Analyzing the Application of competing Theories of Justice into American and Pakistani Policing Strategies

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Abstract

   Law enforcement agencies across the United States have implemented a number of enforcement philosophies since 1960 in an effort to counter rising crime rates, violence, and prolific victimization. The primarily reactive deployment of police resources in the 1960s and 1970s had proved to be ineffective. With drug related violence escalating, frustrated American police administrators opted to implement community policing with its proactive crime reduction and problem solving approaches. Crime control results were limited before showing signs of improved effectiveness in the mid-1990s. Many government and police leaders, as early as 1994, often instituted a 'zero tolerance' enforcement mandate, which directed that the police universally address both serious crime and quality of life infractions. Combined with timely crime analysis, the proactive arrest-oriented strategies quickly drew the attention of government and police leadership across the United States and internationally as crime rates in America continued to plummet. As a result, the 'get tough on crime' mindset rapidly replaced the neighborhood and public oriented approaches fostered by the traditional models of community policing. American state, regional, and local police agencies had thus shifted their enforcement strategy from one supporting the 'left realism' community focused theory of justice to one that has firmly grasped the 'right realism' crime and disorder control based ideology. However, with occasional allegations of racial profiling and police brutality following rare but dramatically sensationalized incidents, the reported successes of American crime control tactics may need to be re-evaluated. The potential impact of this transformation as it has affected the perceptions of the citizens of the United States will be comprehensively analyzed. The experiences of the New York City Police Department will be specifically highlighted as an example of American policing practices at the municipal level. In addition, the relevance of this evaluation as it relates to criminal

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justice and law enforcement policies and practices within the Islamic Republic of Pakistan will be noted.

Key Words: Left realism; right realism; community policing; policing; United States; critical criminology; Islamic Republic of Pakistan; theory of justice

Introduction

Once city crime statistics began to be collected by the FBI on a national level in the United States in the 1960s, it became easier for the public to make note of the generally increasing crime rates. At the same time, the movement for social justice had not only taken form, but was moving at full speed. In addition, through the 1970s, criminological explanations for crime had emphasized the examination of the individual offender in attempting to explain contributing and motivating factors behind deviant conduct and criminal actions. In the 1980s, new perspectives arose that again questioned the role of society itself as a principal influence in clarifying criminality. This new form of radical criminology resulted in a number of new theories. Two competing paradigms included critical criminology and the 'left realism' theory of justice, both of which follow the leftist, socialist and neo-Marxist traditions (Tierney, 1996).

Critical Criminology

The critical criminological theory maintains a number of recurrent concepts, which include:
a) Crime must be viewed in the context of capitalist society,
b) Capitalism supports an atmosphere of class conflict,
c) Social control and law are related to materialism,
d) Effective societal change must involve a move away from capitalism to socialism, and
e) Individualized explanations for criminal theory should be eliminated (Tierney, 1996).

As such, individuals who are called 'criminals' are actually considered victims of capitalist society's tendency to maintain power, wealth and comfort within the elitist class. And this upper class has created a mechanism called the criminal justice system, with its repressive laws, to preserve their control. Ultimately, the solution would be to create an egalitarian society where justice is applicable equally to all (Quinney, 1974).

The '*Left Realism*' Theory of Justice

In contrast to the declaration by critical criminologists for America to transform from a capitalist society into a Marxist 'utopia' (Quinney, 1974), the "left realism" theory of justice retained the socialist perspective, yet promoted that crime and crime prevention be taken seriously, and that a practical approach had to be considered in an effort to correct the injustices imposed by society. This therefore creates the need for an answer to the question: "If the elitist class is being blamed for the definition of criminal acts, then why is much of the crime committed by working class and impoverished males?" It should also be highlighted that with property and predatory crime, there are true victims, and they are mainly from the middle and more often from the lower classes. At the same time, the criminal justice system has continued to move its emphasis to the offender and the general effect of crime on society at large, but has overwhelmingly eliminated the role and input of the victim, and has reduced the attention previously granted to the individual victimization. On the other hand, criminologists who support the left realism perspective believe that both the offender and the victim are significant factors within the crime problem, and that any sociological analysis must incorporate both parties, in addition to other issues (Tierney, 1996).

Those who promote the left realism theory of justice have advocated that Marxist criminologists must take crime and crime prevention seriously, but at the same time challenge the 'right realism' emphasis on stringent crime and disorder control. In summary, Tierney (1996) noted that the 'left realism' theory of justice makes an attempt to:

1) Build an accurate picture of crime and its impact on victims;
2) Develop causal explanations of criminality;
3) Trace the relationship between offenders, victims, and formal and informal controls; and
4) Develop 'progressive' yet realistic policies aimed at the reduction of victimization rates, especially among vulnerable, lower socio-economic groups.

