

**THE SPOILS OF WAR:
DIVERGENT LEWORLDWOLDS AND IDENTITY FORMATION AMONG
UNDERCOVER/VICE COPS IN THE ‘BURBS**

By

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A dissertation submitted to the Graduate Faculty in Criminal Justice in partial fulfillment of the requirements for the degree of Doctor of Philosophy, The City University of New York

2005

UMI Number: 3187405

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This manuscript has been read and accepted for the Graduate Faculty in Criminal Justice in satisfaction of the dissertation requirement for the degree of Doctor of Philosophy.

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ABSTRACT**THE SPOILS OF WAR: DIVERGENT LEWORLDDS AND IDENTITY
FORMATION AMONG****UNDERCOVER/VICE COPS IN THE ‘BURBS****BY****MITCH L. LIBRETT****ADVISOR: DR. DAVID BROTHERTON**

This thesis evaluates the impact of undercover service upon police officers, within the larger context of the effects of deception as a lifestyle both on the micro (individual) level and the macro (implications for a just society). The underlying theoretical framework derives primarily from the work of Erving Goffman, in that the process of identity creation is analyzed through his model of “presentation of self”. Conclusions are drawn from a critical theoretical perspective.

On the micro-level, the study explores the differences between the larger police culture and the subculture of undercover/vice policing. Moreover, there is a dichotomy within the sample group itself, between the predominantly European-American “case (back-up) officers” and the exclusively Latino undercover officers. On the macro-level the study provides fresh insight to the processes that are facilitative of the development of police officers into proxies for the state, in terms of enacting race/class relations in the late modern era. Work routines and practice often differed according to the demographic character of the neighborhood; the participant/unit also faced a constant barrage of challenges to their own authority as they battled for jurisdiction with other local agencies.

The methodological framework conforms with the principles of reflexive sociological research as elaborated in the writings of Pierre Bourdieu, Loic Wacquant,

Michael Burawoy, Jeff Ferrell, and Renato Rosaldo. This project is an auto-ethnography; the author is a serving police officer in another agency, thus providing a dualistic epistemic perspective.

Data collection was conducted through immersion and participation in the lived experience of a group of undercover/vice officers responsible for cross-jurisdictional enforcement in a suburban county with a diverse population located in the Northeastern United States. The site was deliberately chosen to accentuate the differences between urban policing and policing outside of the major cities. Although this thesis cannot be considered rigorously scientific in the positivistic or postpositivistic sense, the observations and conclusions can be inferentially extended to the vast panorama of vice policing beyond the cities. Conclusions suggest inequities both within policing and in the outcomes their labors produce, and indicate the need to reevaluate the criminalization of drugs.

ACKNOWLEDGEMENTS

This project would not have been possible without the support, encouragement, and avid enthusiasm of many people. Commissioner T. of the Merton County Police Department allowed me to interact, interview, and participate with the members of the department's drug squad. Lt. M., Sgt. M., and Sgt. T. allowed me access to their office, and the members of SIU (Special Investigations Unit) allowed me entry to their world. Many other police agencies provided access to their facilities and officers during the course of joint operations with the Merton County Department. I am grateful and indeed, humble in the face of the trust shown in me personally and the respect shown for the ideals of the project by all of these participants.

I am grateful as well to my academic advisers; to Professor Barry Spunt who provided encouragement and support across these past seven years of graduate study, to Professor Dave Brotherton, whose expertise and dedication to the critical ethnographic model of research provided the inspiration for the effort needed to complete my fieldwork and get the write-up done. And to Professor Jock Young, who kept me from taking myself too seriously.

I would like to thank Professor Todd Clear for assisting me at critical junctures in my graduate school experience, helping me to gain entry to a course in another institution that was essential to my research. And I would like to acknowledge our original program associate director, Christina Czechowicz, for her dedication to the integrity of the Criminal Justice Ph. D program at John Jay College and her kind assistance to me personally at every step in the long road to this moment. I appreciate the advice and encouragement of Dr. Peter Manning and Dr. Gary Marx, whose seminal work in the

field of police culture fanned the flame of my own interest and provided timely advice on several occasions.

I am more than grateful to my wife Carol, who managed to hold our family life together during the long years of graduate school while I was still working full-time in the police department, teaching part-time for a year, and seeking “the lived experience” of the undercover milieu. Even as I was unavailable for much of the time, my children and I never suffered from a lack of love; a house filled with balloons on a birthday; wonderful family holidays. This project could never have been done without Carol’s support and the inspiration of my entire family.

And finally, this project is dedicated to the memory of Jeffrey H. Ross- a foot soldier in the war on drugs who paid the ultimate sacrifice twenty-four years ago, and thus inspired this project. His memory lives on in the dedication, professionalism, and lighthearted humor I found in the SIU office of the Merton County Police Department.

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PART I- Introduction and Research Context

CHAPTER 1: THE “PHONY WAR”

I believe in legalization- absolutely. Nothing we do will ever stop people from doing drugs. Nope, legalize them– *but not until after I retire!*

- Bobby D. – Supervisor, Narcotics Squad (Department X)

President Richard Nixon first invoked the term “the war on drugs” in 1973, when he created the Drug Enforcement Administration as a federal police force to prosecute a “declared, all-out global war on the drug menace” (Blumenson and Nilsen, 1997). In 1982, President Reagan reaffirmed the commitment to do battle with the drug scourge, asserting an “unshakable commitment” and appointing a “drug czar” on October 14, 1982. The war is now in its fourth decade. This thesis seeks to provide a different perspective on the “war”—that of the warriors. And further—the perspective of drug cops that work outside of the traditionally defined “inner city” areas within the large metropolitan centers. It seeks to define how the formation of identity and division of labor within one group of undercover/vice cops reflects the social order of late modern America, and the effects upon their quality of life.

The public face of the effort to control the destructive effects of addictive and potentially harmful chemicals evokes the imagery of violent, gang-related inner-city competition for turf control and supremacy within the unofficial economy (Bourgois, 1995); the media portrayal of drugs as the handmaiden of violent crime dovetails logically with the ever-increasing range of legal sanctions and alternative methodologies of control within the criminal justice system. As violent crime rates continued to skyrocket throughout the late 1980’s and the early 1990’s, there was a concomitant rise in

incarceration rates. Significantly, the rate of incarceration for drug offenses was disproportionate to the rate for all other offenses. Further, the total prison population continues to rise even in the twenty-first century— in times where the crime rates continue to decline just as dramatically as they spiked upwards in previous years.

There are many explanations for the continued rise in incarceration rates. But while Bureau of Justice Statistics data show that 63% of the increase in prison populations can be attributed to violent offenders as opposed to 22% for drug offenders, this figure is misleading. Drug offenses are classified as “violent” offenses under federal law for the purpose of sentencing, and many states have similar provisions. In aggregation, it is not unreasonable to conclude that the ever-zealous enforcement of the drug laws and the increasing severity of their penalties not only accounts for a very large percentage of the historical increase of the prison population, but also a large slice of each year’s percentage change (3.5% on average since 1995). It would appear, then, that there is at least some support for the argument that the latent intent and true utility of the drug laws is to channel increasing numbers of Americans into the nether world of what Wacquant (2003) terms the “carceral” economy. One cannot easily dismiss Wacquant’s argument that with the transformation of the inner cities from virtual concentration camps providing cheap labor for what he terms the “Fordist-Keynesian” economy of the 1950’s to the “ethnoracial prisons” (Wacquant, 2002:19) of the late modern era, prisons now serve as institutional holding pens for the marginalized and discarded lower classes— the working poor and [formerly] lower middle classes of the post-industrial American cities in the twenty-first century.

Hence, it cannot be gainsaid that racism is intrinsic to the construction of, application to, and extension of the drug laws to a particular focus upon minorities. A historical analysis of the sociology of law itself would provide a timeless account of the use of law to control marginal groups of any stripe. Power relationships based on economic class often inform as well as dictate the means of controlling the “underclass”; the vagrancy laws in 16th century England are generally accepted to have been constructed for this purpose (Chambliss, 1964; 1994). Drug use/abuse is clearly not restricted to the inner cities of the United States, nor is it restricted to the lower classes and minorities. I will argue in Chapter 2 that the drug laws arose in response to waves of immigration to the cities, and the economic threat this represented to the more established population. Racism, incipient in any event, is certainly a catalyst that serves to enhance the fanatic devotion to the suppression of the drug trade by any necessary means. Moreover, contemporary public sentiment seems to demand it. And after all, what government could survive if nothing were done to suppress the violence and social upheaval that accompanies the drug trade in the United States.

Once codified in law, enter the police; the courts; the prisons. It is perhaps a measure of our American tradition of “equal justice for all” that the application of the drug laws is not confined to the urban jungle. And there is at least some empirical support for the contention that police officers are emotionally and culturally predisposed to employ extraordinary means to effectively fight “the war”. In a study of “testilying”, or police testimonial deception, Michael O. Foley (2000) found statistically significant support for the hypothesis that police were more likely to commit perjury in court when the case involved drug trafficking, rape, or serious assault. Interestingly, though my data

indicates that “drug workers” among police officers show a great deal of cynicism in terms of ideological certainty that it is possible to *win* the “war on drugs”, a special contempt is nonetheless reserved for drug users and traffickers. Further– this contempt seems to transcend ethnic identity, and may indeed be magnified when the drug user shares the same ethnicity of the arresting officer.

Hell no! Maybe if it's the first time, but even then I want to send a message... get your shit correct NOW. I wouldn't let NOBODY go, and I think... there's a kid like that I grew up with. Nothing but a pieceashit now, got AIDS, HIV positive, whatever. Makes me even MORE mad than if it was a black kid or a Spanish kid, cause, this is like– ME! Or my own brother!

- A European-American [police] drug worker with 5 years experience

Fighting the war on drugs is an expensive enterprise, but in some measure self-sustaining, at least in terms of funding for its enforcers. Massive infusions of funds made available through asset forfeiture policies, federal funding, and financial incentives assigned through block grant programs continue to indirectly fuel law enforcement efforts at drug eradication. Blumenson and Nilsen (1997) argue that such application of civil liability in lieu of criminal sanction is akin of the use of such devices in the former Soviet Union to imprison dissenters. One thing is clear: it is certainly easier to obtain a judgment for forfeiture, as the burden of proof in civil court is considerably less stringent than in criminal proceedings. And in fact, much of this largesse is accumulated by police agencies with little oversight, and accountability issues are often overlooked at levels of government that are responsible for follow-up audits.

