

Mixed Messages

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For most officers, the advent of community policing and its problem-solving activities is the most promising sign of change that our profession has seen in some time. Community policing neither accepts the thought that there are some crimes that police cannot impact, nor does it allow the officer to use his patrol car as a shield from the public. Instead, community policing demands that the officer establish trust, communication, and ultimately, a problem-solving partnership with the citizens he or she serves. The officer's goal is to make a lasting difference in the community.

We, as officers, no longer want to diffuse a problem, we want to solve it. We no longer want to claim success because we've made a lot of arrests, rather we want to make a difference in the level of harm suffered in our communities, preferably before the harm occurs. As one of my officers just recently said to me: "The only limit to community policing is the imagination."

On the one hand, we have given officers many of the tools they need to function in a community policing, problem-solving environment. These tools include enhanced problem-solving skills, new technology and access to unprecedented amounts of information about crime and demographics. However, I fear that we, as police administrators, have failed to give our officers appropriate guidelines on how to do the right thing in a policing environment that confronts the officer with a mass of contradictions.

Many of these contradictions are the result of the nature of community policing, public policy makers, and community activists. Others spring from laws, public expectation, and the unique nature of the police culture. These contradictions or, as I call them, mixed messages, are perplexing to me as a police administrator. If I am puzzled, with thirty plus years experience, I can only guess at the level of confusion these mixed messages create for the young officer who is armed

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with a shiny new badge, a couple months of training, and a rules and regulations manual that can be easily lifted only by the most physically fit officers.

Officers are bombarded with these mixed messages every day and are not always able to ask "what should I do?" For that reason, I believe that every police organization must have clearly articulated and operationalized values to guide the officer, and that we as administrators must reinforce those values at every opportunity, including through the example that we personally set for our officers. When all else fails, organizational values can serve as a road map leading to the "right thing." The officer who functions effectively in today's police environment will consider the department's values to be a crucial lifeline.

One mixed message that is sent to police officers these days has to do with the issue of empowerment. Let's try to imagine that we are community problem-solving police officers in today's police environment. If we are like those at many police departments, including my own, we are young and don't have a lot of life experience to draw on, but we are eager to serve and idealistic enough to believe that we can make a difference. We are told that in a community policing environment we are *empowered*, a word that neither we as police administrators nor other city leaders and public policy makers have been able to successfully define in a law enforcement context. We tell the officer that he should be a creative problem solver and use whatever resources he feels are appropriate to solve a problem. The officer, trying to define the limits of empowerment, looks around the organization. He has been told that empowerment starts from the top of the organization but he gets a mixed message when he sees the chief of that organization being micro-managed by the city's elected officials and city management.

An illustration of this mixed message is occurring in Charlotte, where we are in the process of trying to meet citizen demands for expanded civilian review of police, fueled by two recent shooting incidents in which white police officers shot and killed unarmed black citizens. One of the issues being debated by elected officials is whether final disciplinary authority over police officers, especially in cases involving deadly force, should remain with the police chief or be given to the city manager or even the city council. Imagine the mixed message that officers receive on empowerment if they feel that the person hired to lead and set the tone for the organization is not empowered to make the disciplinary decisions which reinforce the organization's values. It is one thing to provide an appeal process from a chief's decision, but it is quite another thing to prevent the chief from reinforcing the organization's values. That is what would happen if we refused to let the chief decide how those values will apply to questionable decisions in police work.

To continue my previous scenario, the typical community problem-solving police officer also looks around the organization and gets the message from his peers and middle managers that "yes, you are empowered, go forth and make the world a better place. If you succeed, you may receive faint praise; if you fail or make a mistake, you will most assuredly be hung out to dry." The law enforcement culture is very comfortable with the absolutes of the law. What we have not made our peace with is a policing environment that asks the officer, in the name of the

department, to take risks and to try problem-solving techniques that have no guarantee of success. Police departments are inherently afraid of failure and do not know how to handle it. Granted, much of this fear comes from the public criticism we receive when we make a mistake. Nevertheless, the result is that we tend to create an environment where officers feel that failure will not be tolerated. They fear that they will be punished, if not overtly through the discipline system, then more subtly through denial of a transfer or training opportunity, an undesirable shift assignment or through some type of social sanction. They hear horror stories from their peers, many of which are nothing more than unsubstantiated rumors.

The officer listens to the mixed messages from the many subcultures that establish themselves in large diverse organizations and he reaches the conclusion that empowerment is a trap he had best avoid. How does he do that? He suppresses his creativity and uses only narrowly defined enforcement techniques, withdraws into the security of the police car and the 911 call, and builds no effective relationships with the citizens he serves. That is his loss, the organization's loss and the community's loss and it adversely impacts the great potential of community problem-oriented policing.