Without a concerted effort from the liberally oriented to stress the victimization of the working and impoverished classes, it has been proposed that the conservatively oriented will control the issue in the public and political arenas, and the 'get tough on crime'

approach, which reportedly has devastatingly targeted racial minorities and lower class individuals, will receive the enhanced attention of government and law enforcement administrators (Schwartz and DeKeseredy, 2010).

The theory of left realism highlights the social interactions involved in crime control endeavors by portraying the complex relationships between the significant actors within the 'square of crime.' These four critical variables include the offender, the victim, the police (and the entire criminal justice mechanism), and the community (Young, 1992).

Figure 1.   Young's "Square of Crime"

Police Multi-Agencies		Offender
Social Control		The Criminal Act
The Public		Victim

Source: Young (1992:48).

Under the proposal by Young (1992), there are four primary elements necessary for the development of criminality. On one side are the agents for social control and on the other side is the criminal act. Social control agents include the police and criminal justice actors and the public/community. The criminal act, particularly as it relates to predatory crime, involves the offender(s) and the victim(s). Altogether, the offender must engage in deviant behavior that harms/hurts a victim and these actions would elicit a formal response by the criminal justice mechanism to enforce the law. And finally, the act itself must be acknowledged as a legal transgression by the informal contributor to the square of crime, the community. As such, all of the elements must be present and all must collectively interact to produce crime (Young, 1992).

From the left realism perspective, the critical actor within the square of crime is the public. Since the victims belong to the community, the responses to crime should be undertaken at the local level (Matthews, 1992). As such, advocates of left realism recommend some form of cooperative community network be implemented to counter crime, but at the least, there should be public input into the management and philosophical practices of the police. This mandate is apparently in line with the community policing practices that promote community involvement, interaction and feedback. Other initiatives proposed to enhance community input have included restorative justice practices, victim-offender mediation processes, target hardening, and youth, family and victim support mechanisms (Matthews, 1992). Ultimately, primary crime prevention and rehabilitation should take priority to avoid the need for restitution and punishment.

The '*Right Realism*' Theory of Justice

In contrast, the right realism theory of justice, advocated most commonly by the politically conservative, is oriented toward crime prevention and punishment, with little credibility and support granted toward seeking the root causes of crime and deviance (Wilson, 1975). As a result, crime control, arrest and incarceration are the preferred options to ensure a safe society. Preventing contact between an offender and a potential victim is a clear path to crime deterrence. For the supporters of the right realism theory, the arrest and high volume police-suspect interaction oriented

approaches commonly observed in proactive police agencies across the United States, Canada and the United Kingdom is the proposed and preferred tactic for effective crime control. A closer examination of the policies and practices of the New York City Police Department, as an example of American municipal law enforcement practices, will be undertaken to evaluate the variety of policing deployment strategies that have been implemented in the United States and other western nations over the last five decades.

The New York City Police Department

The New York City Police Department is a municipal law enforcement agency tasked with serving the metropolitan area of New York City, which encompasses more than 350 square miles (i.e. 907 square kilometers) of terrain. With a residential population approaching 9 million, and a cadre of NYPD enforcement personnel close to 36,000,[1] the primary functions of the NYPD emphasize public safety and security. Over the last 50 years, the NYPD has continued to revise its crime control and public service models, with the ultimate goal of reducing serious and violent crime. To better comprehend the role that the left and right realism ideologies have played in the NYPD's deployment strategies, the different stages of these crime control models and the evolution of law enforcement practices within New York City will be thoroughly examined from the 1960s through the present era.

The NYPD in the 1960s

From a law enforcement perspective, the 1960s were notable for a number of critical events, most notably the civil rights movement; seminal US Supreme Court cases that definitively revised and somewhat restricted law enforcement authority;[2] and finally a demand by the public to deal with increasing crime rates. In order to gain control of crime, President Lyndon Johnson presented the United States Congress in 1965 with a specific request which

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[1] In 2017, the NYPD consisted of more than 36,000 police officers and an additional 9,000 unarmed traffic enforcement and school safety officers.