More drugs continue to be available, at higher purity levels and at cheaper prices than ever before (ONDCP, 2003); there is a concomitant rise in government spending for

law enforcement and incarceration. This exponential expansion of the criminal justice industry is well documented. In 1982, the criminal justice system employed about 1.27 million people; by 2001 there were over 2.2 million workers in the justice industry (Bauer and Owens, 2004). The number of Americans incarcerated during the same era grew from 695,000 to 2 million (in jails and prisons combined [U.S. Dept of Justice; Bureau of Justice Statistics]). Police officers in service expanded from 724,000 to over one million. In 1982 at the inception of Drug War II, the Reagan administration earmarked 1.65 billion dollars for all federal aspects of drug enforcement. In 2002, 18 billion dollars was spent on the federal government's prosecution of the drug war alone, according to the ONDCP. Domestically, over 67% of this total was committed to law enforcement and supply reduction, and 32% was devoted to demand reduction (the public health component; treatment, education, prevention).

At the grass roots level, it is tempting to narrow the lens to view the individual officer's discretion as the most salient factor in the application of the drug laws on the street. A recent dissertation on policing the drug laws (Moskos, 2004) advanced the contention that it is overtime considerations that are most influential in an officer's decision to arrest or release a subject for relatively small quantities of drugs. This argument rings somewhat true in the setting where Moskos collected his data (East Baltimore) and among uniformed patrol officers. It is absolutely irrelevant in the setting of this study, where the participant officers are permanently assigned to drug interdiction; further, there is a virtually limitless array of overtime opportunities available for them to take advantage of in other settings that do not involve drug enforcement. Less convincing still is his contention that one can trace the origin of the drug laws as well as

the Prohibition in the early twentieth century to a moralistic, culturally ingrained Manichaeian battle between good, evil, vice, and virtue. This argument can be extended to the establishment of the drug laws—but only within the larger context of the demonization of The Other. On the micro-level, police officers are culturally opposed to any form of tolerance of the drug trade or use. Drug enforcement is not a question of individual officers' discretion—it is a jihad (Parenti, 1999:49), and economic considerations merely sweeten the pot.

It is a Weberian (Gerth and Mills, 1958) truism that identity formation within bureaucracies proceeds according to the need of the organization. A rational-legal, hierarchical bureaucracy such as policing is particularly congenial to the development of its workers in conformance with expectations. Social differences within the organization are subject to a process of leveling (pp. 224-27); the structural hierarchy, or in the case of police departments the “chain of command”, assumes a position of primacy in the process of identity formation. Or so the argument proceeds. In vice policing, there is a looser, more egalitarian relationship between the officers and their supervisors. No uniforms are worn, and indeed the symbols of state such as badges, and arguably weapons, are most often concealed from view. This subtle, yet at the same time significant difference is central to the main goal of this thesis; there is a discernable difference between the culture of drug/vice police officers and mainstream law enforcement agents.

Another goal of this study is to shed light on the world of policing outside of the cities. Extant research in this area has typically been set in large, urban police departments (Rubinstein, 1973; Manning, 1977; van Maanen, 1973; Reuss-Ianni, 1983; Moskos, 2004). Indeed, the first efforts to obtain permission to perform this research

were directed to a sizable, urban department. But the failure to obtain agency cooperation, despite repeated attempts at the noted and other agencies eventually led me to the Merton County Police Department (all agencies, participants, and geographic locations referred to within this thesis have been masked with fictitious names), which is located in a jurisdiction that includes urban, suburban, and semi-rural areas. This fortuitous development enabled a rudimentary cross-sectional analysis in terms of population demographics and style of policing; the Merton County Police Department holds countywide jurisdiction, but must interact and operate jointly with over forty local agencies. I would argue that this population, both of police officers as well as those whom are policed is more representative of the population of the majority of the geographic area of the United States, i.e. anywhere outside the city centers.

Discounting the proposition that individual police officers may be capable of exercising discretion to the extent that they might be influenced somehow to turn the tide of society's obsession with the incarceration of drug "offenders" (Moskos, 2004)– and again, why would they? – it is enlightening to move out into the 'burbs. After all, the trend in policing across the past two decades has been to implement order maintenance and "community policing" strategies. Central to these strategies is the argument that the cities can be "saved" if the core values of small-town America are returned to primacy. Of course, Manning (1984; 1997:11-12) is correct to label these strategies as "creature[s] of nostalgia, a reactionary response to normlessness, an ill-formed ideological vehicle serving police self-interest" (p. 11). Nonetheless, the research setting provided the opportunity to gain insight to an apparent paradox: If the importation of small-town, European-American values and norms held promise in terms of "fixing broken windows"

in the cities, then how would the strategies and tactics devised to fix them play out in areas where (presumably) they were never broken in the first place?

If suburban drug enforcement proceeds with the same enthusiastic, relentless zeal as do enforcement efforts in the inner city, then there may well be truth to the argument that there is nothing inherently racist about the prohibition of certain personal behaviors that are deemed so destructive that they should be banned. On the other hand, the “targets” of the Merton County Special Investigation Unit were invariably either minorities or of lower socio-economic status; “the other” was effectively singled out for attention. Certain locations were off-limits for the officers, e.g. college campuses and high schools, and they were unwelcome in some of the local communities altogether. In one particular municipality, Hutchinson, SIU was even wary of the local police officers—

You never know there- who’s related to who. You could be about to do a warrant or be set up on a house and a call will get made. That’s why we don’t even go there, because if we did we couldn’t even tell them anything.

- Jackie C. (1/10/05)

This study has a secondary goal; the effect upon the officers themselves of the day-in-day out rebound effect between their work identity, home identity, and pre-undercover/vice identity. Is there a reciprocal effect resulting from the tension that no doubt arises when one must switch identities as most of us change our clothes?

There are three main research objectives addressed in the pages to come. First— is the subculture of undercover/vice policing different from that of the mainstream? Second— is policing different outside of the inner city in terms of the routine and practice of drug enforcement? I was fortunate to obtain cooperation from the Merton County

Police Department in this respect because as an agency with county-wide jurisdiction their routines were differentiated to conform with conditions in a very diverse arena; Merton County contains sections that can be considered “inner city ghetto” as well communities that can be appropriately labeled as middle-class, working-class, and upper-class. And third— is the practice of undercover/vice policing more individually and collectively destructive to the officers involved than standard uniformed or detective assignment?

Finally, are there two worlds of undercover policing? The final analysis will focus upon the proposition that there may well be. In my year with the Merton County Police Department, I identified and participated in a range of activities that I will call “routines”. Some of these activities were crafted for use in inner city neighborhoods, and some were exclusively employed in more affluent areas. Why? The practice of undercover tactics was applied in all areas, but there were important differences in the degree of intrusiveness of these tactics upon the fiber of neighborhood life. Most saliently, the “drug sweep” was exclusively employed in ghetto areas; Hagedorn (1998) contends that these neighborhoods are distinguished by a substantial deficit in the availability of job opportunities within the official economy, and that drug dealing within these neighborhoods is an innovative response to the economically disadvantaged status of the residents. The “drug sweep” routine results in large numbers of African-American males between the ages of 16-28 being removed from a neighborhood in one fell swoop, and this may have the additional consequence of rendering the community untenable in terms of its viability as a social network (Rose and Clear, 2002:185-187), in that the capacity for collective efficacy and the accumulation of social capital can be greatly

reduced by mass incarceration strategies. Neighborhoods beyond the inner city are not characterized by blatant, open-air drug marketing activities, yet neither are they plagued by significantly lower rates of drug consumption (Saxe, Kalushin, and Beveridge, et al., 2001). I contend that drug police have devised the drug sweep strategy out of convenience and in the interest of efficiency; I will also argue that disruptions of this sort would never be tolerated in any event on a college campus or in an upper-class community.

The first part of this thesis will be devoted to a neo-Marxian analysis of the evolution of the drug laws. Following that, the next chapters will consist of a survey of relevant previous research on police culture in general, the subculture of vice/undercover policing, and a discussion on the propriety of applying the reflexive paradigm of research to this subject matter. There are some important issues here; I am a serving police officer of twenty-three years tenure. A cop among cops; a researcher among participants; and still a cop/researcher among cops in my continuing role as a police lieutenant. By the conclusion of the fieldwork, I had acquired the nickname at work of “doc” or “the professor”. But at my research site in another department I was labeled “L.T.”, or “Loo” (police jargon for lieutenant). This paradox speaks to the internal conflicts and tensions of identity the author experienced throughout the course of the study.

The underlying research paradigm proceeds from critical theoretical underpinnings, beginning with the early writings of the Frankfurt School, Pierre Bourdieu, and Loic Wacquant. In support of reflexivity in my data collection phase I draw on the above but also refer to the work of Norman Denzin, Renato Rosaldo, Alain Touraine, and Michael Burawoy. In order to organize the data, an analysis is constructed

according to the dramaturgical theory of Erving Goffman, and as it has been extended to police work by Peter K. Manning and Gary T. Marx. The process of identity formation will be further explicated through the application of an existentialist perspective as devised by Douglas and Kotarba in the 1970's.

Midway through the fieldwork, there was a change in the command structure of my participant unit of police officers. This resulted from the reassignment of the lieutenant who had initially volunteered his cooperation and allowed access to his officers, and his subsequent replacement by two sergeants. This happenstance presented a unique opportunity to observe and participate in the ongoing formation of group identity among the officers in the unit, yet it was initially a setback- the *entrée* phase was revisited in some respects; it became necessary to begin again in the recruitment of the new co-commanders to participation. Both eventually became more enthusiastic than was the first commander, and allowed me greater access to the activities of the group. There were opportunities to observe, participate, and interact with this unit of 9-12 police officers (the number fluctuated across the duration of the data collection due to reassignments) during the course of their workaday routines and long hours of surveillance activities. By the time the fieldwork was concluded, an analytic inductive approach suggested that the notion of the dyadic nature of undercover policing (inner-city/suburban) may well be the most salient and interesting conclusion arrived at. Manning's (1980) analysis of the differences in urban and suburban drug enforcement is essential to the study at hand; for the most part, his observations ring as true in contemporary times as they were read twenty-five years ago.

