

Chapter Fourteen

CONCLUSION

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Crime-Oriented Legalistic Policing and Professionalism

The disadvantages of the small town "watchman" model became increasingly apparent given the changed nature of local communities in the second half of the 20th century. The change in size, diversity and nature of the communities, as well as an increased number of public complaints about disorder and crime, precipitated the adoption of a legalistic policing model in small towns. Police chiefs had been hired on the basis of local politics and were often incompetent to meet the new demands of their job. Local politicians, who ran the police as they did any other town "department", became increasingly dissatisfied with the effectiveness of the police and with the people running the department. Towns were prepared to adopt an alternative policing model, consistent with the wider image of policing which newer residents brought with them and which everyone imported from the national media.

This new conceptualization was termed "professionalism", although a more precise designation would be crime-oriented, legalistic policing. This "modern" conceptualization contained elements which compensated for some of the deficiencies of the small town model, but also included elements which made the new style depart substantially from community needs and concerns.

The RCMP epitomized this crime-oriented professionalism in Canada. Returning to Wilson's typologies, the RCMP provided a "legalistic" style of policing which endorsed maximum social distance between the police and the community rather than intense community involvement, claimed to offer non-discriminatory treatment for all, and focused on crime-fighting and the legalistic laying of formal charges rather than service. The equivalent force in the United States, as Weisheit *et al.* point out, is the State Police (with a jurisdiction similar to the RCMP in Canadian rural policing). Both rural police forces "have relatively little connection to local social networks", are frequently transferred and are "statistically oriented" (:564). This orientation would be challenged subsequently by what became known as Community-based Policing. Rather than being opposed to professionalism in general, Community-based Policing may be compatible with the crime-oriented, legalistic aspects which defined "professionalism".

One question is the extent to which a particular policing style can be said to be congruent with the needs and expectations of the policed community. Kaill's study of urban and rural crime statistics (19xx) indicated that, with respect to personal offences, there was little difference between rural areas/small towns and cities, while there were greater differences in property crimes, with urban rates consistently higher than rural/small town rates. There was, however, not much difference in public order offences. Victimization studies show that rural citizens are less likely to report offences

to the police than urban citizens. Small towns, however, had the highest rates of obstruction, disturbing the peace, trespass, and willful damage to public property. They also have the highest rates of offences involving municipal by-laws and provincial statutes (principally the Liquor Control Act). According to Murphy (1986), these public order offences are proactive in the sense that the police initiate the citizen contact.

The trade-off for the towns which adopted this legalistic model was, first, a loss of control. The RCMP style of legalistic policing demanded maximum independence from local political control. The second trade-off was service. Where the small town model of policing differed from the urban "watchman", described above, can be demonstrated using another of Wilson's typologies: the service-oriented policing model. According to Wilson, the service style characterized ethnically homogeneous suburbs where neither crime-fighting nor order-maintenance was a high priority. Instead, the police adopted a low-profile enforcement image, a relatively wide service orientation, and a rapid response provision. Affluent suburbanites didn't want to see the police often, but wanted them immediately when they were summoned.

Small town municipal forces, knowing that they are dependent on the good will of the Town Council and, ultimately, of influential citizens, similarly perform a host of service functions, from escorting funerals to making daily inspections of temporarily vacated private property. Minor complaints are handled carefully because such treatment of community residents enhances the public relations image of the department. Legalistic policing, on the other hand, does not provide a service-orientation but, instead, emphasizes competent crime investigation and the equitable processing of charges. Initially, it was this competent and equitable "professional" image for which many small towns contracted and, in the process, they knowingly sacrificed the service component.

In municipal policing, legalistic norms were grafted onto the earlier watchman/service orientation, which did not disappear (in contrast to the RCMP model of small town policing described above). However, the further professionalism went in the small towns, and it tended to go furthest in the larger as opposed to the smaller centers, the more certain negative consequences of this new style became apparent.

Deficiencies of Legalistic, Crime-Oriented Policing

In the past, small town police looked to big city policing style as the cutting edge. At the root of the deficiencies of this new "professionalism" is the extent to which the style is congruent with the expectations and requirements of small town policing. Under the legalistic mandate, there is less interest in community consultation, school liaison, etc., narrowing the policing mandate considerably from the community model derived from Swanson. As Murphy's research on small town police has indicated, officers trained in crime investigation, weapons use, street survival, and hostage negotiation find the routines of walking the beat, rattling doors, chalking tires and directing cross-walk traffic frustrating if not demeaning. The self-definition of offices as basically crime fighters is accompanied by a disdain for the "social work" aspects of a service-oriented department. By legalistic standards, service is not "real police work".

