-10 Suggested Statements to Arrested or Detained Foreign Nationals

**Statement 1: For All Foreign Nationals Except Those
from "Mandatory Notification" Countries**

As a non-US citizen who is being arrested or detained, you may request that we notify your country's consular officers here in the United States of your situation. You may communicate with your consular officers. A consular officer may be able to help you obtain legal representation, and may contact your family and visit you in detention, among other things. If you want us to notify your consular officers, you can request this notification now, or at any time in the future. Do you want us to notify your consular officers at this time?

YES

NO

Printed name: _____

Witness: _____

Signature: _____

Date: _____

**Statement 2: For Foreign Nationals
from "Mandatory Notification" Countries**

Because of your nationality, we are required to notify your country's consular officers here in the United States that you have been arrested or detained. We will do this as soon as possible. In addition, you may communicate with your consular officers. You are not required to accept their assistance but your consular officers may be able to help you obtain legal representation, and may contact your family and visit you in detention, among other things. Please sign to show that you have received this information.

Printed name: _____

Witness: _____

Signature: _____

Date: _____

Source: US Department of State (September 2010). *Consular Notification and Access*, 3rd Edition. Washington, DC: US Department of State, p. 75.

personnel and help to further influence the internal cultures of organizations. History, culture, and politics influence our legal mechanisms that place limitations on the policing community. All of the social, economic, and political forces within our complex society affect the type of policing services delivered to the public, and these forces shape the future challenges and influence the professionalism of law enforcement personnel. Everything affects everything else; nothing is simple in today's society. This may sound either too simplistic or horribly complex. Organizations are not isolated from financial crises (e.g., loss of a major employer in the community), political events (e.g., a police shooting and subsequent calls for reform), or social change (e.g., patterns of migration and immigration). The list of potential sources of influence is

endless, requiring the United States to have a global and systemic perspective.

SUMMARY

This chapter introduced you to the field of law enforcement. It described law enforcement as one of the formal processes of social control, which means that it is one of society's attempts to obtain compliance with the law. The common term "policing" is defined as one form of law enforcement that emphasizes the prevention, detection, investigation, and prosecution of crime, as well as providing numerous other services to society. Policing officials are distinguished from other law enforcement officials by the fact that they are non-military government personnel who are armed and may use coercive and physical

FIGURE 1-11 Arrest and Detention of Foreign Nationals

SPANISH
**Statement 1: For All Foreign Nationals Except Those
 from "Mandatory Notification" Countries**

Por no ser ciudadano de los Estados Unidos, y estar arrestado o detenido, usted puede pedirnos que notifiquemos de su situacion a los funcionarios consulares de su país en los Estados Unidos. Tambien puede communicarse con los funcionario consular de su país puede ayudarle a conseguir asesoramiento legal, y tambien puede ponerse en contacto con su familia y visitarle en el lugar de detencion. Si usted desea que notifiquemos a los funcionarios consulares de su país, puede solicitarlo ahora o en cualquier oportunidad en el futuro. ¿Desea que notifiquemos a los funcionarios consulares de su país?

SÍ (YES) NO (NO)

Nombre _____ Testigo: _____
 Printed Name Witness

Firma: _____ Fecha: _____
 Signature Date

**Statement 2: For Foreign Nationals
 from "Mandatory Notification" Countries**

Debido a su nacionalidad, estamos obligados a notificar a los funcionarios consulares de su país en los Estados Unidos que used ha sido arrestado o detenido. Haremos esta notificacion lo mas pronto posible. Ademas, usted puede comunicarse con los funcionarios consulares de su pais. Usted no está obligado a aceptar su ayuda, pero esos funcionarios pueden ayudarle, entre otras cosas, a conseguir asesoramiento legal, y tambien pueden ponerse en contacto con su familia y visitarle en el lugar de detencion. Sirvase firmar para indicar que ha recibido esta informacion.

Nombre _____ Testigo: _____
 Printed Name Witness

Firma: _____ Fecha: _____
 Signature Date

Source: US Department of State (September 2010). Consular Notification and Access, 3rd Edition. Washington, DC: US Department of State, p. 92.

force under certain conditions. Since policing is a form of social control, the differences between formal (government sponsored) and informal control mechanisms have been presented here as well. Of particular concern are the many influences upon social control, which have been presented as social, economic, and political factors. These factors influence the police function in every community within the country.