This introduction is titled “The Phony War” to acknowledge the horrific consequences of the effects of drugs on society, at the same time introducing another, little explored impact of the drug war; its impact upon the warriors who fight it—its futility and the injustices they themselves endure in the face of the earnest desire to do good. “Phony” also applies to efficacy of their erstwhile labors—there are few conspicuous victories in this Quixotic cause. This term (“phony war”) arose in the opening days of the Second World War to characterize the *pro forma* yet relatively ineffective nature of the warfare waged on the Western Front between Germany and the Allied Powers. Until the blitzkrieg offensive of the spring of 1940, the war was fought through a carefully scripted and choreographed series of feints, bombardments of fortified positions, and propagandized efforts to gain the moral upper hand. Think of the “war on drugs” for a moment in these terms. Despite advances in technology, the institution of mass incarceration strategies, and the allocation of vast resources to the “war” across the past three decades, the war isn’t over and victory is far from sight. Enforcement as a priority hasn’t really affected consumption rates, and the process of drug control seems to have attained an equilibrium that serves the needs of the dominant society as well as the police as a subculture. As Manning (1980; 2004:4-5) argues, drug control has become a “ceremony” that targets the control of groups both symbolically and instrumentally. But how well it actually succeeds is has lost much of its meaning, at least for the cops.

CHAPTER 2- THE EVOLUTION OF THE DRUG LAWS:

The Portable Stigma

The development of policing in the United States often presupposes a link with the structure and practice of the London Municipal Police/New York City model as developed in the mid nineteenth century. This belief is arguably false, as contended by critical historians and sociologists (Hadden, 2001; Harring, 1983, Quinney, 1980). By this perspective, the roots of modern American policing in late modernity can be more reliably traced to the slave patrols of the antebellum south and western regions of the United States. Following this logic, the development, evolution, and differential enforcement of the drug laws in the United States across the past hundred years can be viewed as the latest and perhaps most enduringly successful attempt to reproduce the suppression of minorities and lower economic classes in contemporary society. There is little point in introducing data sets or other statistically grounded arguments to this discussion, as these are often subjected to an endless range of sophisticated analyses that invariably produce wildly divergent conclusions- even when the same data is employed. For example, Bennett, DiIulio, and Walters (1996) employ Uniform Crime Report data to support their argument that a new generation of “superpredators” would soon subject society to precipitously rising rates of violent crime. William Chambliss (1999) uses the same statistical base to argue that in fact crime rates have been falling for quite some time.

The punitive, criminalized, and retributive nature of drug enforcement in the United States is perhaps unique among the Western democracies. It is a logical contention, if one considers the convenient efficacy of these laws in the struggle to

contain and suppress racial and ethnic minorities, and ultimately to exclude them from participation in the mainstream social structure. This is easily accomplished by exclusion from participation in the official economy, and this exclusion is both efficiently as well as effectively brought about through the legal stigmatization of a prison record. Although research indicates that drug use is fairly constant across ethnicity and race, minorities are incarcerated for these offenses in wildly disproportionate numbers when compared with the demographic composition of the United States.

The establishment of prohibitionist legislation is historically associated with the fear of competing groups, such as waves of newly arrived immigrants or migrants from the hinterlands. Such groups include the Chinese in the latter half of the nineteenth century, the largely Roman Catholic Irish throughout the same era, and the newly emancipated slaves following the American Civil War. In the early to mid twentieth century, Mexican immigrants that served as migrant laborers also began to attract attention as unwelcome competition for native American workers, and when the economy entered a period of decline in the late 1940's the "braceros" became a useless burden upon the upper classes as well. It should be no surprise that the sequential demonization of these groups focused on their preference of intoxicants; the nativist sentiment that emerged in the early nineteenth century advanced sobriety and temperance as culturally cherished attributes. Alcohol and medicinal opium were the only available psychoactive substances; moderation was the ideal, transmitted through collective memory that can be traced to the Puritan heritage. This section seeks to fix the positionality of the evolution of the drug laws squarely within the context of the evolution of emergent structural hierarchy of late modern America.

Sentencing disparities, especially the dichotomous sentencing schemes for crack or powdered cocaine are powerful evidence of the race factor in drug legislation in terms of the mass incarceration of the “undeserving poor”. The disproportionate incarceration rate of African-Americans under the differential sentencing requirements for crack cocaine is unconscionable. Once stigmatized as a drug addict, or especially a crack user and sentenced to a long term of imprisonment, it becomes difficult if not impossible to achieve reintegration to the community; this furthers the existence of a perpetual underclass that is available for exploitation and is exceptionably vulnerable to domination.

There is an intrinsic conflict between the Weberian notion of work for work’s sake and the idea that pleasure for the sake of pleasure may be freely experienced. These conflicting propositions are key to the underlying legal argument that drugs and other intoxicants should be prohibited (Musto, 1973; Scott, 2000). The distinction enjoyed by alcohol, following the repeal of Prohibition was that alcoholic consumption was said to contain the benefits of “caloric consumption” and “beverage value” (Musto, p. 68). Alcohol also carried the risk of hangover, seen as a negative reinforcement for overindulgence. In any event, drugs have been consumed in the United States since the eighteenth century, and indeed were imported with little restriction until 1914 (1973:2).

Consumption levels of opium and its derivatives rose throughout the nineteenth century. But contrary to popular belief, there was no appreciable upsurge following the Civil War. There was an uptick in usage beginning in the 1870’s, but to attribute it to large numbers of wounded, morphine-dependent war veterans may be counterintuitive in light of the fact that there had been no evidence of increased opiate use in Western

Europe during this era, and these nations had similarly experienced large-scale warfare (Musto, 1973:1-2). However, large numbers of Chinese laborers had immigrated during the decades immediately following the Civil War, and the spike in the importation of smoking-grade opium may well be correlated with this pattern.

The first federal drug legislation targeting the sale of drugs took the form of tariff restrictions and was born as the Food and Drug Act of 1906. These measures in aggregate had the practical effect of banning the importation of smoking-grade opium in 1909 and forcing the labeling of the ingredients of the “patent medicines” that were popular throughout the nineteenth and early twentieth centuries. In 1914, responding to pressure for action to further restrict the unregulated sale of opiates and cocaine derivatives, Congress passed the Harrison Act. This legislation was framed by the revenue gathering powers of the federal government, extended to interstate commerce. This theme is far from insignificant when one considers the argument that prohibition of intoxicants can be regarded as a thinly veiled cover for the suppression of the economically threatening and “dangerous” classes. Initially, there was little express enforcement power delegated to the police, until the Harrison Act was bolstered by several Supreme Court decisions. The first relevant case, *U.S. v. Jin Fuey Moy* in 1916 represented the effort of the government to acquire the enforcement prerogative of restricting physicians from prescribing medication to addicts without a medical purpose *other* than maintaining an addict on a stable dose of drugs to avoid the onset of withdrawal. But the real issue was whether the act created an enforcement mechanism that went beyond the issues of importation, manufacture, dispensing, or sale. This initial attempt at enabling police enforcement power was denied by the Supreme Court. Musto

cites Justice Oliver Wendell Holmes (Musto, 1973:130), and this famous jurist opined (to paraphrase) that the historical acceptance of and widespread use opium and cocaine products failed to qualify as a *prima facie* criminal act.

Judicial resistance was overcome three years later. In 1919, a divided Supreme Court held (*United States v. Doremus*) that restrictions on medical practice were legal even if they transcended the heretofore accepted definitions of the collection of revenue; a second decision (*United States v. Webb*) held that the prescription of drugs for the purpose of maintenance may be prohibited. This represented a turning point in the development of law enforcement structures for the Harrison Act; it is telling that the deciding issue was the question of maintenance- the notion of pleasure for pleasure's sake was clearly not to be tolerated.

Contrasted with the parallel effort to impose temperance via the Prohibition movement, it begs the question— why was a constitutional amendment necessary to prohibit one drug (alcohol) when an act of Congress that was regulatory in nature sufficed to prohibit other varieties of drugs? The difference can be explained through two separate contextual perspectives. Following the end of the First World War, the overthrow of the Russian monarchy by the Bolsheviks was accompanied by an increasing tide of radicalization of the political consciousness of American workers and intellectuals. This prompted the backlash of the “Red Scare” of the nineteen-twenties. According to Musto, (1973:132), this radicalization and the reaction to it prompted the identification of the lower classes, primarily the urban lower classes as morally bankrupt due to their propensity to hold politically beliefs that were labeled as deviant. Since drugs use was considered predispositional to anti-social behavior, their use was strongly

discouraged and subjected to legal sanctions— even in the interest of alleviating the symptoms of addicts. This is an essentially structural, politico-reductionist explanation writ large— the dangerous classes were to be suppressed at all costs. Reductionist, yes— yet it makes sense to proceed outward from this premise as a baseline because interpretive analysis can always build upon the unassailable truth that conflict between the various classes lies somewhere close to the heart of the matter.

The second context involves the socially constructed notion of the Temperance Movement itself. The noted great waves of immigration in the nineteenth century produced a great deal of conflict between the newly arrived groups and those whose ancestors had resided in the United States for several generations. Moreover, the recent immigrants were either racially or ethnically distinct from the native population. The newcomers tended to be Roman Catholics, a little understood creed that was regarded with fear and distaste by large numbers of Protestant Americans and associated with loyalty to a foreign monarch (the Pope). The Irish were particularly subject to stigmatization as lazy and prone to excessive alcohol consumption. And driven largely by economic considerations, African-Americans began to migrate *en masse* to the growing cities of the northern states; the destruction of the slave economy left little room for them in the post-bellum South, where their emancipation had still not received much acceptance. The predominantly Protestant descendants of the original settlers were threatened both culturally and economically by the influx of newcomers, but Prohibition failed precisely because the northern European immigrants— the Irish and the Germans— quickly assimilated to the degree that they were physically and socially indistinguishable from those that had come before them. The control of alcohol was no longer necessary

because those that preferred it as their intoxicant of choice had now moved up in social status and joined their northern European predecessors in the upper strata of early twentieth century America. African-Americans, Latina/os, and Asians were not so fortunate (Gusfield, 1986:200).

There is also evidence that the dominant group in society no longer disapproved of alcohol use to the visceral degree as had previously been the case (Whitbread, 2000:236). Gusfield continues this argument by proposing that religion *per se* may not have informed the most significant dichotomy between supporters and opponents of the Temperance/Prohibition movement (Gusfield, 1986:160). Members of mainline Protestant denominations such as the Episcopalians, Presbyterians, Methodists, and Lutherans were not particularly enthusiastic about prohibition; its most strident advocates hailed from the evangelical churches on the fringe of the mainstream. Again, the most salient factor seemed to be the focus on the intemperate predilections of the foreign-born. But when those immigrant groups that were able to assimilate seamlessly had done so, bearing in mind that those groups were essentially indistinguishable from their [loosely] ethnic forebears, it was simply no longer necessary to impose prohibition as a measure of social control and domination.

