

Response to: A proposal for an Enlarged Range of Policing: Neighborhood-Driven Policing (NDP)

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The concept of NDP as outlined by Levin and Myers provides a natural progression from community-oriented (COP) and problem-oriented policing (POP). In fact, looking at the theory and recommended practice of COP and POP, NDP appears to be what was envisioned (Trojanowicz & Carter, 1988; Trojanowicz & Bucqueroux, 1990; Normandeaux & Leighton, 1990; Pepinsky & Quinn 1991; BJA, 1993; Miller & Hess, 1994; and NIJ, 1996 a&b).

One of the more comprehensive definitions of community policing came from Trojanowicz and Bucqueroux (1990): "Community policing is a new philosophy of policing, based on the concept that police officers and private citizens working together in creative ways can help solve contemporary community problems related to crime, fear of crime, social land physical disorder, and neighborhood decay. The philosophy is predicated on the belief that achieving these goals requires that police departments develop a new relationship with the law-abiding people in the community, allowing them a greater voice in setting local police priorities and involving them in efforts to improve the overall quality of life in their neighborhoods. Its shifts the focus of police work from handling random calls to solving community problems" (p. 5).

Trojanowicz and Bucqueroux added COP required community-building, trust, and cooperation. This definition could be interpreted to mean the police must seek out community leadership and turn over responsibility for needs analysis and policy direction to the community, with police becoming partners to "protect and

serve" the neighborhoods. In reality, many police departments, either from lack of knowledge or understanding--or simply a different interpretation --of the concept, have either sought community assistance in meeting *their* missions and goals (such as establishing neighborhood watch) or created community organizations to *advise* the department on needs and direction, while retaining full decision-making authority within the agency.

In a published debate on war models versus peace models of policing (Stephens & Doerner, 1999), this author argued for peace models, holding that: "COP is a proactive crime prevention strategy --a way of achieving community peace--under which police work with the community and social service agencies to ferret out crime-breeding problems and work together to alleviate them before crime results. Ultimately under this system, having to catch criminals is a sign of failure, and stopping crimes from occurring is a signal of success" (p. 197).

In a rejoinder to this, Dr. William G. Doerner of Florida State University and the Tallahassee Police Department said such an approach to policing had a "dark lining" of "social engineering" which is unacceptable in a democratic society (Stephens & Doerner, 1999, pp. 203-204). Earlier Doerner held: "Policing is a luxury. Law enforcement is a necessity" (p. 190), adding: "The police belong in the crime suppression business. They already have too many unfinished law enforcement tasks awaiting their attention without saddling them with the extra burden of a social agenda" (p.193).

Thus, it is easy to see how many police agencies have refused to give up any power to the community and have either ignored or subverted the concept of COP and POP. It would be difficult to see how NDP would fare better in the short term.

That said, NDP still seems to be the way

to go--the only approach that promises the benefits to the community envisioned by peace model thinkers; the only approach that has a chance of accomplishing the goals of *preventing* crime and fear of crime.

Three national commissions, in the wake of the wave of crime and disorder in the 1960s and early 1970s, called for more citizen input and *control* of crime (The President's Commission on Law Enforcement and Administration of Justice, 1967; National Commission on the Causes and Prevention of Violence, 1969; National Advisory Commission on Criminal Justice Standards and Goals, 1973).

The last of these commissions referred to the 1,000+ years of the Mutual Pledge System in England, where it was each citizen's responsibility to "raise the hue and cry" if he/she had knowledge of a crime and to serve on a posse to bring any suspected offender before the king's court. Failure to accomplish these duties could result in monetary fines. This system prevailed in the American colonies and the early days of the new nation, as public policing (paid by tax dollars) did not appear until the second quarter of the 19th century. Thus, NDP is in keeping with the nation's policing tradition.

Placing NDP within a Broader Context

The call for community/neighborhood level control of *the justice system* has gone beyond policing as evidenced by the burgeoning restorative and balanced justice system movement in the United States and beyond (Braithewaite, 1994; Zehr, 1995; Galway and Husdon, 1996; Bazemore, 1997; Nicoll, 1997; Umbreit, 1997). Citizen control and participation in justice can clearly be seen in the Common Law/Justice of the Peace heritage begun in England and carried to the Colonies, under which citizen JPs sat in judgment on fellow

citizens using only the unwritten mores and customs of the community as a guide in an equity proceeding (National Advisory Commission on Criminal Justice Standards and Goals, 1973). Codified law and professional judges replaced all but the lowest level courts in the U.S. in the 19th and 20th centuries and corrections moved from goals (jails) where defendants and convicted offenders were held only until their punishment (e.g., flogging, dunking, hanging, payment of fines) could be meted out to prisons and other units where professional "corrections" officials carried out the sentences--often months and years of incarceration.

Frustration with the delays, failure to separate guilty from innocent, inability to control further criminal behavior or rehabilitate offenders, and inability to balance the rights of society with those of the accused led to a public perception that too many guilty go free and too many innocent suffer needlessly, resulting in a loss of respect for the system (Ibid.).

The Alternative Dispute Resolution (ADP) division of the American Bar Association (ABA) has as its goal to keep many disputes--especially those involving people who know one another or who regularly interact--out of the traditional criminal (and to some extent civil) court system (see American Bar Association, undated). In many ways this was a *late* response to a movement well underway--the Restorative and Balanced Justice System.