[2] Examples include Terry v. Ohio (392 U.S. 1 [1968]); Miranda v. Arizona (384 U.S. 436 [1966]); Elkins v. United States (364 U.S. 206 [1960]); and Rios v. United States (364 U.S. 253 [1960]). Each one of these cases (among others) redefined the authority of police officers and created concrete direction to ensure that law enforcement actions were in line with constitutional guidelines.

was called "*Special Message to the Congress on Law Enforcement and the Administration of Justice*" (Johnson, 1965). As a result of the President's request, the Office of Law Enforcement Assistance was developed. A number of initiatives resulted including developing strategies on the federal and local level to address the growing organized crime threat, maintaining universal crime statistics at the national level, conducting victimization surveys, imposing drug control measures, and developing strategies to reduce juvenile delinquency (Katzenbach, 1967). As part of these many recommendations, the Commission also called for enhanced training for police personnel. Traditionally police officers had previously served in the military and were deployed with only limited police academy exposure, and were merely presented with a brief list of agency rules and regulations. As a result, most police officers were left to learn their trade on the streets. The Commission recommended not only enhanced training, but also college education for law enforcement personnel and provided funding to universities for these purposes (Katzenbach, 1967).

In summary, the 1960s left a notable impression on the New York City Police Department, which implemented formalized police academy training measures and distributed detailed rules, regulations and directives, often based on legal doctrine and policy resulting from significant United States Supreme Court decisions (e.g. *Miranda v. Arizona,* 1965 and *Terry v. Ohio,* 1968). However, the enforcement protocols remained primarily reactionary with randomly deployed patrol resources, which relied upon limited, if any, community input or participation.

The NYPD in the 1970s

New York City and other large American municipalities were faced with dramatically increasing serious and violent crime rates throughout the 1970s, much of it revolving around a growing organized crime and street level illicit drug distribution threat. Two major events radically influenced policing in New York City during the 1970s. The first was the uncovering of a corruption scandal in 1971 that essentially reached through all levels of the New York City Police Department (Maas, 1973). The final half of the 1970s was defined by overwhelming budgetary problems in New York City, with the Mayor coming close to publically declaring bankruptcy. As

a result and in an effort to reduce budgetary costs, the New York City Police Department laid off thousands of police officers. With a limited number of patrol officers, NYPD personnel were moved from traditional foot patrol to police vehicles equipped with new two way radios (Kavanaugh, 2010). The belief thereafter was that this would permit law enforcement officers to respond quickly to calls for police service and crimes in progress, and quickly apprehend the majority of criminal suspects in the commission of or shortly after the criminal act. This never came to fruition and the only thing that clearly resulted was the transition of police officers away from close contact with the community. At the same time, there continued to be no change to the reactionary random deployment protocol.

The NYPD in the 1980s

With the start of the 1980s came national and local political and financial stability. The New York City Police Department commenced an eight year trend of hiring a minimum of four thousand police students each year. [3] While this may sound unbelievable, New York City was attempting to bring the complement of police personnel back up to pre-1975 levels, while also addressing the escalating crime and violence rates. With the emergence of crack cocaine, drug related murders quickly and unfortunately became routine occurrences. And crime committed by drug abusers to feed their addictive habits resulted in notable increases in theft, robbery and assault complaints.

With such a quick and dramatic increase in the number of patrol personnel, the New York City Police Department implemented the Community Patrol Officer Program in 1983 in one police station, and reported initial successes resulted in department wide implementation to all 75 police stations throughout New York City. As a direct result of this initiative, each police station was tasked with deploying 10 police officers in large fixed area foot patrol 'beats.' These officers, called community policing 'beat cops,' were to personally evaluate crime problems, look for underlying causes, and recommend strategies for correcting them in partnership with community members and government and private agencies (Vera

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[3] The author was hired by the NYPD in January 1984 in a class with more than 2,200 other police officers.

Institute of Justice, 1984). The program was essentially a combination of the foot patrol program promoted by Trojanowicz (Trojanwicz and Bucqueroux, 1998) and the problem solving concept made popular by Goldstein (1990). Although the uniformed police patrol presence continued to increase throughout the decade, the deployment mode remained reactionary, regardless of the directive for community policing officers to proactively resolve neighborhood crime and disorder complaints and trends. Other than attendance at community meetings, there was no overwhelming input by the community into law enforcement matters. Ultimately, this endeavor had no significant impact on crime trends, as the murder rate exceeded two thousand annually during the final years of this decade (United States Department of Justice, 1989 and United States Department of Justice, 1990).