The concept of empowerment clearly runs counter to the paramilitary structure of police agencies and the chain of command's sense that their accountability is directly tied to their access to information; information is seen as power. Yet, in an organization where officers truly feel empowered, they are more frequently involved in activities that members of their chain of command know nothing about. They are not necessarily doing anything wrong; they are just doing what they feel they need to do to get the job done.

The chain of command from the chief to the first line supervisor must be willing to relinquish some of the power that comes with information if empowerment is truly going to be effective. As police administrators, we must be able to deal with the elected official who gleefully plays the "gotcha" game with information that he has that the chief does not. Even if the information is about a positive initiative that an officer has undertaken in a neighborhood, the elected official may make much of the fact that the chief was not aware of it.

From a practical standpoint it is virtually impossible for a chief to know everything that is going on in a department, although some of us may try. We must learn to be comfortable with not having every piece of information at our fingertips and we must understand that, in a community policing environment, the good intentions of empowered officers may sometimes lead to mistakes or situations where you wince and wish the officer had chosen some other course of action. We must learn to give credit for effort and initiative even when the results fall short.

When we, as administrators, are caught unknowing, we must not take out our discomfort and embarrassment on everyone down the chain, especially the officer whose actions are the subject of the discussion. If officers and their supervisors feel that the chief cannot accept not knowing everything that is going on in the organization, the end result will be reams of documentation, and the loss of the energy that is generated by officers who feel empowered to take a problem and run with

it. A police chief who truly believes in empowerment will be pleased, not upset or shocked, when another city department head telephones to say that "some lowly police officers have been telling community groups how to organize to get better services from the rest of municipal government." A police chief who truly believes in empowerment will graciously accept an invitation to a barbecue hosted by some of his officers where the food is prepared on a \$2,000 smoker that was a "gift" from a local businessman and is now the property of one of his patrol districts. He will complement the food and ask questions later.

Community policing clearly raises some potential conflicts between the traditional police role of enforcer and the problem-solving philosophy under which the answer to every crime problem is not arrest. We tell officers and citizens that one of the basic principles of community policing is that the officer approaches each problem he confronts with the attitude that the problem has a long-term solution which may require the officer to utilize resources outside the police department. One of the rationales behind this is that prosecutors, courts, and corrections institutions are so lacking in resources that they can deal effectively with only a fraction of the offenders that officers funnel into the system.

Under community policing, it may ultimately be more effective to deal with the neighborhood winos who loiter on the corner by working to take the liquor license of the convenience store where they purchase their wine than it is to haul the offenders to jail. It is a longer term solution to the problem than the arrests which must be made repeatedly, and it frees the criminal justice system to deal more effectively with the serious offender.

Into this mix, we sometimes see injected the idea that, in the name of community policing, a police leader demands that officers take a zero tolerance attitude toward crime in a certain neighborhood. While there are times when a strict enforcement strategy may be an effective and necessary short term tactic to restore order to the streets, zero tolerance by itself will not have a long-term effect on crime and disorder. Zero tolerance is a move away from empowerment. It is counter to creative problem solving, use of discretion, and community involvement that are crucial to the success of community policing.

Once officers begin exclusively using their arrest powers to make the very arrests that problem solving should minimize, they are once again in a situation where they deal with the same offender day after day. The arrests they generate, especially those for quality of life offenses, receive no meaningful sanctions from an overburdened court system. In many cases, the officers are perceived as hassling certain segments of the community. The officers often end up using improper levels of force, all in the name of zero tolerance and, often, with the long-term solutions to the problem left unaddressed.

This mixed message often leaves the officer not knowing what to think. It occurs to some of them, in the quiet recesses of their minds, that zero tolerance really means zero thinking but they dare not offend the chain of command or the mayor by asking impertinent questions. The officer is told that the department embraces the community policing philosophy which espouses communication and

partnerships with the community, long-term problem solving, and the use of discretion. Then suddenly he is told to take a zero tolerance attitude which removes his discretion and places him in the role of the traditional enforcer. The end result is an officer who is confused as to what his role in the community should be. Such an officer is more likely to do the wrong thing or nothing at all.

As police leaders we must provide a value-driven environment wherein the officer has clear and consistent organizational values to guide him in achieving the department's goals. As administrators, we must make it clear to our officers under what circumstances we want them to apply strict enforcement tactics as a problem-solving tool and where that strategy fits with the broader community policing philosophy.