The relative unavailability of alcohol during Prohibition led to the search for alternative substances for recreational purposes, and such alternatives seemed early on to receive special attention in popular culture as the favored alternatives of minority groups. There was a perception that African-Americans preferred cocaine and Mexican-Americans were thought to favor marijuana. Paraphrasing Musto (1973:245), these pernicious associations included such fantastic characterizations as equating cocaine

usage among African-Americans with a propensity to commit sexual assault and the belief that bullets wouldn't do any harm; smoking opium was feared to be a facilitator of sexual contact between Chinese and white Americans; Chicanos in the southwest region were thought to be incited to violent acts by marijuana use. Musto continues on to theorize that the use of drugs among minorities became associated with the social conflicts that existed between these "others" and the wider society. Criminalization of this behavior thus became analogous to control of these populations. And again, it should not be forgotten that the enabling legal rationale derived from the commerce and taxation powers of the federal government.

Once the door opened for the federal government to criminalize drugs, no time was wasted in imposing an increasingly punitive array of federal sanctions. The Marijuana Tax Act outlawed that substance in 1937; The Boggs Act of 1951 and the 1956 Narcotics Control Act combined harsh mandatory minimum sentences for first offenders with the possibility of the death penalty for traffickers. It was not until 1970, however, that drug laws on the federal level were harmonized into one inclusive body of law. The first Comprehensive Drug Abuse and Prevention Act for the first time went beyond the scope of Congressional authority to regulate interstate commerce, and discarded the pretense that drug laws derived from this constitutionally grounded authority. In addition to the criminal sanction, this body of law included, in Title II, the organization of the classifications of drugs, both legal as well as illegal into five categories: Schedule I (always illegal, i.e. marijuana, heroin, methaqualone, hallucinogenic agents such as ecstasy and LSD), and then in descending order of perceived abuse potential from Schedule II to Schedule V, inclusive of prescribed

pharmaceuticals. And though the federal drug laws underwent revision in the 1980's and 1990's, the substance remains virtually unchanged; the most significant changes concerned the restructuring of sentencing guidelines and an increasingly draconian regime of mandatory minimum sentences.

Morality or Repression?

There are some who would argue that the underlying common law justification for the criminalization of drug derives from society's right to express moral outrage (Bennett, DiIulio, Walters 1988; Wilson and Herrnstein, 1988; Wilson, J.Q., 1975; 1993; 1995). By this logic, it can be posited that the legal justification for criminalization derives most saliently from the micro-consideration of individualized motivation. This reasoning merits some discussion, if only to expose its exceedingly hollow ring.

There is little doubt that people desire the recreational use of intoxicants; since most people who drink alcohol don't become alcoholics, it is reasonable to infer that most people that indulge in the use of illegal substances do not become addicts. It is therefore deviant, yet not necessarily criminal behavior *per se*. In legal terms, drug use falls under the category *mala prohibita* rather than the more serious category of *mala in se*, which denotes behavior that can be considered as criminal upon its face and according to the commonly accepted definition of that which causes actual harm to another person. Reduced to its most basic component, recreational drug use is behavior that might have very little impact upon others were it not criminalized, certainly no more than does alcohol use.

Tabling for a moment the notion that the drug laws were established in order to maintain dominance over the proletarian, "dangerous" classes— political conservatives

often draw on the claim that pleasure-seeking behavior has historically been perceived as deviant, and there is no legally guaranteed “right to personal liberty” and enjoyment. Indeed, legal scholar Charles Whitbread (2000:238) narrows the lens and argues that deviance in early America was conflated with morality as well as social conflict. He writes:

[P]rohibitory legislation occurs when a social majority objects to the specific conduct, value system, or culture of others and imposes regulation upon them. Such regulations have been a part of the Anglo-Saxon legal tradition for centuries. Offenses including adultery and fornication, blasphemy and swearing, drunkenness and idle drinking, were all part of the legal framework of early America.

Nevertheless, the early legislation that accompanied independence seems to indicate that personal liberty was ascribed a greater degree of importance by the founders of the American state, at least at the outset. In this vein, Lisa Scott contrasts the wording of the Declaration of Independence with that of the Constitution. The Declaration of Independence announces:

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain inalienable Rights, that among these are Life, Liberty, and the pursuit of Happiness.

By contrast, the Constitution substituted the word “property” for the “pursuit of happiness”. Scott posits that the punitive, moralistic grounding of United States drug policy would be constitutionally unsustainable had the original wording been retained (Scott, 2000:449), and coins the term “the pleasure principle” for varieties of behaviors that are not specifically protected under the Constitution. She argues that a person’s right to use substances that provide pleasure such as coffee and alcoholic beverages, or engage in activities that provide pleasure such as sports or performing community service should also extend to the right to use drugs (Scott, 2000:449). And though Scott falls short of

advocating the outright and unregulated legalization of drugs, she does argue that the blanket prohibition of personal behaviors, including recreational drug use, negatively influences the right of Americans to “self-expression, self-awareness, and the pursuit of happiness” (p. 496).

The most novel aspect to Scott’s argument is that she claims a constitutional basis, citing the Ninth Amendment to the Constitution as supportive of the position that rights which aren’t specifically enumerated in the Bill of Rights can still be deemed protected, and referring to *Griswold v. Connecticut* (1965) as a “watershed case” that established as precedent the “penumbra theory” of constitutional rights that are not expressly provided for (Scott, 2000:496). Although the *Griswold* precedent is not directly relevant to the issue at hand, it did provide precedent for the Supreme Court of the State of Alaska (*Ravin v. State* 1975), whereby that court sanctioned the possession of marijuana in private homes. Moreover, the inconsistent use of this legal argument exposes a vast wasteland of inequity and hypocrisy within the legal system regarding drugs, legalization, and even health issues. For example, medical marijuana initiatives at one point prompted a review by a DEA-appointed magistrate appointed pursuant to an action initiated by the National Organization for the Reform of Marijuana Laws (NORML). This jurist ruled that the evidence overwhelmingly indicated that marijuana had an acceptable medical use in the treatment of nausea experienced by persons undergoing chemotherapy to treat cancer, and should therefore be transferred from Schedule I status (always prohibited) to Schedule II (may be prescribed, under restrictions) status.

The DEA Administrator rejected the judge's finding out of hand, and declared marijuana's final status as a Schedule I drug. The ruling indicated a fundamental opposition to substances that "produce euphoria" as justification for arbitrary rejection of the judge's recommendation. Paradoxically, methadone, which is a physically addictive opiate analog, is allowed in the treatment of heroin addicts; the claim is that methadone does not produce euphoria when orally administered. This illustration bolsters Scott's contention that it is the "pleasure principle" that is the primary determinant of the legal status of drugs; it certainly seems a fundamental conflict of interest to allow the chief agent of the DEA, an agency tasked with the eradication and prohibition of drugs to assume responsibility as well to decide which drugs will be banned.

Moralistic ideology is embedded in the definition of deviance itself. Once a person becomes subject to the criminal sanction, regardless of the nature of the charges against her, conditions of supervision invariably mandate a regime of drug testing. Why would one assume automatically that a person arrested for a minor offense is a hard-core drug abuser? Why would a person convicted of a crime other than a crime involving the sale or use of drugs be subject to this intrusive sanction, that in other contexts would be subject to 4th (unreasonable search and seizure) and 14th (due process) amendment restrictions? Some criminologists (Harrell, Adele, Mitchell, et al. 2002) argue that there is empirical evidence that drug use is associated with criminal behavior; arrested criminals test positive for drugs in large numbers, and drug deterrence regimes as part of probation or parole regimes correlate negatively with recidivism rates. But that study only controlled for released prisoners that weren't subject to the same degree of surveillance— what about other groups within society, such as college students, mortgage

brokers, or even professors? Is their drug use associated with criminality as well? It seems quite unjust to deprive a person of her constitutional protections against unreasonable search and seizure when that person was never convicted of a drug offense in the first place.

This obsession with drug use and its association with criminality in general is an issue well worth watching. Ric Curtis (2002:249) reacts to the progressively intrusive measures imposed upon probationers and parolees by suggesting that the time may not be far off where “the era of the subcutaneous micro-chip implanted at birth” will become a reality. This commentary speaks loudly to illuminate the autonomy and extraordinary power that society has afforded its law enforcement apparatus to fight the “war on drugs”. Personal liberty has become secondary to the moral imperative of eradicating drug use. But morality, while part and parcel of the rhetoric of the “war”, assumes a supportive role at best to the main *explanandum*- repression and dominance.

Repression

If one accepts that race and class-neutral morality justifications alone form the basis for the establishment of drug legislation, then the forest is surely overlooked for the trees. Critical theorists have argued for decades that crime is constructed and laws enforced in order that the economic and cultural supremacy of the power elite may be sustained (Chambliss, 1964; 1994; 1999; Greenberg, 1993:61-66; Quinney, 1977; Spitzer, 1975; 1993, Taylor, Walton, and Young, 1973; Vold, 1958). Over the course of the past fifteen to twenty years, a more holistic analysis evolved from the initially rather orthodox and traditional Marxian argument (Vold and Bernard, 1986; Young, 1992, cited in Akers, 1997:169). Without falling victim to a reductionist position, it still remains

logical to incorporate structural considerations when attacking the issue of drug law enactment and enforcement.

Chambliss' (1964) treatment of the sociology of the early English laws of vagrancy is a worthy baseline from which to launch an analysis of these statutes; his argument, timeless still in late modernity, suggests that these laws were established as a way of insuring that the labor supply remained stabilized and pacified in light of the decline of feudal entitlements and the reduction in the supply of laborers due to the decimation wrought by the Plague. Diana Gordon (2001) points out that surplus laborers have long been targeted for suppression through the imposition of criminal law, and is on target in positing that the legacy of slavery as well as unabashed nativist xenophobia have had a powerful and enduring influence upon the establishment of a harshly repressive regime of drug enforcement in this country. Restating Musto's (1973:6) observation that the prevalence of drug use among whites in the nineteenth century could not have been a sufficient basis for the imposition of prohibitionistic legislation, Gordon points to a confluence of events— waves of immigration from abroad, economic fluctuations, and the resultant competition for work with the established population as most salient to the demonization of minorities and their stigmatization via labeling as “addicts”.

The now-surplus laborers were subjected to the discipline of a low-wage economy through “the redefinition of poverty as a moral condition that accompanied the transition to capitalism and industrialization in early nineteenth century America” (Gordon, 2001:318). This is a key observation— while it is reasonable to accept that moral concerns may prompt social regulation; there was no evidence in earlier times that drug use *per se* was associated with immorality. It is no mere coincidence that the moral

argument arose most prominently at the same time that the United States experienced its greatest population expansion and influx of immigrants. The application of the criminal sanction to behavior that had been more or less tolerated when engaged in by whites enabled the dominant classes to incarcerate the surplus labor population at will, thereby maintaining an economically advantageous position. And while Gordon (p. 318) posits that present-day drug legislation and enforcement is only loosely coupled with the overt and unapologetic prejudices that distinguished the initial establishment of the drug enforcement regime, contemporary institutional biases were transmitted across the generations as a legacy of those early years. While statutes and sentencing guidelines are to most appearances racially neutral, the result remains the same. Racial and ethnic minorities will continue to be disproportionately targeted and imprisoned as long as they continue to hold an unequal stake in the social and economic life of America.