Second, modernized equipment meant, above all, the patrol car. As constables began to walk less and drive around more, the social distance between them and both the town elite and the citizens widened. Alienation grew and the officers' job satisfaction declined. This social separation is aggravated in situations where a strong police union buttresses an independent police culture, as the example of Cape Breton communities shows, discussed below.

The problems which characterized many of the small towns during the change from an older watchman style to legalistic, crime-oriented policing resulted, in part, from deficiencies of the watchman model, such as inequitable treatment and incompetent personnel. According to this perspective, problems arose from an incomplete adoption of the professional model. Poor training and supervision, for example, allowed for unjust, discretionary treatment. The solution, then, was greater professionalism. To the extent that equitable, just treatment of all becomes police practice, the policing style meets one of the most important criteria established by most community members. But it can also be argued that the standards of crime-oriented, legalistic policing are somewhat incongruous with the actual experiences of policing a small town. Even though police, to an extent, construct crime, by their daily decisions and classifications of acts, small towns are not seriously crime-ridden. Even in large departments it has been discovered that only a small part of most officer's time is spent on criminal investigation. This discrepancy is magnified greatly in a small town. The experience is inconsistent with the ideology. It may be more consistent with the new standard of modern policing which claims to be community-based.

Professionalism was supposedly to benefit small town policing, making it less politically driven and giving directions to the police themselves (Murphy 1986). In Nova Scotia, the key developments were police unionization (beginning in the late 1960s), the 1974 Police Act which established provincial standards and established Police Boards in municipalities formally separated from Town Councils, and the establishment of the Atlantic Police Academy (APA) to train officers professionally. Professional policing, therefore, had an element of genuineness about it to the extent it countered a narrow majority or elite agenda, in which the police were aligned with the myth of the unitarian small town. The main point of our argument, however, is to note the growth of incongruence between the implementation of police professionalism in small towns (from the beat to the patrol car, or the introduction of FATS training for example), and the needs and demands of the citizens. Professionalism in the small town generated the fundamental problem of spuriousness, of being wedded to a legalistic model that could cause low self-esteem among officers because of the realities of the demand on small town police, principally the absence of big crime and the multitude of service demands. At the same time, given the diffuseness of the demands on the police, they found it difficult to remain aloof. Murphy (1986) contrasted the older cop who walked the beat in the downtown and possessed a wealth of community knowledge, and younger APA graduates who cruised about in the patrol car and knew very little about the town or the policed population.

Clairmont's research in Cape Breton, where regionalization of policing has occurred, indicates that few people miss the small town model which was practiced

there. An aloof, PBP model was sustained by a strong police union in the midst of a strong union-culture. In this situation, for example in Dominion -- unionized policing in a union town -- police rejected most CBP-type initiatives, such as school liaison. The view was expressed by Town Councilors in Glace Bay that professionalism had replaced the older community style with an inappropriate alternative. In New Waterford, the police appeared to be largely uninvolved, formally or informally, in community activities. On the Northside (Sydney), serious problems had developed between police and youth and also with drug use. In addition, Clairmont found that the political culture was also opposed to certain CBP initiatives, particularly the establishment of grass-roots groups as community consultative committees. Local political elites were concerned that such organizations would become either pressure groups for the police or provide a basis for opposition local politics.

Community-based Policing may have been urban-generated, but it does provide small town policing with possibilities for genuineness in two senses, namely giving a better self-image as practicing progressive policing, and providing better relations between the police and the non-elite constituencies. Again, the main rider on this optimistic view is that CBP may be used to justify aggressive order maintenance which violates minority rights in the name of the majority community.

Community Policing

The appropriate style for policing a community is shaped to a considerable extent by the characteristics of that community. In so far as "Community-based Policing" emerged in Britain and the United States as a new, reformed model of policing, it reflected the desires of communities which felt excluded from the mainstream, underrepresented by the apparent political consensus, and subject to inappropriate and excessive police control. In increasingly multicultural societies, urban neighbourhoods consisting of a variety of ethnic and minority groups reflect an increasingly heterogeneous population and exhibit considerable social and cultural diversity. From many such conglomerates a "community consciousness" has emerged, articulated in demands for control over such things as language rights, schooling and social services.