The transition to community policing has been difficult for both officers and citizens. Traditionally, police have placed distance between themselves and the community, as if their authority were somehow linked to their aloofness. We have also enjoyed the mystique of police work. Many officers like the idea that the public image of the police officer comes from television. They secretly like being perceived as action heroes who crack the case, win a just and fair fight, and get the girl in an hour. Now they are told they should no longer hold themselves aloof from the community. Now they should get to know the people they serve, communicate openly and share much of the information that they guarded so zealously in the past; the officers must take ownership of the problems in the neighborhood where they are assigned.

For example, in many cities, including Charlotte, officers are being offered financial incentives to live in the neighborhoods where they are assigned, a concept diametrically opposed to the old safety tenet that an officer's home should never be in the same area as his beat. As officers forge these new relationships with the community, they are confused about what the limits should be. Officers are told to avoid conflicts of interest or take any action that may look as if they are using their position to gain something.

In the past, officers have been cautioned about taking free or discount meals or soliciting funds or goods from a citizen or business. Now the officer is told that it is acceptable to break bread with people within the community and to request help from citizens for community projects. The officers get vendors to donate food for community meetings and festivals, playground equipment for inner city neighborhoods, tickets to sporting events as rewards for at-risk youth who perform well in school, and paint and furniture for police district offices. As an example, in Charlotte, our NBA basketball team provides the salaries, benefits, and vehicles for two community policing officers as well as money for the patrol districts to use for community policing projects.

Where do you draw the line between an officer being resourceful and being beholden to some special interest in the community? When does the citizen feel intimidated by the police officer's inherent authority and donate goods or a service out of fear? At what point does the vendor have the expectation that his contribution will somehow get him a higher level of police service, and when does the

officer believe that it should? Again, the officer should be guided by the values of his or her organization. If clearly articulated and consistently practiced at all levels, these values should serve as a moral compass when the officer is exercising his discretion. The answers will not always be crystal clear, because at times there is a need to balance competing values and to apply those values to a wide variety of circumstances. In other words, the officer's need is fidelity to a reasoning process that sincerely and openly strives to honor the organization's fundamental operating values.

The chief must clearly lead by example, avoiding mixed messages, to be sure that the appropriate course of action is clear. For example, officers must not perceive that the chief is using his position for preferential treatment or to intimidate community movers or shakers into partnerships, particularly of a financial nature, with the police department. Under community policing, there will be more offers of assistance and financial aid to worthwhile projects.

The organization's values must guide the officers at all levels of the organization in dealing with this new wrinkle in police work. Do not underestimate the confusion that this aspect of community policing creates for the officer. A veteran officer in my department told me that he is uncomfortable accepting a cup of coffee in the home of a citizen because officers were traditionally taught not to accept anything that could be perceived as a gratuity. The organizational values of community policing, if consistently practiced, will teach that officer that a simple cup of coffee, freely offered, may be the cornerstone of that officer-citizen relationship.

It is not just police chiefs who send the officer a mixed message about what tactics they want the officer to use. Most citizens want violent crime eradicated from their neighborhoods but they send mixed messages about how that should be done. If it is somebody else's children who are creating disorder, "throw the book at them." But if it is their own children, "wait a while—boys will be boys—no need to be so heavy handed." Community policing, as Ray Davis once said, "cannot be a blind pilgrimage to the temples of community control." In addition, we must remember what Dr. Wilson says, that the "constitution's protection of individual rights still must trump the anti-democratic proclivities of the vocal majority."

Regardless of what enforcement action a police department takes, there will almost always be someone whose goals are counter to those of the police. Recently, one of our third shift officers realized that there were an unusually high number of DWI arrests in his response area. He requested permission from his captain to run periodic DWI checkpoints to determine the scope of the problem and attempt to reduce the number of DWIs in the area. The officer would ask anyone arrested for DWI where he or she had been drinking prior to getting in his or her vehicle. On the Monday after the first of these checkpoints was conducted, the mayor got a call from the owner of a bar in the area, claiming that the police officer was attempting to ruin his business by establishing the checkpoint at what he described as across the street from his bar. When the mayor inquired about the checkpoint, it was discovered that the checkpoint was actually a half mile from the bar and that two of the nine people arrested for DWI within a two-hour period said they had been

drinking at this particular bar. The officer had contacted the bar manager about insuring that all of his employees try to keep patrons from drinking and driving. This officer tried to apply the problem-solving techniques that he had been told to adopt and, for his trouble, became the subject of an inquiry from the mayor.