There is ample support for this contention. Consider what has become known as “white collar crime”, which translates in most instances to crimes committed by white people. In *Rodrigo’s Eighth Chronicle* (1994), Richard Delgado argues that the socially constructed definitions of white-collar crime are at odds with the reality that white-collar crime is every bit as violent as street crime. Delgado convincingly posits that in terms of economic loss (1994:522) and human suffering at many levels, white-collar crime is every bit as damaging— more so in some instances— than those crimes traditionally known as “black crimes” (1994:524-31). For example— why is the surgeon who inflicts suffering by knowingly performing an unnecessary, painful, and debilitating procedure any less culpable of a violent crime than a person that shoots another person during the course of an armed robbery? It wouldn’t appear so, yet the surgeon’s victim must seek redress

through the civil courts. It is considered a tort, not a crime. Delgado's essay broadens the scope of the argument that drug laws developed as a mechanism of repression and control. Here he extends this argument to the comprehensive body of criminal law. When one considers that violent crime, drug usage, and economic theft are hardly restricted to the urban underclass, it is illogical to conclude that drug use is a necessary (and arguably, sufficient) antecedent of violent crime.

But equal protection before the law in the United States has never applied equally to all inhabitants, or even citizens. The Fourth Amendment provides protection against infringement of "life, liberty, and [seizure] of property" without due process of law. It should also be remembered that at the time the constitution was written and for years thereafter, "property" included slaves. Property that consisted of human beings and needed to be protected not only from governmental interference, but also from the urge to live free. The possibility of escape and/or rebellion was a concern of enormous magnitude in the antebellum south. An elaborate and ubiquitous security apparatus arose in response to this issue, and these formations became known as "slave patrols". They were well organized, efficient, and ruthlessly effective; it can be effectively argued that these forces influenced the development of policing in America to a greater degree than is traditionally conceded (Hadden, 2001; Haring, 1992). And though police practices are now couched in a facially race-neutral rhetoric, bolstered by a heavy dollop of good old-fashioned American Exceptionalism, the unabashed racism of the past persists. As noted by Diana Gordon (2001:320), the bias of the past, though ever-present, is now "expressed through superficially neutral rules". Collective memory and subcultural norms render modern police vulnerable to a disposition where minorities are associated with deviance.

Hadden contends that there is ample evidence linking modern police to the slave patrols of the antebellum south; to begin with— a brief survey of modern police jargon reveals the connection with their antebellum predecessors (Hadden, 2001:219). Such terms as “beat” and “patrolling” originated in the south, and remain in use within the context of modern policing. Slave patrols and modern police (at least prior to the era of *Miranda* protections) share enforcement methodologies that include “great latitude to confine, question, brutalize, and release suspects without recourse to more formal judicial settings” (p. 219). This argument is further supported by the fact that post-bellum southern police forces employed curfew and vagrancy laws to control the movement, and therefore the economic freedom of the newly emancipated slaves (p. 220). These strategies were largely successful, and were passed on to northern police forces; what worked in the south was equally beneficial in the battle to contain the aspirations of the immigrants and migrants to the cities of the burgeoning northern industrial belt. Sidney Harring (1992:313) concurs in the belief that the aggressive tactics of modern policing descend from the model that was developed in the southern regions following the Civil War and Reconstruction. He goes on to assert (p. 313) that in the north as well as the south, the evolution of policing along these lines served the very specific “political and economic needs of powerful elites, *not the fulfillment of ‘value-neutral’ social order requirements*” (emphasis added).

Dorothy Roberts (1993) pushes the envelope a bit further, positing that the persecution of poor black women that use drugs during pregnancy flows logically from the belief that race is a determinant of predisposition to crime. Accordingly, black women that use drugs during pregnancy are subjected to degradation and deprived of the

right to bear children (1993:1955:58). Lower-class African-American female crack users are “punished for having babies because they fail to live up to the state’s ideal of motherhood”(p. 1974). This raises a particularly troublesome array of moral and constitutional issues. Roberts asserts that the deprivation of fundamental rights of privacy and equality by virtue of both race and gender preserves the existing, race and gender-based hierarchy of control. Vestigial remnants of the patriarchal and repressive society that existed in the antebellum southern states (this article reacted to the involuntary drug-testing and subsequent imprisonment of pregnant African-American women seeking pre-natal care in Charleston, South Carolina) have influenced both the nature of the drug laws as well as manner of their enforcement.

For a moment, let’s return to the forty-year “war on drugs” as a formal policy statement, a ubiquitous construction in the rhetoric of crime and drug enforcement. But what does this term evoke– if deconstructed? War symbolizes the struggle against the ultimate evil to which all resources must be devoted (Demleitner, 2002:1028-32). There is a historical skein that ties uniformed military service to policing in the United States. For example, the Civil War was notable as a “modern” war involving large numbers of well-trained American soldiers employing relatively high technology in a desperate struggle for future political dominance. Soldiers on both sides were held in great esteem by the population; this status endured following the end of the war, particular in the states of the former Confederacy, and was reproduced for generations during the long period of revanchist activism characterized by the birth of the Ku Klux Klan. Southern whites were frightened by the phenomenon of large numbers of newly freed and politically empowered slaves thrust suddenly into the heart of what had been an agrarian economy

based on the availability of cheap labor. Though there was some cleavage among the classes dividing the white population (Hahn, 1982; in Greenberg, 1992), the perceived inequities of reconstruction prompted whites of all classes to participate in an innovative approach to reimpose the traditional order of dominance.

With each successive battlefield triumph, this pattern was repeated. Large numbers of discharged war veterans, imbued with the great prestige historically afforded to soldiers, sought employment as police officers. Highly skilled in military tactics, these were the logical recruits for the municipal police forces that arose in urban areas in the latter half of the nineteenth century; it is no accident that even the cut and style of many police uniforms can be directly traced to the military uniforms of the Civil War era. Most northern forces wear blue attire, and until quite recently most southern police forces wore uniforms that were either green, gray, or black and white. In any event, the point is that the traditional prestige of the military seems to have transferred to the police; the “mission”, ideology, and rhetoric of war is easily understood, assimilated, and applied by police to their duties. If one further concedes that the primary influences upon the structure of modern policing were transmitted from forebears in the always well-organized slave patrol/militia system of the antebellum south, then it follows that a pervasive racism is also a legacy of the early days of policing in the United States.

The Helot War

The Spartans of classical Greece were in reality only the upper elite of the society they dominated. The lower classes were ethnically distinct, descendents of the older population that had been subjugated by the Dorians, who had migrated from the north. These newcomers became known as the Spartans, and they developed a class society

based on the rigidly militaristic culture of the elite; the lower classes became known to history as the helots.

This underclass served their rulers as laborers and domestic servants, holding a position somewhat akin to that of the slaves of nineteenth century Brazil– they lived apart from their overlords in settlements of their own (Librett, 2002). But the analogy stops here– while the Brazilian overlords employed brutal tactics in the suppression of unrest, the Spartans went so far as to declare formal war on the helots annually. Spartan military formations would then descend upon the helot villages in unequal campaigns of decimation and terror to deter even the notion of rebellion (Cartledge, 2001).

The contemporary analog would be the successive onslaught of police anti-drug tactics in the inner cities. The routine of the “drug sweep” is addressed in a later section of this thesis. Briefly, this routine is the most oft-employed tactic employed to “sweep” a neighborhood clean of street drug activity. Officers spend several months making street buys of relatively small quantities of drugs that still qualify as felonies from low to mid-level traffickers. Then the sellers are identified and indicted without their knowledge in secret Grand Jury proceedings. Armed with no-knock warrants, the police then conduct a series of raids with military precision. Quite often, the better part of a cohort of young, African-American men in a neighborhood is arrested en masse. And in some instances, the family members of these young men are also subject to a sort of vicarious sanction because their homes, cars, or other property may be subject to seizure if the police believe there is a connection with the furtherance of drug activity *whether or not the family member is aware of the connection*. In 1996, the Supreme Court upheld this prerogative in the landmark case *Bennis v. Michigan*, and since that time untold numbers

of families have been dispossessed from their homes in public housing projects by virtue of the activity, often unknown to the lease-holder of the home, of a relative.

The urban underclass in the United States is composed primarily of the descendants of African-American slaves, Chicano *peons*, Puerto Rican plantation workers, and newly arrived immigrants from Central and Latin America. They are persons of color, racially and ethnically distinct from the larger portion of the upper and middles classes. There is evidence to support the contention that the drug laws arose in large part in order to exert control over these populations. But the laws themselves are facially race-neutral; anyone possessing or trafficking in marijuana, cocaine, heroin, etc. is theoretically in jeopardy of the same legal sanction. The law is colorblind, and at least in federal law it would seem that the various sentencing reform acts since the 1980's have had a leveling effect on race-based sentence disparities. It was argued that judges tended to be too subjective, and sentencing guidelines were initially endorsed across the political spectrum in order to impose equity, and "truth" in sentencing.

As the ink dried on these new, more equitable sentencing schemes, the explosive phenomenon of "crack" cocaine burst onto the scene in the cities of America. Its association with violent crime captured the attention of the popular culture; similarly, its immense profitability captured the attention of the dispossessed residents of the ghettos. The only difference between crack and powdered cocaine was that crack constituted the pure, smokable essence of the drug, easily extracted by a safe, low-tech process. It is said to provide a more instantaneous delivery of an intense euphoric state than does powdered cocaine, which is usually inhaled or injected. It is also shorter-lived, and initially the users were thought to experience such intense cravings that they would commit crimes of

any variety to obtain it. The very public hue and cry, and indeed hysteria attending the publicization prompted the legal separation of crack cocaine in federal law, and many states followed suit.

To represent the wide array of legislation crafted to differentiate crack from powdered cocaine, federal law will again be used as the example. The Anti-Drug Abuse Act of 1986 imposed mandatory minimum sentences for the possession or sale of drugs in federal court. Crack was differentiated from powder cocaine by a 100/1 ratio in terms of sentencing; in other words a person found in possession of a single gram of crack cocaine would be liable for sentencing at the same level as a person caught with one *hundred grams of powder*. Sklansky (1995:1288) explains that, under these minimums, and with no aggravating or mitigating circumstances, a defendant caught with $\frac{1}{4}$ milligram of crack would be sentenced to the same term (10-16 months in prison) as a defendant caught with 25 grams of powder.

