

The New Police Corps: A Response

Jack Wenik*

The New Police Corps proposal presents an innovative approach to the problem of expanding our police forces in a time of fiscal austerity. The proposal envisions using existing college financial aid programs along with increased levels of public expenditures to subsidize the hiring of additional police. Participants in the ROTC-like program, would, in return for the complete financing of their college education at in-state schools, undergo police training and serve a minimum three year term as police officers after graduation.

The implementation of the New Police Corps proposal would have a number of beneficial effects. First, the proposal would provide a mechanism for the systematic growth of our police forces in order to respond to a nationwide crime problem.¹ Second, the proposed funding scheme, though expensive, would be an intelligent and cost-efficient way of expanding our police forces at a time when budgetary constraints preclude more direct methods. Third, the introduction of Corps personnel into traditional police forces should have a positive impact on the educational level of the police "community" overall. Finally, the proposal would provide an additional outlet for those youth who seek temporary or permanent careers in the public sector.

Although supportive of the general Police Corps concept, this commentator believes that a number of issues should be carefully considered by policymakers in devising a working program. These issues are raised with the hope that extensive discussion will lead to the development of a more effective plan rather than provide opportunities for dilatory tactics.

1. Policymakers must consider the relevance of empirical studies which question the assumption that hiring more police will necessarily reduce crime.² It has been suggested that hiring more police will in-

* J. D. Candidate, Yale Law School, 1985.

1. Crime is of course a serious problem in America. However, the problem may not have reached the "crisis" level characterized in popular literature. In recent years, despite absolute increases in reported crimes, the overall rate of serious crime has remained relatively constant. See Doleschal, *Crime—Some Popular Beliefs*, 25 *CRIME & DELINQUENCY* 1, 2 (1979).

2. See generally Kelling, *Police Field Services and Crime: The Presumed Effects of a Capacity*, 24 *CRIME & DELINQUENCY* 173, 176 (1978) (article mentions some of the major studies questioning police effectiveness in deterring crime). But see Tao, *Crime, Punishment And Law Enforcement*, 23 *WAYNE L. REV.* 1395, 1409-12 (1977); Crook, *Punishment and Crime: A Critique of Current*

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crease the extent to which crimes are reported and recorded rather than result in any meaningful deterrence.³ The Kansas City Preventive Patrol Experiment, for example, found that increasing police patrols had no appreciable effect on crime levels.⁴ It is also possible that a greater police presence might displace crime from one area to another,⁵ or encourage those crimes which are less likely to be detected.⁶ In either case, the overall level of criminal activity might stay constant. Any discussion of the New Police Corps proposal should, at the least, address the questions raised by these provocative studies.

2. The proposal may understate the impact of an increased police presence on other sectors of the criminal justice system. Assuming that the addition of Police Corps personnel increases arrest rates, policymakers must anticipate the burdens this places on our judicial and prison systems. The number of felony arrests which are either dismissed, not prosecuted, or reduced to misdemeanors because of limited prosecutorial resources is alarmingly high in our major cities.⁷ The backlogs in the courts represent similar limitations.⁸ Finally, the dismal condition of our prisons has led to constitutional challenges.⁹ Without additional resources to process and incarcerate the additional offenders who would be caught by an augmented police force, the criminal justice system may be thrown into severe imbalance. To attain a true sense of the costs and benefits of the New Police Corps, these associated expenses must be estimated.

3. The proposal may understate the difficulties of using temporary personnel in regular police activities. Training these new police is a paramount concern. Clearly mere graduation from the police academy does not necessarily make one an effective police officer. Many aspects of police work must be learned on the job from experienced officers. It can take months to learn the idiosyncracies of a given precinct or neigh-

Findings Concerning The Preventive Effects of Punishment, 41 LAW & CONTEMP. PROBS. 195, 198-201 (1977).

3. Jacob, *The Effects of The Police On Crime: A Second Look*, 15 LAW & SOCIETY REVIEW, 109, 118, 121 (1980-81).

4. G. KELLING, *THE KANSAS CITY PREVENTIVE PATROL EXPERIMENT: A SUMMARY REPORT* (1974).

5. Tao, *supra* note 2, at 1409-10.

6. Crook, *supra* note 2, at 200.

7. See Special Report, 13 CRIMINAL JUSTICE NEWSLETTER 1, 1 (1982); Zeisel, *The Limits of Law Enforcement*, 35 VAND. L. REV. 527, 530 (1982).

8. Chief Justice Warren Burger has warned of a threat to the quality of justice in the federal system if the caseload continues to mount. See 13 CRIMINAL JUSTICE NEWSLETTER 1, 5 (1982). Considering that state judicial systems typically have less resources than the federal system, the caseload problem in state courts may have already reduced the quality of justice.