In formulating the restorative justice paradigm, McCold and Wachtel (2003) noted that restorative justice is meant to repair harm. The process involves transforming conflict into cooperation, repairing emotional and relational as well as material harm. To achieve this, victims, offenders, and their communities must interact. Basic to the concept are responsibility of the offender for reparations to individual victims and

to the community followed (or simultaneous) with community care for the offender (e.g., social services, counseling, job training) and eventual reconciliation of all parties.

Restorative justice only works where the community is both in control and involved in the daily operations. Like COP and NDP (when it arrives), restorative justice is designed to be proactive in the sense it seeks a just determination of fault followed by a just repayment for harm and a just concern and attention to the needs of the offender to enable him/her to live in the community as a productive law-abiding citizen, thus preventing further crime.

It should come as no surprise that some, including this author (Stephens, 1989, 2001), have called for merging the community-oriented policing concepts with restorative justice into a unified system. One of the most compelling cases has been made by Caroline G. Nicholl (1999, 2000) in her studies published by the U.S. Dept. of Justice's Office of Community Oriented Policing Services. After several experiments with community justice while commander of the Milton Keynes, England, police agency, Nicholl came to the U.S. on a National Institute of Justice (NIJ) Fellowship and stayed as director of community policing in the District of Columbia. The title of her 1999 book illuminates the approach she envisions: *Community Policing, Community Justice, and Restorative Justice: Exploring the Links for the Delivery of a Balanced Approach to Public Safety*.

Her 2000 volume goes further: *Toolbox for Implementing Restorative Justice and Advancing Community Policing*.

In her "Final Comments," Nicholl (1999) summarizes her viewpoint: "The central proposition of this report is that democracy will suffer if policing and justice continue to treat the problem of crime as one requiring more, rather

than less, use of a professionally run criminal justice system. The recognized need to invigorate communities and citizens to promote informal social controls will continue to be undermined by the focus on enforcement through legal due process-unless there is a real commitment to social justice" (p. 171).

Nicoll (1999) concluded "police should be exercising the potentially powerful option--an option that represents a natural progression of developments to date-to begin the application of restorative justice" (p.174).

Some Key Questions for NDP

NDP will have to include in its implementation strategy answers/approaches to solving many of the same dilemmas faced earlier by COP and POP programs: What is a neighborhood? How do we identify a neighborhood? Where does one neighborhood end and another begin? Can we create a neighborhood? How do we cope with prejudices and powerful interests in neighborhoods? Can citizen control of crime policy be maintained within the parameters of law and the U.S. Constitution?

Using legal subdividing (e.g., towns and unincorporated but named units in a larger incorporated city) has not provided the answer to the "what is neighborhood" question in many cases. If neighborhood is defined as an "interactive group," there are many areas which in fact are not within a neighborhood (e.g., transients, recluses, homebound) and others where citizens would appear to have a common interest but do not interact. Thus, simply determining whether a neighborhood exists, and if so, where it begins and ends, requires considerable effort. Many cities, such as Los Angeles, are an amalgamation of many subunits (e.g., Anaheim, Hollywood,

Santa Monica), each with even smaller communities and neighborhoods (what is the difference?), some well defined, some not. Some named subunits do not include a community or neighborhood of interacting citizens. The anonymity in many communities plus the distrust of "the other" thwart the mission of NDP.

Can neighborhoods be created where none exist? Probably only if citizens can be persuaded they have common interests--at least in providing a safe area--and those interests are worth the effort of organizing and interacting, a time-consuming process. Here in the South, we would say it would have to start with a "pig picking"--an all-night slow barbecuing of a pig on a roast at the end of a cul-de-sac that attracts residents to come out of their homes to see what is going on and staying to chat and "meet the neighbors." Perhaps another method would be to initiate a neighborhood watch program as a beginning step. Either way, police would have to be the neighborhood organizers at the beginning, using skills that are often new to officers dedicated to fighting crime.

Once a neighborhood is defined or created, developing an organization and leadership to sustain an ongoing needs analysis, policy development and program implementation cycle will prove difficult and, again, alien to most experience from traditional policing. To be successful, the oversight organization must be representative of the community and dedicated to the difficult and time-consuming task. Often the only persons who will commit to such an endeavor are those who hope to gain advantage for themselves or for the interests of their particular group (e.g., ethnic, income, occupation) in the community.

When interest groups dominate the oversight organization, the problem of keeping policing in line with the law and the U.S. Constitution often occurs. Some in the

neighborhood are often more than willing to violate others' rights in order to gain advantage or satisfy their wishes. Ordinance enforcement (e.g., vagrancy, loitering, public nuisance, curfews, building codes) is readily available to support such desires.

Too long to discuss here is the issue of whether current police agencies/officers can be persuaded to give up power to the citizenry and follow citizen mandates for services (when citizen/police disagreements occur).

These are only a few of the myriad of issues to be overcome to implement true NDP.

Conclusion

Neighborhood-Driven Policing is an excellent addition to the community policing approach, but NDP should be placed in the broader conceptualization of the balanced and restorative justice system. Only when enforcement, adjudication, and corrections are included together in a community justice paradigm can we hope for real change in the way we deal with crime and justice. Considering NDP as part of the restorative movement will also provide a plethora of new proponents and new support for the massive and difficult changes to come.

Endnotes

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