The NYPD in the 1990s (1990 – 1993)

The 1990s as it relates to the New York City Police Department must be divided into two periods. From 1990 through 1993, the NYPD embarked on a comprehensive overhaul of the agency's philosophy with the implementation of community policing as the organization wide strategy and ideology. Violent crime rates had risen to unforeseen levels and the citizens of New York City had actually agreed to pay increased taxes in order to pay for the hiring of thousands of additional police officers. In exchange for this tax and budgetary increase, both the Mayor of New York City and the Governor of New York State mandated that the new police officers be placed on neighborhood foot patrol in every community throughout the city. Over three years, this deployment greatly increased the visibility of uniformed police officers who were assigned to fixed foot patrol beats (ranging between 30 and 70 in every police station) and who were required to utilize long term problem solving approaches (New York City Police Department, 1990). The enhanced police presence had an immediate and striking result in that crime rates across all categories, including murder, began to stabilize and actually declined[4] slightly by the end of 1993[5] (Albrecht, 2012).

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[4] The author acknowledges that other factors may have played a contributing role in the stabilization of crime including: stable economic conditions in NYC and

The NYPD also instituted a dramatic change in their police station level management practices by directing all precinct (i.e. police station) commanders to coordinate and personally chair monthly "community council meetings" that were held directly in each police station and that would be open to all precinct residents and business persons. The purpose of these gatherings was to allow all members of the public to relay their concerns and complaints directly to the local police commander, who had been given the new responsibility as problem-solving coordinator for the jurisdiction. In addition, the NYPD, in an effort to strengthen police-community cooperation, mandated that a locally elected panel of community representatives from that specific police station would identify and designate the five priority problems to be addressed by precinct patrol personnel and would evaluate the progress of the efforts and improvement in these conditions each month (Albrecht, 2012). [6] This undoubtedly had established the community as an equal participant in the proposed community - police partnership.

Another important agency development was the imposition of steady shifts for all NYPD police stations. This brought an end to a rotating work schedule which resulted in patrol personnel moving from a five day work week of midnight shifts (from 11 PM to 7 AM), to a five day work week of day shifts (7 AM to 3 PM), to a five day work week of evening shifts (3 PM to 11 PM), and so on. Since 1990, NYPD patrol personnel have worked steady day shifts, or steady evening shifts, or steady night shifts and the rotating schedule was eliminated since it was believed to cause undue health and stress risks to employees (Cosgrove and McElroy, 1986). Another significant intent was to permit police station personnel assigned to vehicle patrol to work steady assignments in the same

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nationally; decline in the juvenile population in NYC and nationally; observed reduction in crack cocaine dealing and usage; rising incarceration rate; etc.

[5] From a practical perspective, the author noted difficulties in newly hired foot patrol officers in their ability to develop long term crime control strategies within their beats; it is therefore highly likely that a large proportion of the crime stabilization and ultimate decline could be attributed to the overwhelming increase in uniformed police personnel throughout every neighborhood in NYC, and not to specific crime prevention strategies.

[6] The author was a community policing unit commander in a police station in Queens, New York from 1994 to 1996 and participated with the precinct commander in the monthly community council meetings.

neighborhood [7] during the same time frames each day to better understand the concerns of the community residents in their patrol sectors. The goal was for coordinated problem solving involving both community policing foot patrol and vehicle sector patrol personnel (Albrecht, 2012).

A critical outcome that resulted from public outcry following two isolated but substantial NYPD corruption scandals [8] in 1992 was that the New York City Mayor in 1993 moved the Civilian Complaint Review Board and its investigators from NYPD supervision to an independent agency under civilian oversight (NYC Civilian Complaint Review Board, 2012). This clearly permitted the citizens of New York City to directly impact the investigation and findings of internal investigations dealing with abusive conduct allegedly involving NYPD personnel.

The NYPD in the 1990s (1994 to 2000)

In January 1994, Republican (i.e. Conservative) party candidate Rudolph W. Giuliani was sworn in as New York City's Mayor. His platform promoted a hard stance against crime and a promise to improve the quality of life throughout the city. New enforcement strategies were immediately implemented by the NYPD. One of the most significant strategies included the 'Zero Tolerance' proactive policing model combined with the use of timely crime statistics to permit the strategic deployment of police resources to crime plagued locations (Albrecht, 2012).

In 1994, NYPD crime reduction strategists had theorized that individuals who committed lower level offenses are often the same perpetrators responsible for participating in more violent criminal activity. [9] As such, by targeting and detaining offenders for less

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[7] Within the NYPD, each police station is divided into a number of defined areas that are patrolled by vehicle; these areas are called sectors and many times align to the foot patrol beats of community policing officers.

[8] In 1993, the Mollen Commission prepared a report for the NYC Mayor that examined two separate corruption scandals in the 30th and the 73rd Precincts that reportedly involved the theft of drugs and money by local police personnel and allegations of courtroom perjury.