The chapter described the various perspectives to law enforcement in a social control context. The four

approaches—legal, public policy, systems, and global—have each been presented and applied to the field of law enforcement. The legal approach emphasizes the enforcement of the law; however, since full enforcement is not possible, discretion and selected enforcement becomes prevalent. The public policy approach emphasizes the process of developing and implementing policy, which can have consequent effects on the delivery of police services to the community. The systems approach recognizes the importance of all the environmental influences in society,

including international influences. The global approach is an extension of the systems perspective; however, it places greater emphasis and priority on international events and influence. Although global issues are very important, they do not yet dominate the daily operation of the 17,000-plus law enforcement agencies in the United States.

The recognition and identification of the multiple influences upon social control is vital to providing effective policing to a complex, democratic society. While there is some overlap among the four approaches to policing, the differences are significant. The legal approach recognizes the formal and informal influence of law and sanctions

on members of society. The public policy approach emphasizes the systematic approach to policing (among other things) through the governmental policy-making process. The systems approach attempts to understand how the environmental forces of politics, law, community, and economics effect policing. The global perspective emphasizes the larger impact of world events on the law enforcement function. While each approach has merit, the focus of this text is primarily from a systems approach, which, in essence, recognizes the impact and contribution of all the other approaches as they relate to one another.

Critical Thinking Questions

1. Using the concepts described in this chapter, explain the following statement: “All police officials are law enforcement officials, but not all law enforcement officials are police officials.”
2. How does policing relate to the concept of social control? Which is the broader concept?
3. Using the four perspectives (approaches) to the law enforcement function presented in this chapter, identify the similarities and differences among them.
4. Using the systems approach to policing, what are two social factors, two economic factors, and two political factors that influence policing at your local level of government?
5. What is the significance of the Vienna Convention on Consular Relations?

CHAPTER SPECIFIC INTERNET LINKS

Department of Commerce, Office of Travel and Tourism Industries: <http://tinnet.ita.doc.gov/>

International Crisis Group: <http://www.crisisgroup.org/>.

Federal Bureau of Investigation, Legal Attaché Offices: <http://www.fbi.gov/contact/legat/legat.htm>.

Flashpoints: Guide to World Conflicts: <http://www.flashpoints.info/start.html>.

Legal Aspects of Diplomatic Immunity and Privileges: <http://www.state.gov/documents/organization/20047.pdf>

United States Institute of Peace. Countries & Continents. <http://www.usip.org/countries-continents>.

CHAPTER GLOSSARY

discretion—the process of making a choice among appropriate alternative courses of action.

full enforcement—enforcing all laws all of the time.

global approach—an extension of the systems approach that, in addition to recognizing the immediate environmental influences, gives significant recognition to world events and the international influences upon the agency.

law enforcement—a society's formal attempt to obtain compliance with the established rules, regulations, and laws of that society.

legal perspective—an approach that views behavior from a rule-based philosophy, in that the law is paramount and is the guide for behavior that everyone must follow.

policing—the process of regulating the general health, safety, welfare, and morals of society.

police officials—a special group of non-military law enforcement officials who are armed and authorized to use coercive and physical force (under certain conditions) when carrying out their duties to prevent, detect, investigate, and prosecute criminal behavior.

proactive—a response that anticipates the direction of problems and tries to prevent the worst consequences from occurring.

public policy perspective—a viewpoint that emphasizes the rules and regulations that legislative bodies and agencies choose to establish for social control.

representative democracy—a form of government where the people choose or elect others to make legislative and executive decisions, particularly at the state and national levels of government.

selective enforcement—enforcing those laws deemed appropriate to the situation or related to the priorities of the agency and the community.

social control—the processes whereby a society encourages or enforces compliance with social norms, customs, and law.

socialization—the process of teaching the culture and norms of the society to its members.

systems theory or systems approach—an approach that views the entire context (environment) in which an issue exists by analyzing all of the forces or influences impacting on it.

Vienna Convention on Consular Relations (VCCR)—a multilateral agreement among world nations that establishes the legal basis for diplomatic immunity and other issues relating to consular affairs.

zero tolerance—a type of full enforcement usually directed toward certain problems, such as gang, drug, or traffic offenses; it is exemplified when officers use every violation for justification to intervene in situations.

CHAPTER REFERENCES AND ADDITIONAL READING

Clarke, Ronald V. and John E. Eck (2005). *Crime Analysis for Problem Solvers in 60 Small Steps*. Washington, DC: US Department of Justice.

Cochran, Charles L. and Eloise F. Malone (1995). *Public Policy: Perspectives and Choices*. New York: McGraw-Hill.

Federal Bureau of Investigation (2010). *Crime in the United States, 2009*. Washington, DC: US Department of Justice.

Fischer, Frank (1995). *Evaluating Public Policy*. Chicago: Nelson-Hall.