This is not a political analysis; there is no space for a detailed recap of the politically motivated promulgation of these draconian statutes. However, most commentators agree that the impetus to establish these laws in the 1980's and 1990's was, in part, a stepchild of the conservative Democratic strategy to cast themselves as "tough on crime" when they had suffered from the perception that they were not. Sterling (2001) suggests that it was just this scenario that prompted Congress to pass the Drug Abuse Act of 1986. He argues that the legislation was passed with the connivance of the Democratic Speaker of the House in hopes that it would positively influence the results of the general election. Similar motives were ascribed to Democratic support for the Violent Crime Control and Law Enforcement Act of 1994, as well as President

Clinton's opposition to Congress' inclination mitigate the mandatory minimum guidelines to any significant degree. Suffice to assume that the sentencing guidelines and mandatory minimums codified into federal (and most states') law impose inherently unbalanced sentencing outcomes upon minorities (who seem to favor the use of crack), and mainstream white America (who seem to prefer the powder).

It is a central argument of this chapter that the drug laws were crafted to insure the continued subjugation of minorities. As seen in the discussion thus far, the laws themselves are facially neutral, and there is debate on both sides. Legal commentators disagree on this issue, as do politicians and within the court of public opinion. In order to integrate the analysis to come— the pathway followed by drug cops, in many cases members of minority groups themselves, toward their work identities and personal motivation to do this sort of work in the first place, then we begin with (and end this chapter) a summary of the legal debate on the disparate sentencing for crack and powder cocaine. It should not be forgotten that cops also wrestle with these issues. Remember that the raw data leaves no question that minorities, particularly African-Americans, suffer a disproportionate rate of imprisonment for all crimes in comparison with whites. The conviction rate for crack vs. powder cocaine supports the contention that drug laws are biased toward the repression of these minorities. In 1992, 92.6% of crack offenders were African-Americans, and only 4.7% were white. Conversely, 45.2% of powder cocaine defendants were white, and 20.7% were African-American (cited in Kennedy, 1997:364).

Of course, Kennedy (1997) is not a supporter of repeal of the crack laws. A noted legal scholar at Harvard University, Professor Kennedy argues that racism in law

enforcement results in the deliberate *under-policing* of inner city areas, and suggests that crack laws are essential to the safety of ghetto neighborhoods because of the violent crime he attributes to the intense market competition between crack sellers (1997:10-11). But in the face of the enduring consequences of a felony record and the undisputed imbalance in the demographic composition of persons sent to prison for drug offenses of all varieties, the lesser penalties for powder cocaine would seem to speak loudly to a deeply racist intent.

As stated, there are severe and life-long consequences for persons convicted of felony crimes in the United States. Drug offenders in particular are ascribed pariah status in a multiplicity of ways. To begin with, the federal government imposes civil sanctions that make it difficult to reintegrate once a prison sentence is completed. For example, drug offenders are often denied even basic entitlements (Demleitner, 2002:1034-38) such as food stamps, educational loans, and access to federally funded housing. The restrictions can include even the right to a drivers' license. Many states bar ex-offenders from professional licensing in such occupations as real estate sales, nursing, or physical therapy (California). And under a 1996 immigration law, long-term resident aliens may be and routinely are summarily deported following conviction for even a minor drug offense. The denial of voting rights to felons has effectively disenfranchised almost four million Americans, of which 1.4 million are African-Americans— a staggering figure that is more than double the rate of the 12% level of African-Americans in the population.

Blumenson and Nilsen (2002) discuss the implications of the imposition of civil penalties such as the loss of educational benefits in the context of constitutional rights. But because these penalties have been imposed through the avenue of civil law, the

constitutionality issue has been largely circumvented (2002:100-01). Moreover, these penalties, imposed under the relaxed burden of proof inherent to civil law, can also impact on innocent family members who were unaware of any illegal activity until the warrant is served, sons arrested, and the family dispossessed. Remember that the *Bennis v. Michigan* (1996) case imposed a “strict liability” (ignorance is no excuse) standard to the civil forfeiture process. To elaborate, in *Bennis* a car registered to a woman was confiscated by police and held for forfeiture proceedings when her husband was found using it for a liaison with a prostitute. This decision has since been extended to seizures of all manner of properties, even homes that were used in the course of drug activity. Even, as noted, when the actual owner was unaware of the activity.

There is of course an opposing argument, propounded by Randall Kennedy (1997) and Drew S. Days III (1996). This argument proceeds from the assumption that African-Americans have traditionally suffered from a dearth of public services, including police protection. By virtue of race, the wider society has deprived minority communities of the same level of protection they have reserved for white middle and upper class areas; by this logic “the principle injury suffered by African-Americans in relation to criminal matters is not the overenforcement but underenforcement of the laws” (Kennedy, 1997:19). Kennedy suggests that crack may well represent so damaging a phenomenon upon African-American communities that the benefits of removing its purveyors may outweigh the cost of the wholesale incarceration of entire cohorts of African-American youth (p. 375). And Kennedy also points out that political impetus for action in crack-infested neighborhoods almost always began with local, African-American politicians (pp. 374-376).

Both Kennedy and Drew S. Days III (Solicitor-General in the Clinton Administration Justice Department) contend that it is the *intent* of a law, not its practical effect that must be race-neutral to maintain constitutionality, and cite case law dating from the 19th century. Particularly salient to Days' argument is the Supreme Court decision in *Yick Wo v. Hopkins* (1884). To summarize: in this case the San Francisco authorities had enforced a prohibition against laundries operating in wooden buildings exclusively against Chinese laundry proprietors. The Court's decision acknowledged that the law had been enforced "with an evil eye and an unequal hand" (decision cited in Days, 1996:183). But the law itself was upheld; it has remained in use as convenient legal precedent. Although Days concedes that the crack/powder disparity may have the *effect* of disproportionate incarceration rates, the intent of the law must be discriminatory if it is to be deemed unconstitutional. Both of these respected commentators are African-Americans themselves; both also see fit to engage in a legalistic argument that justifies the incarceration of large numbers of minorities. Herein lies one of the central motivations for the inclusion of this chapter, as minority police officers must equally accommodate their self-identities with the effects of their actions.

To this day, *Yick Wo v. Hopkins* remains at the heart of legal reasoning regarding the discriminatory impact of the crack/powder distinction in cocaine offense sentencing. In *U.S. v. Clary* (1995), the presiding judge ruled that the crack penalty was unconstitutional because there was no basis in medical evidence that crack was more addicting or dangerous than powdered cocaine, that the statute was discriminatory against African-Americans as a class, and that even if crack is more dangerous than the powdered form of the drug, it wouldn't warrant the disproportionate and extreme

difference in penalties. This decision was overturned on appeal, largely based on precedent provided by the *Yick Wo* decision. Of course Kennedy (1997) and Sklansky (1995) support the reversal. Kennedy notes that in order for the decision in *Clary* to have been upheld, Congress must be shown to have acted with the intent to achieve the racially imbalanced results; Sklansky (p. 1306) adds that an empirical case can be made that crack is more dangerous in some ways than powdered cocaine. Perhaps more important is Kennedy's pragmatic and utilitarian view that regardless of the individualized effects of crack in the medical sense- effective drug enforcement efforts may serve the greater good of the community. By this logic, suppression of the often violent aspects of the street-level crack trade trumps the erosion of individual freedom, constitutionally guaranteed or not.

Drug crimes are selectively prosecuted. At times enforcement efforts on the local level enlist the aid of the federal government, both to relieve the fiscal drain upon resources as well as to subject the arrestees to oftentimes harsher federal sentencing schemes. "Federal Day" is the popular term in police jargon (Carroll, 1989). Both Kennedy and Days discuss the impact of "federal days" on African-Americans, and again agree that although this strategy seems to have had a greater effect on minorities, judicial challenges have repeatedly failed to indicate a quantifiable disparity in the prosecution of similarly situated suspects of other races. In fact, the argument went on—Days introduces data that shows that in 1994 73% of methamphetamine defendants, and 94% of LSD defendants were white. Of marijuana defendants, 44% were white, 51% were Latino(a), and 4% were African-American. But this data is specious, to say the least. It is my contention that if subjected to an analysis by class, most drug defendants would be found

to belong to the lower to middle classes, regardless of race, and the data collected for this study would seem to support it. This data is only deeply embedded, and often unavailable in official statistics.

Even if Kennedy and Days are right, and the plummeting crime rates of the past decade can even in part be attributed to the imposition of harsh laws and draconian sentencing, the benefit must be balanced against the adverse effects of the decimation of many communities by the mass incarceration of large numbers of young, urban Americans. The economic toll of the “war on drugs” may equally and eventually bring the roof down upon our heads. Charles H. Whitbread provides a frightening account of the economic implications of the exponential growth rate of the cost of the “war” (Whitbread, 2000:247-48). Since the decade of the 1980’s, the doubling of the federal prison population has been accompanied by the doubling of arrest rates for drug offenses. This combined with the quintupling of the prison population in the State of New York alone since 1973 would seem to portend of an aging, pathetic population of prison inmates that have been given what often amount to life sentences for offences that carry little if any punishment in most of Western Europe.

But the war on drugs “has been good for the armies that fight it, including police, prosecutors, drug-treatment centers, prison administrators, anti-drug agencies, and politicians” (Whitbread, 2000:256-57). The police in particular have become adept at deflecting criticism through “redefining success” (Garland, 2001:119-20), in effect substituting evaluation of the achievement of internal goals (generally quantifiable output) for other more public measures of success. Garland further argues that policing represents a type of response, or adaptation to the problems of *social order* (emphasis

added), that result from the structures of late modernity (p. 201). The legal analysis in this chapter lays the foundation for the remainder of the thesis in two ways. First- to illustrate one of the more powerful mechanisms of the “culture of control” that have come to be a pervasive influence upon the social structures of late modern America. But also to provide insight to the rationalization of the work ethos of the drug cops themselves. It has long been argued that the imposition of the legal sanction will vary in direct proportion to social status (Black, 1976). It is important to discuss the composition of “the machine” (Becker, 1998) within which my participants form, and to which they subsume their identities.