[9] The author was a supervisory analyst within NYPD research and planning units from 1990 through 1994 and his first hand exposure to the various elements of community policing from its inception in the early 1980s through his promotion to police station commander at the turn of the millennium make it difficult to academically reference many aspects since programmatic elements and statistics

serious infractions, the police could potentially be preventing a more tragic incident from occurring (Albrecht, 2012). Quite interestingly, while this concept may sound like a novel innovation, it was first introduced by Patrick Colquhoun (1795) in the 1790s, when he advocated targeting non-violent unlawful activity, e.g., gambling, public intoxication, etc., in an effort to deter more serious illegal actions. The NYPD quickly initiated a 'zero tolerance' policy and began proactively enforcing lower level offenses including panhandling, public intoxication, excessive noise and disorderly conduct. A significant goal of this strategy was clearly to improve the quality of life in public areas (Albrecht, 2012). In line with George Kelling's and James Q. Wilson's '*Broken Windows*,' a number of sociologists and practitioners believed that addressing the quality of life concerns of the community would improve public confidence in the police and reduce the level of fear in the traditionally higher crime neighborhoods within a city's boundaries (Wilson and Kelling, 1982).

Since its inception in January 1994, this initiative has been highly effective and has greatly contributed to the impressive -87% decrease in FBI Index Crime levels in New York City through 2017. [10] As a result, New York City is now regarded as the safest city in the United States of America with a population exceeding one million residents (Albrecht, 2012).

The other half of the corporate management model was the implementation of a new agency mindset that would hold police command executives completely accountable for all operations within their respective police stations and units. Police Commanders were granted the discretion to assign and re-deploy their personnel as they deemed necessary and no longer as per pre-designated staffing percentage guidelines. In order to be best

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were obtained while in service and were common knowledge to NYPD practitioners, particularly those in the executive ranks.

[10] The author again recognizes that there may be other contributing factors that have supported the dramatic drop in crime in New York City and across the USA since 1993, which include: relative economic stability and low unemployment rate; decrease in the American juvenile and adolescent populations; increased incarceration and lengthened prison terms; notable decline in crack cocaine usage and addiction; more effective treatment in the correctional and probationary environments; enhanced use of technology (e.g. DNA analysis, video surveillance, etc.) to prevent and solve crime; etc.

informed and to appropriately deploy manpower, it is clear that police commanders must have information regarding <u>current</u> (i.e. real time) crime trends and productivity indicators readily available. Due to the archaic hand written fashion in which criminal incidents had been recorded by the NYPD in the past, statistical information regarding index crimes, arrests and summary activity (i.e. arrests, suspect encounters, court and traffic summonses, etc.) had been routinely available 90 days to six months after the fact. In order to remedy this situation, the NYPD undertook the task of inputting all crime incident reports and arrest information into a computerized database. As a direct outcome, police commanders and police executives have since received a weekly report that outlines summary statistics involving command demographics, precinct/unit staffing levels, civilian complaints (made against the police), overtime, summons activity, sick rate, calls for police service, and police response time with comparisons to prior year and city-wide data. Of even more importance is the weekly comparison report that documents criminal incident, arrest and summons activity on a week-, 28 day-, and year-to-date basis. Each NYPD commander has also been required to prepare a weekly report for the organizational executive staff delineating efforts being made by their respective personnel to further improve police service and to reduce serious crime (Albrecht, 2012).

Since 1994, in order to ensure that police commanders [11] are constantly analyzing this information and addressing necessary concerns, they are summoned to unannounced 'COMPSTAT' (i.e. Computer Statistic) meetings at police headquarters at least once each month. These commanders are subjected to direct questioning by the police commissioner, the police chief, and the highest ranking executives regarding the efforts being made to address recent violent crimes in their respective jurisdictions and to ensure that crime reduction strategies, as instituted, have been effective. [12]

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[11] The author was a NYPD police station commander or deputy police station commander from 1999 through 2003.

[12] As a tenured police commander or deputy police commander in difference police stations, the author personally experienced positive results in drops in crime and increased arrests of criminal suspects by strategically deploying police resources to areas where crime patterns and trends had developed. Although refuted by some, the author believes that there is a direct relationship between the crime

Police commanders are also commonly asked about their most recent contacts with community leaders and groups, and about civilian complaints made against personnel under their supervision (Albrecht, 2012).

Ultimately what has been revealed is that by closely analyzing crime and crime trends, and by strategically deploying police resources to crime prone locations in an effort to remove the criminal element from the streets, and through the implementation of a proactive 'zero tolerance' enforcement oriented philosophy for crime and disorder, serious offences and violence could be tackled and the quality of life can me markedly improved.