Flashpoints: Guide to World Conflicts (2010). <http://www.flashpoints.info/start.html>

Ford, Jess T. (2007). *Combating Terrorism: Law Enforcement Agencies Lack Directives to assist Foreign Nations to Identify, Disrupt, and Prosecute Terrorists*. Washington, DC: Government Accounting Office, Report # GAO-07-697, released June 25, <http://www.gao.gov/htxt/d07697.html>, accessed July 27, 2010.

Fuentes, Thomas V. (2007). Statement before the Subcommittee on Border, Maritime, and Global Counterterrorism House Homeland Security Committee, October 4, 2007. <http://www.fbi.gov/congress/congress07/fuentes100407.htm>.

Fyfe, James J. (2004). Stops, Frisks, Searches, and the Constitution. *Criminology and Public Policy* 3 (July, 3):379–398.

- Gaouette, Nicole (2010). State Department investigating Houston police incident with Chinese diplomat. Statesman.com. April 30. <http://www.statesman.com/news/texas/state-department-investigating-houston-police-incident-with-chinese-654460.html>.
- Gilmour, Robert S. and Alexis A. Halley (1994). *Who Makes Public Policy*. Chatham, N.J.: Chatham House.
- Gould, Jon B. and Stephen D. Mastrofski. Suspect Searches: Assessing Police Behavior under the US Constitution. *Criminology and Public Policy* 3 (July, 3):315–362.
- Greene, Jack R. and Carl B. Klockars (1991). What Police Do. In Klockars, Carl B. and Stephen D. Mastrofski (eds.) *Thinking About Police*, 2nd edition. New York: McGraw-Hill.
- Harcourt, Bernard E., (2004). Unconstitutional Police Searches and Collective Responsibility. *Criminology and Public Policy* 3 (July, 3): 363–378.
- International Crisis Group (2010). <http://www.crisisgroup.org/>.
- Lemley, Ellen C. and Gregory D. Russell (2002). Implementing Restorative Justice by Groping Along: A Case Study in Program Evolutionary Implementation. *Justice System Journal*, 23(2):157–190.
- Mazerolle, Lorraine Green, Justin Ready, William Terrill, and Elin Waring (2000). Problem Oriented Policing in Public Housing: The Jersey City Evaluation. *Justice Quarterly*, 17 (March, 1):129–158.
- National Defense Council Foundation (2004). <http://www.ndcf.org/>.
- Parmer, Raymond R. (2010). Visa Security and Passenger Pre-Screening Efforts In The Wake Of Flight 253. Hearing before The U.S. House of Representatives, Committee on Homeland Security, Subcommittee on Border, Maritime and Global Counterterrorism, March 11.
- Sparger, Jerry R. and David J. Giacomassi (1992). Memphis Revisited: A Reexamination of Police Shootings After the Garner Decision. *Justice Quarterly*, 9 (June, 2):211–225.
- Truman, Jennifer L. and Michael R. Rand (2010). Criminal Victimization, 2009. Washington, DC: Bureau of Justice Statistics, NCJ 231327, October.
- United States Institute of Peace (2010). Countries & Continents. <http://www.usip.org/countries-continents>.
- US Department of Commerce, ITA, Office of Travel & Tourism Industries (2010). Overseas Visitation Estimates for US States, Cities, and Census Regions: 2009. Washington, DC: US Department of Commerce, May. http://tinet.ita.doc.gov/outreachpages/download_data_table/2009_States_and_Cities.pdf.
- US. Department of Homeland Security (2007). Fact Sheet: CSI. Washington, DC: Customs and Border Protection, October 2.
- US Department of Justice (2010). The Accomplishments of the U.S. Department of Justice, 2001–2009. Washington, DC: US Department of Justice.
- US, Department of State (2010). 2009 Human Rights Report: Introduction <http://www.state.gov/g/drl/rls/hrrpt/2009/frontmatter/135936.htm>.
- US Department of State (June 2004). Consular Notification and Access Reference Card: Instructions for Arrests and Detentions of Foreign Nationals. Washington, DC: US Department of State.
- US Department of State (2003). Consular Notification and Access. Washington, DC: US Department of State.
- US Department of State (September 2010). Consular Notification and Access, 3rd Edition. Washington, DC: US Department of State. http://travel.state.gov/pdf/cna/CNA_Manual_3d_Edition.pdf.
- US Department of State (2010a). Diplomatic and Consular Privileges and Immunities From Criminal Jurisdiction (chart). <http://www.state.gov/documents/organization/20047.pdf>.