9. Half of the states operate some prisons which have been declared unconstitutional. Bazelon, *The Crime Controversy: Avoiding Realities*, 35 VAND. L. REV. 487, 495 (1982).

borhood, let alone all of the aspects of proper police procedure. If Corps personnel are to serve in traditional capacities (such as cop-on-the-beat assignments) the training obligations of experienced officers might be substantial particularly in view of the high turnover rate that might be expected for Corps personnel. Policymakers must gain a better sense of the training dimension before implementing this proposal. Further research might suggest that the utility of Corps members might be limited to specific duties such as patrolling subways.

4. The proposal may understate the difficulties of assuring the cooperation of traditional police forces. The opposition of the Patrolmen's Benevolent Association¹⁰ suggests that regular civil service personnel might resent these inexperienced, temporary police. This antagonism could stem from several sources. First, the police unions might perceive the proposal as a threat to their dominant position in local and state law enforcement. If institutionalized, the New Police Corps would represent a departure from the traditional method of directly training and hiring new police when shortages were realized. In addition, the salary differential between the Corps members and the regular police as well as the level of retirement contributions, union dues and medical benefit contributions to be required of the new officers might produce intraforce conflicts.

Second, the regular personnel might fear that the *esprit de corps* of the police force might be endangered by the influx of large numbers of inexperienced Corps participants of questionable dedication. Third, permanent police might have legitimate concerns of job safety in working with Corps personnel because of the training problem discussed earlier. Finally, the Corps proposal would disrupt traditional modes of operating. Duty charts, patrol assignments, vacation choices and other minor but individually relevant aspects of police procedure would be changed to accommodate the newcomers, possibly to the detriment of the permanent police. Whatever the concern, prior talks with the unions are essential if the program is to be successful in its implementation.

5. The probable lack of dedication of college-educated Corps members to a permanent police career must also be considered in implementing the Police Corps proposal. Traditionally, policing has not enjoyed high esteem as a career and has often been viewed as suited to those with less education, typically working-class individuals. The routine of police work may lack the challenge and substance which college gradu-

10. N.Y. Times, Jan. 28, 1983, at A26.

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ates now expect from their jobs.¹¹ It is likely that the vast majority of the Corps recruits would use the program as a vehicle to obtain a higher education and quickly move into other fields.¹² As discussed before, the distrust of the true motives of Corps personnel might sour relations with the regular career-oriented police and therefore impede the effectiveness of the Corps personnels' role.

6. Some additional questions also merit review. First, what are the comparative benefits of having Police Corps personnel enroll in general liberal arts programs as compared to a more police-oriented course of study?¹³ Second, what effect would increasing the educational level of the police force have upon minority recruitment and relations with minority constituents?¹⁴ Third, what is the proper role of citizen participation in this program and in law enforcement generally?¹⁵ Finally, what impact would other reforms in police forces, such as civilianization, have upon the New Police Corps proposal?¹⁶

In the final analysis, policymakers should not perceive the Police Corps proposal as a substitute for other crime prevention programs. It is a rational proposal that if devised and implemented with care could make our law enforcement bodies more effective in performing their public trust. However, to insure the success of the Police Corps, the needs of other components of our criminal justice system must be included in any implementation plan. In addition, the funding and operation of social programs that strike at the roots of criminality should be considered a vital part of an overall strategy in fighting crime. A permanent reduction in crime would require the concerted effort of many agencies and the dedication of extensive resources. With proper draft-

11. Fischer, *Is Education Really an Alternative?: The End of a Long Controversy*, 9 JOURNAL OF POLICE SCIENCE AND ADMINISTRATION 313, 314-15 (1981).

12. It seems that an LEAA program designed to increase police quality by subsidizing higher education for police met just such a fate. See T. CRONIN, U.S. v. CRIME IN THE STREETS, at 167-68 (1981).

13. Many colleges now offer extensive criminal justice or police science programs. Often these programs are adjusted to meet the particular needs of active police. A prime example would be the John Jay College of Criminal Justice in New York City.

14. See generally Decker, *Police Sensitivity And Responsiveness To Minority Community Needs: A Critical Assessment*, 12 VAL. U. L. REV. 467, 485, 513 (1978) (this article presents an extensive overview of police-minority relations).

15. There is some question about the value of citizen participation in law enforcement activities. See, e.g., Formby, *Citizen Awareness In Crime Prevention: Do They Really Get Involved?*, 9 JOURNAL OF POLICE SCIENCE AND ADMINISTRATION 398 (1981). The Police Corps proposal may or may not gain increased effectiveness by a high degree of citizen participation.

16. It appears that New York City has made more extensive use of civilian personnel while the absolute number of police has declined. See Comment, *Municipal Liability For Torts Committed By Volunteer Anticrime Groups*, 10 FORDHAM URBAN LAW JOURNAL 594 (1982). This might free more police for patrol duties and achieve many of the cost benefits of the Police Corps proposal as civilian personnel usually earn considerably less than sworn police officers.

ing and planning the New Police Corps might well contribute to such an effort.