Indeed, elected officials are among the worst offenders in sending police officers mixed messages. They claim to embrace the concept of community policing and its emphasis on long-term problem solving and accountability; however, their knees jerk as soon as one citizen says that his problem is not being solved fast enough. One of our citizens recently appeared before the city council to complain about the noise generated by a business that tests race car engines. The community police officer for the area where this citizen lives had been working with both the citizen and the business in an attempt to find a solution that would satisfy everyone involved. The business had modified its testing times and had agreed to spend money for baffling material and a computerized sound cancellation system that would reduce the noise level. The officer had spent hours of time addressing the problem, had worked overtime, and had responded to countless questions from the citizen, all of which he had documented.

When the citizen appeared before council, he said that the police officer had not done his job and indeed lied about the efforts that the officer had made. As the officer stood in front of the city council attempting to respond, he was caught in a barrage of rhetoric from council members. Why didn't he write a ticket or arrest someone every time there was any noise? Why did the citizen even have to take the responsibility of calling the police when the noise started? If the officer knew there was a problem, why was he not out there? The officer was stunned to hear the council essentially repudiate the problem-solving policing philosophy that they claim to wholeheartedly support. In addition, the city council also negated the concept of problem-solving partnerships by absolving the citizen of any responsibility for calling the police. The officer was given the message that his time and effort were for nothing and that he should have used those traditional enforcement methods that would have ended up in the criminal justice system where no one's needs were met. This officer is, however, committed to community policing. He still believes that this problem can be solved.

As administrators, we send our officers mixed messages every day. As I have tried to make the community problem-oriented policing philosophy the method of service delivery for our entire department, I have talked about my desire to promote officers who are clear proponents of community policing. Clearly one of the best ways to build an effective police department is to place personnel who exemplify the department's values in supervisory positions. However, court decisions, the fear of litigation, and officer perceptions of bias have forced many departments, including mine, to develop promotional processes that leave little room to consider an officer's past performance, the relationships he has built in the community, or any of the intangible qualities that we know an effective supervisor must possess. An officer who can test well and who can parrot the information that he knows the department wants to hear can get promoted. Every time we set in motion a promotional process that

results in a rank ordered list, derived only from written tests and assessment centers, we end up forced to promote some officers who less than enthusiastically support or practice the values of the organization. It is hard to tell officers that the organization's values are all important and then be forced to promote those people who negate them. It matters very little to these officers that we wish we did not have to send this mixed message—they see it as our message and within our control.

Another thing that most of us do is tell officers that patrol is the backbone of the police department. I genuinely believe that, but I know that actions speak louder than words so the officer must really be confused about whether being assigned to the department's backbone is a good thing or not. As soon as a vacancy occurs in a specialized unit it gets filled, at the expense of a patrol district. Patrol is often a punitive assignment for those officers who have incurred our displeasure. You rarely see an officer who gets into trouble and is taken off patrol and put into investigations or administration, but you often see the reverse.

Patrol officers rarely get to attend specialized schools, they work terrible hours, and they do not get the recognition that is automatic for the investigator who cracks a big case. If we really believe that patrol is the backbone of a police department, we must find a better and more tangible way of delivering that message to our officers. The same point is true of our claiming we want teamwork but then leaving in place performance recognition systems that honor highly individual actions and encourage hoarding of information and stealing credit. A starting place, even if we lack truly developed solutions, is being honest with our officers in recognizing such inconsistencies and welcoming their suggestions for remedies.

I think that the most serious mixed messages that our officers get are on the use of force. We expend a considerable amount of time, energy, and money training our officers to protect themselves. However, we live in a society where an officer who uses that training and follows it to the letter can be subjected to unbelievable second guessing, especially if he takes a life. As I mentioned earlier, our department has been involved in two shooting incidents in the last six months, both of which resulted in white officers taking the lives of unarmed black citizens. In one incident, the shooting was ruled justified by the district attorney. The department and the officer faced no criminal charges or departmental discipline. The second incident is still under investigation. A small but vocal segment of the community argues that these shootings have strong racial implications and they have demanded that the city council increase the level of civilian review of police in Charlotte.

Obviously, conflicting opinions are inevitable in an open society but they send a potentially fatal mixed message to the officer. We train officers to protect themselves and other innocent citizens within strictly defined departmental policies and procedures. If, however, the officer's actions result in public threats to seek justice in the streets, the officer may, in a split second, attempt to assess the political ramifications of any potential action he or she may take. That assessment may result in death or serious injury to the officer or the innocent citizen whom the officer has sworn to protect.

