

EXAM 4 STUDY GUIDE

CHAPTER 9

1. Why is arrest a monumental power?

Being arrested carries a negative image that taints the arrestee for years to come.
(ex. People with an arrest history are less likely to get job offers)

2. What do the terms full enforcement and selective enforcement mean?

Full enforcement – police confront and deal with EACH AND EVERY single violation that comes to their attention.

Selective enforcement – police do not enforce all the laws all the time against every single violator.

3. What is police discretion?

What an officer should and should not do

When handling a call in the field, officers must choose from a variety of alternative actions in order to resolve the situation. These options range from taking no action, to giving advice, to issuing a warning, to making an arrest.

4. What is unarticulated improvisation?

Officers lack the guidance of explicit policy and must make their own decisions without any administrative structuring.

5. Give two objections to unarticulated improvisation.

- The bottom rung of the organizational ladder is formulating and enacting policy
- The establishment and enactment of policy by individual patrol officers ensure continuity or uniformity

6. What are LaFave's five reasons for why discretion exists?

1. Unclear laws
 - i.e. obscenity laws and community standards.
 - Imprecise or obtuse language.
 - In Florida it is unlawful to build a bonfire within 10 rods of a structure - How long is a rod?
2. Nuisance Behavior
 - Public intoxication
3. Broad Statutes
 - Social Gambling
4. Moral Standards
 - Fornication, adultery, cohabitation, etc.
5. Outdated laws
 - "Blue Laws", i.e., illegal to wash a pig on the Sabbath

7. Distinguish proactive from reactive policing.

Proactive poling – the officer initiates the discovery and responds to the incident (ex. An officer who sees a fight-in-progress and intervenes is engaged in proactive police work)

Reactive policing – a third party notifies the police about a situation and then police respond to the call. (Ex. Answering a burglary alarm) **THE BULK OF POLICE WORK IS REACTIVE**

8. Why do some researchers call police operations and dispatchers the "gatekeepers to the police system"?

The civilian employees who take complaints over the telephone control how the call gets categorized and help determine what the appropriate agency action will be

The operator:

- Must calm the person down quickly
- Get the location of the incident and determine if an emergency exists that requires immediate police response
- Get as many details as possible
- Must decide what the appropriate agency response should be

9. What does rewriting the police motto from "to serve and protect" to "to serve, to serve, to serve, and then protect?" mean?

An overwhelming amount of time goes to non-police activities. A fair estimate would be that about 20% of all police activity pertains to criminal matters while the remaining 80% is spent on other non-criminal matters.

10. What is the unwritten rule among police telephone operators?

Send a police officer unless it is patently clear there is no need to do so

11. What four goals do police officers have in mind when handling a call for service?

1. Statutes
2. Agency policy
3. Suspect Demeanor
4. Officer Safety

12. What is a definitional regulation?

The use of questions to determine who, what, when, where, and why of a crime. Questions help achieve the goal of information gathering. They also force the respondent to acknowledge the officer's presence and to submit to the officer's authority.

13. What is imperative regulation?

When the officer issues a command or an order. (Ex. Directing traffic around an accident scene, advising an individual to leave the premises or else face an arrest on a trespass)

14. What is coercive regulation?

When the officer uses, or threatens to use, physical force or arrest. This form of regulation ranges from the actual display of a weapon down to subtle body language or other cues of impending action.

15. What is demeanor? Why is it so important in the study of police discretion?

Demeanor – the suspect's attitude and respectfulness

Demeanor constantly appears as an extremely important feature of the decision to arrest.