Unfortunately, the community policing concept, which promoted community participation and involvement, has become the unforeseen '*victim*' of the success of the proactive strategic deployment model. Community policing foot patrol officers were slowly transferred to enforcement teams such as those within the Narcotics Division and Street Crime Unit. The practice of the precinct community council [13] selecting the five priority problems slowly came to an end, and direct community involvement into agency decision making has essentially been eliminated (Albrecht, 2012).

It is strongly believed that Mayor Giuliani's 'get tough on crime' stance had a significant impact on illegal and violent conduct and improved the quality of life on New York City's streets. Thorough analysis of crime has resulted in the strategic deployment of NYPD resources into and throughout the neighborhoods with the highest crime rates. However, in New York City, these areas tend to be predominantly minority (i.e., African-American and Hispanic)

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analysis/proactive enforcement model of policing and the sharp reduction in index crime rate.

[13] In 1990, all NYPD police station commanders were tasked with chairing the monthly "Community Council Meetings" that were held directly in each police station and that were open to all precinct residents and business persons. The purpose of these gatherings was to allow all members of the public to relay their concerns and complaints directly to the police station commander, who in 1994 was given the new responsibility as problem-solving coordinator for the jurisdiction. Three members of each Precinct Community Council would sit with the police station commander and the community policing unit commander and identify the five primary "problems" that police personnel would address over the next 30 day period.

communities at the lower end of the socio-economic scale. The dramatic increase in uniformed police presence initially drew cries of a "police state" in these neighborhoods, but once violent crime subsided, most community leaders quickly supported the new initiatives. It is now relatively safe to walk on the streets again, even in communities that traditionally had higher street crime rates (Albrecht, 2012).

Unfortunately, two incidents in New York City drew public and media criticism upon the proactive police practices that have been credited with dramatically decreasing crime rates. One incident in 1997 concerned a brutal attack upon an arrested suspect by a police officer in a police station in Brooklyn. [14] The second incident in 1999 involved the shooting of a rape suspect in the Bronx who was shot and killed by police but who was later found to be unarmed. [15] In both cases, the suspects were black males and the NYPD officers involved were white males. Allegations of racial profiling and outright racism were made by minority group advocates, and protest and unrest within minority communities across New York City followed both incidents (Albrecht, 2012).

In direct response to community concerns, the NYPD released an intra-agency strategy aimed at improving the professional image of the police by emphasizing increased courtesy and respectful interaction with the public, criminal suspects, and even among NYPD supervisors and peers. A copy of the report, entitled "*Courtesy – Professionalism - Respect*" (New York City Police Department, 1997) was distributed to each of the 40 thousand police officers and 9 thousand civilian employees of the NYPD. [16] The ultimate goal of this strategy, nicknamed 'CPR,' was to 'breathe new life' into police-community relations and to increase public trust and confidence in the police (Albrecht, 2012).

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[14] This incident involved arrested suspect Abner Louima and the brutal attack perpetrated upon him in the 70th Precinct police station in Brooklyn in 1997.

[15] This incident involved the shooting of rape suspect Amadou Diallo in the Soundview section of the Bronx in 1999. In this case, when directed by police officers to not move, the suspect moved backwards into a dark building entrance and immediately reached into his back pocket. He was shot by the 4 police officers, who were all white. No weapon was later recovered. It appears that the suspect was removing his wallet from his back pocket, and the police officers had mistaken that furtive action for an attempt to retrieve a weapon.

[16] Based on 1997 NYPD staffing levels.

The 'CPR' directive emphasized positive interaction with the public and noted that if "crime levels decline, but members of the community are reluctant to approach police for fear of a negative encounter, then the police have not met their obligations to the public" (New York City Police Department, 1997). The document continued that "negative perceptions of police behavior toward the public" may emanate "not only from incidents of actual misconduct, but also from situations where proper police actions were mistakenly viewed by the public as inappropriate" (New York City Police Department, 1997). What has to be acknowledged is that not only actual acts of police deviance, but also <u>perceived</u> acts of inappropriate police conduct, will cause the public to reduce their trust in that law enforcement agency.

In addition to directing attendance at community meetings with representatives from the respective neighborhoods that they serve, all police officers have obtained and will continue to receive both in service ethical and cultural awareness training, and continue to have the opportunity to obtain language instruction to overcome barriers and to better communicate with neighborhood residents (New York City Police Department, 1997).

In general, the New York City Police Department has been looked upon positively due to successful efforts to dramatically reduce crime throughout the 1990s and into the new millennium, but others may say that the isolated yet sensational incidents involving police corruption and abuse throughout the decade have negatively affected the overall reputation of the NYPD. In addition, the first half of the 1990s was notable due to direct community participation into local NYPD enforcement initiatives, however, the emphasis on this practice had essentially been eliminated by the end of the last century.