The issue of policing has been paramount in this emerging consciousness. To the extent the police represent cultural values at variance with community standards and do not reflect minority composition or sensitivity, socially conscious groups have emerged demanding greater police accountability to the community. The most prominent case occurs where the divergence between the minority and national culture is most at variance -- in Canada, in aboriginal communities. The extent to which actual "urban communities" of a relatively stable ethnic and cultural character exist is unclear empirically. Nevertheless, vocal minority groups do have legitimate claims to make on the police, and police must, in part, be accountable to legitimate community concerns.

This contemporary sense of divergent communities -- subcultures within the Canadian mosaic -- with the exception of visible minorities, does not adequately reflect rural and small town policing in the Valley of Nova Scotia. While rural police (the R.C.M.P.) represent national law and national cultural standards and, consequently, still

negotiate these standards in communities with divergent norms, what is distinctive about rural life in the region is becoming more difficult to specify. Certainly there are still some social norms among some groups in the Annapolis Valley which are at variance with national policing. As in many more culturally isolated small rural communities, some highly publicized cases of child sexual abuse have been brought before the courts. Domestic violence in other forms is also relatively common. Over time, some victims become victimizers in an underground system of authority maintenance and control. Disagreements between neighbours have sometimes been handled informally by the disputants -- including the burning of property, a technique for generating fear in the community -- rather than formally, through the criminal justice system. Rather than seek police assistance following an assault, for example, victims may retaliate privately. These standards reflect a time when formal policing was absent and community control was handled among people who knew each other well. Fundamentally, however, as national cultural symbols and norms intrude on small rural communities, as students are bussed out to larger, consolidated schools, rural cultural standards are being transformed. This process has been well developed in the Annapolis Valley.

Small towns in the region still tend to be culturally homogeneous and community policing does not connote demands for accountability in pluralistic neighbourhood settings. Small town policing, then, still reflects some of the elements of the specific model, identified by Murphy (1986). According to this model -- which Murphy's analysis demonstrates was already undergoing change at that time -- small town policing is integrated into community life; policemen are recruited from the town on a more personal than professional basis; they police a community in which they have matured into adulthood; and they work informally, under the scrutiny of local elites and intrusive neighbours. Much of this model remains applicable. However, two decades of community change and professionalization of policing have altered the relationship. Just as the police force was severed from direct manipulation by town elites, so too has policing been separated from community norms. That is what is meant by the development of a more legalistic policing style.

In this situation, the same assumptions about policing cannot be made, or they cannot be made to the extent proposed in the model. Rather than it being the case that, in small towns, communities are struggling to have policing become more representative of community norms and values -- as is the case in urban neighbourhoods concerned about the representativeness of policing -- Community-based Policing initiatives in small towns are, at least in part, an attempt to re-create a community within which policing is an integrated component. This is most clearly seen in crime prevention initiatives which elicit community support to help alter the conditions which create certain kinds of law breaking. In this process the "community" comes to mean, in practice, the "business community"; community norms are taken, by default, to mean generally applicable "middle class" values; and community involvement in policing is defined within the terms of a professional and legalistic police force.

The argument about changed community and the narrow focus of community-based policing emerges more clearly in rural policing. More recently, with the advent of

Community-based Policing and the adoption of this form of policing nationally by the R.C.M.P., the traditional image has been somewhat modified in the direction of a service model. This development, however, is not adequately conceptualized using Wilson's typology (1970), in which the service model is described as a policy according to which police "intervene frequently but not formally", "there is a high level of apparent agreement among citizens on the need for and definition of public order but in which there is no administrative demand for a legalistic style" and policing incorporates "informal, non-arrest sanctions" (Wilson, 1970, p. 200). With the R.C.M.P., the givens of legalistic policing, bureaucratic management and organizational control shape what community-based initiatives are undertaken. Within the community-oriented initiatives of the federal Force, the imperatives of the R.C.M.P. are paramount. Community contributions to crime prevention and the advisory role assigned to the community are considerably circumscribed. As described above, the initial, organizational impetus and definition of what is appropriate arises from a centralized policy. Community Associations, for example, have arisen through police initiative; members are chosen and representative of community groups or interests in only the most tenuous fashion; and the general guidelines are formalized by Force policies. They contribute significantly to the crime-prevention mandate of the community; they do not amount to community control of policing. The major qualification to this assertion is that, once formed, it is possible that such Committees may develop into a forum for debates about policing styles and practices. They could become a channel for complaints and grievances in a situation where there are no other channels, given the autonomous functioning of R.C.M.P. detachments, from the community or local politics. This is only likely, however, in situations where there is an identifiable "community" with a clear group interest which is affected by policing. Such a development in the rural areas with which we are familiar, seems unlikely.