The potential use of force creates a major dilemma for our officers. Joe

McNamara was quoted in Bill Geller's recent book on police use of force as saying, "It ain't easy out there. You don't want an officer getting killed because he's afraid of the chief and hesitated too long, and you don't want jumpy officers shooting someone when they go to scratch themselves." Clearly, it is difficult to train officers to make the appropriate judgments on when to use force. If you add into the mix a politically charged atmosphere where every act is judged, not by the situation, but by the characteristics of the other party involved, you leave officers potentially afraid to act. In some cases these officers are less aggressive in the performance of their duties because they do not want to expose themselves to situations where the potential use of deadly force is an issue. The officers learn by example that, while much of the community silently supports them, a small but vocal minority can subject even those officers whose actions are justified to trial by the media and political rhetoric.

At the same time we can send a mixed message to the officer and our community resulting in the use of needless force. We properly emphasize in our training and supervision that officers should exhibit restraint where possible and seek nonviolent conflict-reducing resolutions to police-citizen encounters. Yet we undermine our message if the only officers who receive the big awards and shiny medals are those who have engaged in daring shootouts or some other traditional police action which attracts the attention of tabloid television cop shows.

In a potentially violent encounter, there is no way that the chief can be there in that split second to lean over the officer's shoulder and tell him what to do in that particular situation. For the officer, there is probably no other moment when he or she feels so alone. However, I would like to believe that those officers who have a clear understanding of the mission, goals, and values of their departments have a better framework in which to make those split-second decisions in which their lives and the integrity of the department are on the line. The hypocrisy that I am concerned about is that, after the officer has faithfully tried to apply our values to the circumstances he has encountered on the streets, too many of us are willing to throw the officer to the wolves if it suits our political expediency.

All of us know how tough it is to be a police administrator in today's environment. What I hope I have done is remind you how tough it is to be that young officer trying to do the right thing in performing a job where public trust and confidence are crucial to his or her success. I truly believe that one way of helping that officer to succeed is by providing an organizational environment where values guide officers' decisions in the range of situations they confront, from deadly force to accepting a cup of coffee. How do we do that?

First of all, I believe that we, as professional police administrators, should turn our attention to how to help officers understand and interpret the mixed messages they receive. Groups such as PERF (Police Executive Research Forum), are the think tanks of urban policing in this country. However, too many times we let our research and our conference agendas be governed by the hot issue of the moment, whether it is pursuit driving, video cameras for patrol cars, or the merits of adopting 311 in our communities.

Perhaps we should commit some of our collective time, energy, and talent to addressing these mixed messages, especially if we are in agreement that community problem-solving policing is the way that we want to do business in the twenty-first century. These are tough issues because they are not based on absolutes. If we can create an environment where empowered police officers can make appropriate value-driven decisions, we will make life a little easier for the next generation of police administrators. As an organization, PERF should commit to identifying those community policing initiatives that have made a genuine difference in their communities and educate police departments across the country on how those successful initiatives were planned, implemented, and evaluated. We should commit to making our annual problem-oriented policing conference a showcase for the best that community problem-oriented policing has to offer. Our conference should emphasize quality over quantity. If we are to make PERF a vital force in shaping police work in the twenty-first century, we must critically examine the mission and values of this organization and insure that our resources are focused on accomplishing that mission.

Second, we must clearly articulate the values of our organizations and then find effective ways to relate our policies, training, operations, and every decision to those values. Our values can sound good and look impressive in print but they are meaningless unless the officer understands their practical application. Again, this is a tough task but one that we cannot shy away from if we are to be comfortable in a policing environment that is based on empowerment. For the officer, the department's values must be more than what he says, they must be what he does. The same applies to all of us concerning the statement of principles on racial issues which PERF's board adopted at this conference. As Bob Lunney says, "the real challenge is what we do because of the statement."

Finally, we must avoid what some have noted existing in many police departments, two police cultures: one a street cop culture and the other a management cop culture. We must involve the officers in all we do, lead by example, and be aware that our officers constantly have us under the microscope. At the first hint that we do not practice what we preach, our credibility will be at risk and our ability to set the tone for the organization will be diminished. We are often so caught up in responding directly to the community, the city administrators, and elected officials, that we do not have the time or patience to think about the message that our actions and words send to our officers. Far too often, the officer becomes the forgotten man or woman in our decision making. We can not afford to let that happen. We must let our conduct and every decision be a primary illustration of our department's values in action. As Albert Schweitzer said, "In trying to influence others, example is not the main thing; it's the only thing."