PART II- Review of Previous Literature and Methodology

CHAPTER 3- Police Culture: Previous Research

There is a dearth of research addressing the larger implications of police intrusion to and criminalization of personal behavior. Although there is a voluminous body of literature devoted to the culture of the police, much of this effort is devoted to the relationship of the police as an institution with the various communities they serve. More specifically, at each instance where publicized instances of police corruption and/or misconduct are brought to the very public fore, it prompts a flurry of academic activity and government-sponsored research; witness the Wickersham Commission in the early 1930's, the President's Commission on Crime Control in the middle 1960's, the research and recommendations prompted by the Knapp Commission in New York City in the 1970's, and the Christopher Commission in Los Angeles in the 1990's.

The public is fascinated with the world of policing, but is generally disinterested in most of its aspects, which are in reality mundane, workaday routines that would be considered very boring indeed. And while it is only a miniscule portion of police work that is actually spent in the detection and pursuit of crime and criminals; it is this one relatively narrow aspect of police work that receives the most attention. Moreover, this function of policing is conflated with the understanding that it is the police alone that are mandated to apply force in the maintenance of law and order (Bittner, 1970). When force is misused, there is a sense of public outrage and betrayal, and the next step is to analyze what went wrong and apply remedial action. Inevitably, the culture of the police is blamed for such transgressions as excessive force application, inappropriate arrests, financial or moral corruption, and the erosion of personal freedoms guaranteed by the

U.S. Constitution. The extant literature in the culture of the police provides a fairly comprehensive survey of these issues, and the available literature targeting the undercover/vice experience in policing has equally focused on the positioned significance of these strategies vis a vis the macro-implications of the evolving borderline demarcating state intrusion and the “public interest”– and personal freedom (Marx, G.T., 1982; 1988; 1992). Vice/undercover cops, through the use of the dramaturgy of betrayal and co-optation represent the increasingly efficient and powerful methods of surveillance and multi-faceted enforcement structure. There is a body of scholarly research arising from ethnographically constructed inquiry to policing at the grass roots level, which grounds this thesis methodologically (van Maanen, 1974, Reuss-Ianni, 1983; Manning, 1977, Rubinstein, 1973) as a positioned and naturalistic slice of policing on the street; there is also literature that defines police culture in terms of middle range theoretical constructs. Van Maanen’s work in particular most closely adheres to the methodology of this project, as he spent many months riding with police and acting as a police officer (see also Moskos, 2004). Most of this work is dated, and the field is in need of fresh perspectives. But many of their conclusions continue to hold a very powerful and indeed timeless veracity– for the patrol officer in uniform and, arguably, detective-investigators in standard assignments.

It should be noted that the relevant literature might be separated into two distinct categorizations. As noted, this project is logically grounded in the seminal work of John van Maanen, Peter Manning, Jonathan Rubinstein, and Elizabeth Reuss-Ianni. My research design is similar to that employed by these authors, which involved long-term and sustained contact in the participant/observer role. There are also a number of

explorative and explanatory efforts to understand the police subculture generically defined (Bahn, 1980; Broderick, 1987; Crank, 1999; Manning, 1977; Manning and van Maanen, 1978; Herbert, 1998; Hunt and Manning, 1994; Kappeler, Sluder, and Alpert, 1998; Kraska and Kappeler, 1988; Muir, 1977; Niederhoffer, 1967; Skolnick and Fyfe, 1993:89-113; Westley, 1953;1956). Some of this work addresses the same issues explored here in the context of undercover policing: job-related stress, and other occupational hazards such as elevated rates of substance abuse, marital discord, job-associated misconduct and law-breaking, and occupational identity. But most of this work is primarily concerned with the functional understanding of police culture as it relates to the institution of the police within the arena of the larger society. This thesis also explores the larger implications of what occurs in the relatively limited universe of one unit in one police department, in one county of one state, to the nature of our late modern society. But that will be accomplished through an explication of the formation of work identity, the perception and presentation of self within and among the primary work group, and the varieties of meaning produced within this context. In that sense, previous research is incomplete.

Ethnography as a research methodology characterizes some of the most widely cited and enduring studies (Manning, 1977; van Maanen, 1974; Reuss-Ianni, 1983; Rubinstein, 1973). However, most were published in an era that began nearly thirty years ago and ended for all practical purposes with the onset of more restrictive institutional controls within the academy. Interacting with real people in the naturalistic setting, establishing a connection between theory and praxis (Greenwood and Levin, 2000:85), and obtaining permission to go there (see Christians, 2000:140) from Institutional Review

Boards requires persistence, innovation, and wide-ranging contingency preparation. Recently, Peter Moskos (2004) succeeded in obtaining permission to base a doctoral dissertation on ethnographic research performed among working police officers in Baltimore, Maryland to update the literature; but it should be noted that all of these studies were based in large metropolitan areas, in large urban police departments that are not necessarily representative of policing in the rest of American society. Manning, for one based his early work upon ethnographic data obtained in his work with the London Metropolitan Police in the late 1960's to early 1970's. Reuss-Ianni worked with the New York Police Department, and Rubinstein's classic work derives from his time with the Philadelphia police. John van Maanen's initial studies were performed in a large police department, labeled as the "Union City Police Department". In any event, most of the previous work took place many years ago, in large metropolitan areas, and there is no instance where the research site was exclusive to plainclothes investigators of drug and vice crimes. Rubinstein and Manning did include "detectives" in their analysis, but these were detectives broadly defined and primarily assigned to more standard assignments not including undercover roles. There is a fairly recent phenomenological work addressing police culture (Crank, 1999), but here again there is no specific inclusion of the undercover/vice subculture.

There was some effort in the 1980's and 1990's toward inquiry into undercover and vice operations, but is limited in perspective and primarily generated from the purely psychological (Girodo, 1984), and organizational (Miller, 1987; FBI Law Enforcement Journal) fields. There are exceptions; Gary T. Marx (1982; 1988; 1992) most prominently but also Bruce Jacobs (1992; 1994; 1996; 1997). Both of these scholars

sought to explore the effect of undercover tactics in terms of identity formation among undercover officers in varied contexts, including the implications of repeated “presentations of self” upon potential long-term consequences to the officers (Jacobs, 1992), an interpretive analysis of the macro-implications of the increasingly eroded freedom from governmental surveillance (Marx, 1988), and the blurring of the boundaries between officers and informants in terms of sexual exploitation and involvement (Marx, 1992). Jacobs’ (1992) article is interesting for its analysis. This study was based on ethnographic interview data conducted with 35 undercover/vice officers in a large non-specified department in middle America. Jacobs expands upon Goffman’s (1959; 1963) concepts of presentation of self and dramaturgical manipulation to adapt the presentational strategies of undercover cops to their unique milieu. Following Goffman, Jacobs employs the “back-stage/front-stage” differentiation of presentation of self to the relevant audience, and introduces his own construct- the “misrepresentational front-stage” to elaborate the tactics of deception employed in the field. Jacobs goes on to integrate the concepts of rehearsal, appearance, manipulation, and verbal/physical diversion to his analysis of the protective strategies employed by undercover officers to preserve their “cover” and personal safety.

Safety is a common theme throughout the literature on policing, and this issue assumes an overriding position of importance in the research on undercover policing, along with potential for negative consequences to the careers, personal lives, and mental health of officers assigned to vice policing. Police work in general has long been identified as a stressful profession, characterized by lengthy periods of inactivity and boredom punctuated by episodic occurrences of terror and the resultant stress-related

consequences. Burke (1994, 787-88) identifies contributory stressors that are associated with negative outcomes such as lack of public esteem, confrontational encounters with citizens, threat or the perception of the threat of violence, shift work, and the stress of being subject to the tightly controlled militaristic structure of the police organization. He goes on to suggest that some of the most commonly reported negative outcomes include deteriorating work performance and negative psychological states. It is logical to propose that undercover/vice policing carries a higher risk; the exigent and immediate need to engage in effective impression management can make or break an undercover operative. Further, the successful development of this ability can skew perspectives and in effect make or break the officer's private identity, or in any event alter it immutably.

Undercover work is often misunderstood in terms of its definition. There are both "deep cover" as well as "light cover" undercover roles. For the purpose of this study, "deep" undercover work is operationalized as any instance where a police officer "for organizationally approved purposes, adopts an encompassing but fictitious identity and maintains it as a total identity over a defined and considerable period of time" (Miller, 1987:28). Deep cover roles are relatively uncommon, and typically involve long-term intelligence gathering operations that target specific groups for infiltration. Surveillance is the primary objective, although arrests eventually result in most instances; deep-cover operations are not often employed on the local level, and weren't encountered during the fieldwork for this study. Light-cover operations involve a lesser degree of immersion in the role; they do not require the operative to assume false identities beyond their working hours, but do involve close relationships with informants and targeted individuals. Informants are employed to provide "the establishment of a desired identity" (Miller, p.

30), and then the officer will most often discard the informant and attempt to interact with the targeted person by virtue of the assumed “identity”.

Although it is assumed that there is less danger to the “light-cover” officer as far as the likelihood of consequences as noted above, there is a secondary effect that this study confirms. The deception employed by officers in undercover roles may become ingrained as a component of a separate and ingrained subculture that is unique to the environment of the vice-policing milieu, and further– the “bouncing effect” of moving from one identity to another several time each day may be more corrosive than maintaining a “deep” undercover identity on a more long-term basis. “Mommy” and/or domestic partner in the morning, “Officer” at briefings, “Tondelayo” on the street. Which is the master status?

The socialization processes themselves are colored by the distinct routines and conditions that are unique to vice policing. To be sure, the popularly accepted concept of police culture derives from ethnographies of routine police work, which reveal layers of a unique normative structure embedded within the rigidly militaristic and bureaucratic hierarchy of police organizations (Chan, 1996:110, citing Cain, 1973; Manning, 1977; 1989; Holdaway, 1983). When the use of deception becomes a routine and laudable method of achieving work expectations by producing an ever-expanding statistical output of productivity (arrest tallies), it becomes an ingrained, though acquired attribute that may well follow the officer long after reintegration to standard police activity. Pogrebin and Poole (1993:384) contend that the tremendous autonomy and wide discretionary latitude afforded to police in undercover roles, combined with the estrangement from the

larger police culture and the constraints of the command structure may make it difficult to discard this mindset and reintegrate to the relative humdrum existence of standard patrol.

Pogrebin and Poole (1993) argue that many undercover officers experienced significant changes in their value systems, overidentified with their targets, and eventually came to question the laws that they were called upon to enforce (p. 388, citing U.S. Department of Justice study [FBI], 1978). Also common was the willingness to overlook or even encourage their informants or targets' commission of minor offenses, because the officers come to assimilate a means/ends rationale to their identity in the field. On occasion, they come to believe that the types of crimes they are targeting present a more significant threat to society than the relatively minor offenses committed by their targets (p. 386; see also Ross, 2004 for a discussion of this issue in Germany).