The NYPD from 2001 to the Present

Clearly the most significant event that has impacted law enforcement in the United States and internationally since the start of the new millennium involves the terrorist attacks that occurred on September 11, 2001. Considerable resources have been redeployed to counter-terrorism related responsibilities since that tragic day. This has included a dramatic expansion of intelligence gathering resources and a more visible police presence at potential

terrorism target sites (e.g. City Hall, Grand Central Station, Brooklyn Bridge, etc.). The New York City Police Department however has continued its effective proactive zero tolerance deployment protocol which continues to coincide with decreasing serious crime rates. Ultimately since crime levels have declined to levels not seen since before the collection of crime statistics was initiated in the early 1960s, [17] federal, state and local governments have considerably reduced budgetary financing for law enforcement endeavors (other than counter-terrorism). As mentioned earlier, law enforcement agencies in America have essentially become the victims of their own success. The police manpower of the NYPD has declined from a high exceeding 41 thousand in 2001 to the present level of approximately 33 thousand in 2015. Even with the drastic reduction in the number of NYPD personnel since 2001, there has been a continuous push to maintain the amount of enforcement activity, i.e. arrests, traffic tickets, criminal court summonses, 'Terry' stops, [18] etc., to maintain the positive affects of the highly respected proactive police strategy. However, these efforts continue to be conducted with little if any input or feedback from the residents of New York City, particularly from the minority and non-white communities. As a result, the strong community-police partnership promoted by earlier agency mandates has virtually been eliminated.

Left Realism, Right Realism and the NYPD

The New York City Police Department has implemented a number of enforcement philosophies since 1960 in an effort to counter rising crime, violence, and victimization rates. The reactionary deployment of police resources in the 1960s and 1970s had proved to be ineffective. The randomized nature of vehicle patrol failed to deter crime or lead to increased arrest rates. The NYPD had no distinct (or effective) crime reduction policy in place until the early 1980s. One could conclude that the NYPD had implemented a 'soft' version of the right realist perspective in the 1960s and 1970s, which generally had incorporated the law and order mandate.

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[17] The FBI national uniformed crime reporting system was first established in the early 1960s.

[18] A "Terry" stop is based on the constitutional right for police officers to stop persons who they reasonably suspect is engaging in criminal behavior.

With drug related violence escalating in the 1980s, the NYPD initiated community policing as a proactive crime reduction, problem solving strategy. Initially limited to 10 police officers in each police station, this evolved into the agency wide deployment protocol in 1990. Initially, crime control results were limited before showing signs of nominal effectiveness in the mid-1990s. Of greater importance, the community policing concept permitted community residents (i.e. police station community council) to designate the priority problems to be addressed by the local police commander, and therefore had a direct impact on the deployment of local police station resources. These initiatives had commenced a transition toward a stronger left realist organizational ideology. As such, although NYPD investigative efforts into serious crime cases were not overwhelmingly affected, street level enforcement and deployment were in the control (albeit limited) of neighborhood representatives. In addition, it was the police station community council that gauged the effectiveness of the local NYPD performance each month. In addition, each community policing beat officer was directed to contact each person who filed a NYPD criminal complaint or incident report to determine if more information about the event could be discerned and to see if the victim wanted any further specific action taken. Both victim and community feedback and input (and the left realist concept) had become essential aspects of NYPD endeavors through the mid-1990s.

A new development involved the 'get tough on crime' mandate, which commenced in 1994 as the result of the strong demand by New York City's residents for the police to aggressively address community complaints involving 'quality of life' infractions. [19] The resulting 'zero tolerance' directive authorized the arrest of all offenders regardless of the seriousness of the crime or offence. This initially was the responsibility of community policing personnel, but with a significant and clear reduction in serious and violent crime by the end of 1994, all patrol and investigative personnel were directed to engage in increased enforcement activity (i.e. arrests and court and traffic summonses). The responsibility for coordinating long term problem solution to crime and disorder

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[19] Quality of life issues included begging, public intoxication, loud noise, street level drug dealing and usage, graffiti, etc.

complaints moved from the front line police officer (under the traditional community policing approach) to the local police station commander. [20] Timely crime analysis permitted police resources to be mobilized to crime and disorder 'hot spots' (as highlighted on crime maps). At the same time, however, precinct level priorities were designated by the police station commander, and community participation became superficial at best. With steeply declining crime rates, this enforcement oriented ideology had become the organizational philosophical norm, which continues to the present date. One could easily conclude that the NYPD has since 1994 undertaken an enforcement strategy that grasps the right realist philosophy.