Not all towns in the Valley, and certainly not in Nova Scotia, fit this notion of changed or lost "community", professional policing, and restricted community-based policing. The Marshall Commission report on policing argued that the small town model was still applicable. This is especially true if the focus of attention is the difference between small town and urban forces. Within a focus on rural and small town policing, however, the exceptions, disparities and particularisms assume increased significance. Towns vary considerably along most of the key dimensions.

It is difficult to categorize this model in terms of one of Wilson's three ideal types. Rather, small town policing consists of a mixture of characteristics from these styles, with a more recent development towards a somewhat more legalistic policing style. Manning (1989) defines community based policing in terms of a four-level model, namely ideological, programmatic, pragmatic and organizational. Community-based policing (CBP) as an ideological system is consistent with the traditional small town policing model. Manning asserts that "communities in previous times were more unitary, the police were a more legitimate and accepted part of communities" (1989, p. 396). How much of this ideology is based on wishful thinking, a return to simpler times, or a utopian rationalization as Manning notes, is unclear.

On a second level CBP embraces a programmatic facet which serves to bridge the gulf between ideology and reality in the sense that it furnishes the vehicles that "restore police "closeness" to the community" (Manning 1989: 396). In a pragmatic sense CBP endeavours are, in part, responses to community discontent and expectations traceable to events which generated the Kentville Inquiry (1983 - 1984) and its aftermath. Lastly, CBP means the development of organizational structures to facilitate specific community programs. In Kentville the manifestation of CBP in terms of an organizational structure has been the development of a community relations co-ordinator to systematize various crime prevention programs and departmental activity. Clearly in Kentville the adoption of a community-based policing model is reflected in the language and dialogue of the department, especially as it relates to the Police Commission and Town Council. Some members of the department appear comfortable with this style of policing and view its implementation as advancement. This is truer of the younger members, recruited in part according to criteria which reflect a more community-oriented style, than it is true of the veterans of the police department.

It is relatively easy for an alienating, repressive and socially distant police style to develop in larger towns or in smaller towns if the police are protected, for example, by a strong union and subculture. While such a style may be protected by powerful forces, this crime-fighting image is difficult to maintain in a small town simply because it is small. Even if the officer is not a local product, he or she becomes known to the community just as effectively as police officers themselves come to know the handful of people the police define as perpetual town trouble-makers. The dynamics of living in and being an active participant in the small community they police make working in a small town fundamentally different from urban policing. The problem of unequal enforcement, of double standards, adheres to the very nature of small town policing and is not merely a matter of poor training or supervision.

In addition, the crime-fighter/enforcer image is not likely to be popular among citizens or among the political elite of the small town. On the one hand, certain standards of professionalism are the sine qua non of policing. The police must be impartial, competent investigators, capable of handling crime and order problems efficiently. Certainly, the widespread acceptance of police "professionalism" is an important ideology which police can use to maintain or expand their share of social resources. It is used successfully to justify an expansion in the size of the force, in-service training junkets, and the purchase of up-to-date equipment, such as car replacements every two years.

On the other hand, the more socially responsive police departments in small towns emphasize the service components of their work -- beat patrol, cross-walk duty, property checks, and the personal investigation of minor complaints. These are politically and socially popular and have the distinction of squaring better with the actual demands on the police in small towns, as opposed to fighting crime. It is here that the actual practice of small town policing, particularly the service dimension and the dense and diffuse nature of police-citizen interaction, overlaps with the more recent ideological image of policing: Community-based Policing. Nevertheless, many police

officers resisted changes brought about by CBP. Organizational change in policing, as Freidmann argues (1992: 104), was not accompanied by an effective scheme for adequately rewarding proactive work, or for effectively incorporating the community into police decision-making.

CBP as a Strategic Function

Does CBP authenticate STP, making it more genuine? Friedmann (1992: 104) argues that in rural areas, community policing is regarded as a “necessary alternative to standardized law-enforcement practices.” Small communities require flexible and adaptable policing and require “personal police contact, discretionary and informal order maintenance and political accountability.” CBP has promised to deliver these, but it has also highlighted responsiveness to minorities and issues of social development, hardly what small town policing was all about. Ironically, the more conservative, order-maintenance oriented style of policing, which still comes under the rubric of CBP, may be more congruent with some of the more objectionable and inequitable practices of police in small towns. Arguably, then, the police need professionalism to avoid the narrow interpretation of the “community”. They need to follow the guidelines of the Charter of Rights and Freedoms and the Multiculturalism Act, allowing for a more inclusive definition of community which recognizes and accommodates to diversity.