Following the tragic World Trade Center events of September 11, 2001, the NYPD developed similar zero tolerance strategies to counter the threat of future terrorist attack. Intelligence gathering efforts that targeted members of the Muslim community throughout the New York City tri-state area [21] were quickly commenced and had since been enhanced. Once again, the counter-terrorism deployment protocol did not seek input from Muslim, Middle Eastern or other community representatives. The right realist approach continues to be the predominant factor in the terrorism fighting initiatives of the NYPD and most American state and local law enforcement organizations.

Conclusion

In summary, the NYPD and most American metropolitan police departments over the last 50 years have transitioned from a soft version of right realism with their clearly ineffective law and order reactive deployment strategy observed in the 1960s and 1970s; then slowly but dramatically had transformed into a community participation model that incorporated aspects of the left realism perspective in the 1980s and first half of the 1990s; and finally they have returned to and have generally maintained a proactive zero

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[20] It was noted that front line patrol and community police officers had difficulty in developing lasting solutions to reported problems and crime trends due to their general levels of police inexperience. In addition, it was clearly much easier for the tenured police station commander to re-deploy resources and develop long term strategies.

[21] The tri-state area includes New York City and the New York, New Jersey and Connecticut commuter regions.

tolerance approach involving crime control and counter-terrorism endeavors since 1994 and continuing to the current day. With minimal community input or feedback and little interaction with victims (other than recording police incident reports), contemporary American state, regional and local police departments remain deeply entrenched in the right realism perspective of justice. Given the reported successes of the 'get tough on crime' approach as it relates to crime control in the USA, the United Kingdom, and other nations, it is highly unlikely that the philosophical 'realism' pendulum will dramatically swing in the 'left' (i.e. liberally oriented) direction in the near future. Given the criticism placed on the police over the last decade, particularly as it relates to allegations of racial discrimination directed at Blacks and other ethnic minorities, and given the reduction in the public trust and confidence in the police over the same time frame, it may be appropriate for police administrators and policy makers to strongly consider the application of relevant aspects of the left realism perspective into operational police practices.

Lessons for the Police in the Islamic Republic of Pakistan

Today the Islamic Republic of Pakistan exhibits a clear need for the development of more effective crime control and counter-terrorism measures. The terrorism threats posed by the Taliban, Al-Qaeda, ISIS, and separatist groups, and the organized crime challenges facing Pakistan's large cities and border regions, evidently justify renewed shifts in law enforcement and paramilitary organizational philosophy and a comprehensive re-evaluation of agency priorities. All of the law enforcement organizations in Pakistan, as well as other government agencies including the military and intelligence services, must reassess institutional missions, goals and strategies in a comprehensive effort to increase overall effectiveness and efficiency, while enhancing public trust and confidence. This can be accomplished through a dramatic organizational paradigm shift. The maintenance of a 'right realism' approach through proactive and strategic deployment and investigation in order to tackle terror and organized crime threats must be balanced with the obvious need for public input and insight into organizational priorities, policies and practices, a requisite of the 'left realism' perspective. But, as has

been highlighted by the inconsistent and routinely fluctuating successes of many American law enforcement agencies, including the New York City Police Department, any significant revision to law enforcement protocol and practices in Pakistan must be accompanied by serious philosophical and budgetary commitment from government leaders, and more importantly should rely on the input of tribal leaders and community members to identify agency priorities in an effort to ensure enhanced public support.

Effective crime prevention and counter-terrorism measures can only be achieved through dialogue and concurrence with the plethora of tribes, clans, religious groups, ethnicities, nationalities, and genders that populate the nation. Community policing must undoubtedly play a predominant role in law enforcement practice and in establishing agency priorities across Pakistan. An intelligence-led approach must align with proactive deployment strategies and the direct participation of the public to prevent crime in an effort to regain the cooperation, compliance and confidence of the communities being served.

Engagement and dialogue with all parties across the nation will be the key to success and to regional stability and peace, particularly in the fight against terrorism and organized crime. Government leaders and police administrators in Pakistan should take note of the lessons learned in the United States and elsewhere, so as not to repeat similar mistakes when considering comprehensive revision to rule of law and public security policy and practices. There is therefore clear evidence that policy makers in Pakistan should strongly contemplate incorporating the positive aspects of the community-oriented 'left realism' theory of justice into future policy and practice reform efforts being considered for criminal justice and law enforcement organizations within Pakistan. After all, the police are public servants and must strive to serve the public.

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