Corresponding with the more critical literature on Community-based Policing, it could be argued that CBP has a legitimating function in small towns. Police certainly have some problem of legitimacy in large urban centers in Canada, particularly Montreal and Toronto. There are local problems as well -- black rural communities in Nova Scotia or aboriginal communities where policing from outside the community has lost its legitimacy. In the small towns in the Maritimes, to the extent there has been a general crisis of legitimation, it derives from the perceived deficiencies of crime-oriented, legalistic policing. As was pointed out above, CBP in Canada is largely a federal government initiative, a constructed social movement which, however, has succeeded in becoming the accepted morality. In this situation and given the affinity between CBP and STP, the philosophy of CBP becomes not so much a legitimating myth as an ideology which can serve a strategic function. Small town Police Chiefs have successfully been able to maintain or increase the resources allocated to them by political elites on the basis of claims that they would deliver CBP.

Regionalization in the Valley: The End of an Era

If the survival of small MPDs in the Valley had become a much-debated question by the later 1990s, by the new century their fate seemed sealed. The full-scale regionalization of municipal police services was confined to Metro Halifax and industrial Cape Breton. Small town policing persists in some of the larger centers – Amherst, Truro, Pictou County (where a Cape Breton-style amalgamation has been considered for some time), Lunenburg/Mahone Bay and Bridgewater. In the Valley, police organizations spent a considerable amount of time voluntarily negotiating the establishment of shared

resources which, at the time, appeared to be perhaps a prelude to regionalization. However, even the persistence of Kentville as a small town force did not prevent the spread of the domino effect in most of the other small towns in the Valley, and in 2002 Kentville is poised to be the next acquisition.

As the small town model of community policing disappears, regionalization is introduced as a model which can combine the best of professional policing with CBP. As noted above, in Cape Breton there was certainly a clear perception that the professional model of STP was some distance from a community policing style and that there were opportunities for CBP in the new regional force. A similar perception surfaced in New Brunswick where town councilors advocated regionalization of policing on the grounds that it would mean CBP, a stance which outraged some officers who claimed that STP was, in fact, CBP. In this sense, CBP is used strategically to undercut opposition to regionalization. Opponents of regionalisation claim that it would mean the end of the close, informal ties of police officer and community. The larger, regional police force would lose the close community connections which are essential to the provision of effective policing service. The kinds of CBP programmes which a regional force would be compelled to adopt as a result can not compensate for the loss of community identification (Apostle and Stenning, 1989: 15). CBP in regional forces would be rationalized and formalized, similar to the RCMP model, a dedicated add-on service component which reinforces an aloof, legalistically-oriented policing style and accompanying police culture. As such, CBP may provide a necessary counter-weight to PBP while maintaining an appropriate degree of social distance between police enforcement and the citizenship. CBP may be a necessary antidote to the shortcomings of PBP.

It must be reiterated, however, that CBP may not be "genuine" in the sense of equity. CBP can take diverse forms. Given the argument that community residents want and expect privacy and that small town citizens adopt a relatively narrow range of norms and values, as mentioned by Swanson, a more intrusive and aggressive style of enforcement could still be justified under the CBP rubric. Such a style, we believe, would certainly be flawed and not genuine in the sense that it would not respond to the needs and demands of an inclusive and necessarily differentiated community.

There is also the issue of the kind of policing citizens actually want. Grinc (1994) argues that, while CBP initiatives are popular with citizens, most community residents fail to get involved in such programmes. They want to maintain their distance from the police and do not want to get personally involved in social control in their communities. If the police feel role strain in enforcing public order on neighbours and citizens, ordinary residents would likely experience even a greater degree of discomfort in playing a police role.

An alternative to CBP is a minimalist police role. From an organizational perspective, this image helps us understand the relevance of CBP ideology as offering a strategic function for maintaining or expanding police resources. We have argued that CBP has this function in a small town. The question remains, however, whether this is beneficial from the point of view of the community. Arguably, given scarce resources and the proclivity of small town managers to be concerned about the bottom line of

every item in their budget, an expanded police mandate means a reduction in resources for other, perhaps competing community services. Are the police the best agency to be involved in, for example, community development or problem solving, or should these efforts be undertaken by other social agencies with a clearer service mandate? Funding the police at a higher level may mean decreased and inferior service for the population.

Many small towns and rural areas, however, do not have these resources and penny-counting town officials are not predisposed to expanding the number and type of services available. Policing, however, is regarded as a fundamental necessity. Furthermore, it is often the only agency available 24 hours a day, 7 days a week. While CBP may not be the ideal option for community service, in a tight-fisted political environment it may be the only available choice.