Debate regarding the end/means paradox extends to policy as well. In 1995, it was revealed that the Orange County, California Sheriff's Office was manufacturing crack cocaine for sale by undercover officers in "reverse-sting" operations (Stein, 1995). Officers posing as dealers sold the drugs on the street and the customers were arrested. This opaque lens may provide a skewed perspective on the legality of action, causing difficulty for police officers in any context, but particularly for those reintegrated to patrol. What was acceptable in the field in the context of drug policing may not be to a patrol supervisor, a judge, or the court of public opinion. Miller, (1987:30) citing from Wilson (1978:42) and Marx (1974) engages in a spirited critique of the police-inspired instigation of crime. Chambliss (1999) casts light on this subject as well. The creation of crime by the enforcers of the selfsame law carries ethical implications as well as the

potentially negative impact upon the officers' identities. Blurring the means/ends, cost/benefit boundaries is a theme found throughout the existing literature.

Certain attributes, acquired or inherent, considered valuable in the world of undercover/vice policing—may likewise militate against the ability to reintegrate to standard policing. Pogrebin and Poole (1993:392) identify deception, manipulation, and risk taking, as most salient to the potential for negative outcomes, should the subculture of undercover/vice policing prove to be so powerful an influence that it cannot be shed once officers return to the mainstream. They join Gary Marx' argument that suspicion and solidarity are even stronger themes in undercover policing than in the wider police culture, and “may take a conspiratorial turn as undercover police adopt a protective code of silence not unlike that characteristic of organized crime” (Marx, 1988; cited in Pogrebin and Poole, 1993:384-85). If the undercover/vice experience increases the likelihood of negative outcomes, and if in fact there is some possibility that officers may self-select for this type of work, then there is need for some discussion of the typical pathways providing entry to this world.

There are two basis models for recruitment of officers as undercover agents. There is a complex model; the FBI suggests that officers volunteering to work [deep] undercover assignments have from one to three years of street experience (Vasquez and Kelly, 1989). Also recommended are rigorous batteries of psychological tests for stability, and these guidelines recommend time limitations for undercover work. But far more common is the model as discussed by George Miller (1987). Miller found that most agencies preferred to assign newly appointed officers to undercover work; this occurred most often either before completing the academy or shortly thereafter. There is a belief

among police administrators, and police officers themselves, that the socialization experience of the academy as well as tenure on the street is so powerful as to render more experienced officers incapable of playing an effective role as an undercover agent (p. 34). My work confirms this belief among drug-worker officers, as is illustrated by this excerpt from my field notes. This episode occurred during the surveillance phase of an extended buy-bust (sweep) operation in River City, where I spent long hours riding with officers assigned to provide security for the undercovers on the street:

We're at the same corner as last night, the area where the well-kept high-rise apartment building is hard by the group of crack sellers on the corner. After a time, about 15 minutes, a teenage African-American male rides close to our location on a bicycle, discerns three white men through the semi-darkened windows of the old Honda Passport, and whips out a cell phone.

See that? He knows we're here. Now we leave- we're burned. You know, the first thing you have to understand about this work is the eyes... When a cop looks at someone, and it doesn't matter what the cop looks like- you can be my size, your size- whatever; you're the predator, and they know it. You have to learn how to look like the victim, to learn to look at them like they are the predator... Not easy.
(Louie V., River City, 9/16/04)

It is important to consider whether socialization directly into the undercover/vice subculture may result in an even greater difficulty in returning to standard duties than would be the case with an experienced officer. The direct transfer of recruits directly into undercover work may possibly render the officers more vulnerable to consequences such as falling victim to substance abuse themselves, willingness to abuse their authority (having never learned the techniques of exercising it responsibly), or difficulties in their personal lives. Eddie V., a 24-year old officer in the Merton County Police Department was directly recruited from the police academy, and within the first three months his

impending marriage was cancelled. His fiancée objected to the drastic change in Eddie's appearance and lifestyle:

Well she didn't like the beard, and the nighttime work... I guess I'm better off I find out now before it's too late though. Everybody says... must not be meant to be.

But when I ask- "Eddie... you ever think that being a cop would make her leave you? I mean... she's a nurse, knows what the deal is"- he answers:

Nope- she didn't like anything about this, wasn't like I'm a cop. The way I look I'm just looking like a crackhead. Why would anyone want to go out to dinner with a crackhead? It's embarrassing... I suppose I understand.

Eddie V., Merton County Police Department. 4/17/05

The experience of the police academy and the supervised field training segment of a new police officer's debut is intended, in part, to provide inoculation against misconduct through the socialization/acclurization experience. Circumventing this process, police administrators are essentially depriving these officers of what institutional norms define as an essential component of their socialization experience. They are consigned to face heavier odds of failure for a higher purpose- the holy war on drugs. Of course it can be argued that the selective recruiting standards and intensive strategies of agent oversight as advocated by the FBI (1989) might go a long way toward minimizing the potential negative effects of undercover policing upon police agents as individuals. However, as Miller's (1987) study strongly suggests, these standards are often at odds with local departments' lack of resources needed to implement them.

In the sociological sense, the most enduring contributions to the literature make the attempt to typify police officers and gain insight to their perspective on the meanings drawn from their interaction with citizens and the evolving relationship between the state

and the governed. Here again, the work focuses most often on the issues of force application, discriminatory enforcement practices, and “cop identity” as it relates to the above. John Crank (1997:190) disagrees with the near universal focus on these themes, arguing that solidarity is in reality a “celebration of the senses” and the dark side does not always predominate. But a survey of this work is important because most of the findings continue to hold salience in contemporary uniformed policing, and the analysis section of this study will include a comparison between uniformed cop culture and drug-worker cop culture—there are important differences.

Policing: A View From the Street (1978) remains an important anthology jointly edited by Peter Manning and John van Maanen; it is representative of the government funded yet academically rigorous work undertaken with government funding during an era of uncertainty in policing; among its many well-written articles, *The Invitational Edges of Corruption* (Manning and Redlinger, 1978), provides commentary on drug policing that resonates with the objectives of this project. Internal and external pressures among drug-worker cops can often prompt the application of effective techniques of what can become excessive enforcement efforts—overtime considerations, arrest quotas, directives from administrators, self-esteem maintenance, moral-ideological judgments (pp. 155–56) all can contribute to the gestation of corruption in the fiscal sense as well as in the moral arena. As noted, obstruction of the letter of the law can be overlooked by all cops in the interest of the apprehension and incarceration of persons they believe to be factually guilty. This issue is further exacerbated in the netherworld of drug enforcement.

Manning and Redlinger (1978:158–61) rely heavily upon data from the Knapp Commission in New York City in the 1970's. Of course their work's funding arose in the aftermath of that highly publicized episode in policing, and their definitions of the typical forms of corruption and remunerative schemes engaged in by corrupt officers are congruent with that era. But their analysis does consider the dichotomy between licit and illicit market places and the difficult position of the police officers tasked with eliminating the tragically functional drug trade from inner city neighborhoods. And one observation made continues to hold relevancy in drug policing— their discussion of the “informant system” (p. 162, note 18), is as salient in contemporary times as it ever was, in that “it facilitates extortion, lying, blackmail, and violence”.

Also in the 1978 anthology, van Maanen constructs a persuasive argument for the pathways traveled by police officers in the application of the subcultural construction of deviance. In *The Asshole* (1978:221–38), van Maanen shows how affronts to territorial imperatives, challenge, and the subsequent confrontation often color police officers' behavior in terms of the misuse of force and improper arrest decisions. This concept is central to drug policing, because in this assignment *all* of the encounters between police and citizens are preconceived— all persons have been labeled as what van Maanen terms “suspicious persons” (p. 223), who while not “assholes” may quickly be reclassified as such if they are resistant to accepting the first status. According to van Maanen, this typification is akin to the “symbolic assailant” as noted by Niederhoffer (1967) and Rubinstein (1973), and as such there are very few citizens encountered in drug work that can be characterized as “know nothings” (1978:223–24) who either don't know what they've done wrong or have been mistakenly identified by police as either a “suspicious

person” or an “asshole”. The “us-them” analogy is a theme found throughout the literature, and is especially salient to drug policing, where, as will be seen, even the “us” can be the “them”.

Much of van Maanen’s data in several of his works is derived from his experience as a long-term participant-observer in the “Union City Police Department”, a large police department of over 1,500 officers. As such, his findings are relevant in the methodological sense yet somewhat far from the picture of a smaller, more insular though jurisdictionally challenged department such as my research site– the Merton County Police Department, which has a full complement of only 300 officers. However, in this as well as subsequent works, van Maanen’s work continues to provide great insight to the enduring norms and ubiquitous attitudes that police officers continue to hold. The strongly held belief in a “moral mandate”, combined with the imperative to engage in “real police work”– translated to the immediate detection, pursuit, and apprehension of criminals holds a great deal of relevancy to the present day, and can be applied to an analysis of drug policing as well. Surprisingly, van Maanen’s (1988) “holy trinity of policing” was seldom observed during the course of my field work. There were several very short foot pursuits of fleeing suspects; none of the apprehended persons offered resistance once caught, and only one vehicle pursuit, which was unsuccessful. This was a source of frustration for the Special Investigations Unit; there just wasn’t enough drug crime within their delineated jurisdiction to satisfy their appetite for crime. Still, one particular episode provides insight to the intensity and tunnel-vision that accompany the adrenaline-charged onset of a police pursuit:

Louie and another RCPD cop I don't know return with hamburgers, White Castles, which are tiny square steamed meat patties of uncertain provenance that Rob refuses to eat. A staple of the "midnight shift" in local policing because they have always been available on a 24/7 basis. I eat two of them, hoping for the best. Louie eats a tremendous quantity... we're all hungry. When we finish, Louie puts the trash into an empty steel drum at water's edge and ignites it with a Bic lighter.

We reenter the Nissan and head back to RCPD for the informal debriefing. But on the way there is an urgent broadcast over the RCPD radio. An officer we know to be Sgt. Tony F. is in foot pursuit! He yells that he's entering the Wainwright Estates, number 6 building. All is still; all are silent for approximately one or two seconds. Then all hell breaks loose. JC floors the accelerator, and I'm petrified. I feel what the rest of them are feeling- the absolute and visceral need to come to the aid of a fellow police officer who needs assistance or is in pursuit. This imperative is deeply embedded in the universal subculture of policing. But I'm not driving; not in control. If Jackie rolls this thing and I get hurt or worse- I'm on my own! My family would be on their own! Not sure if I'd be covered by police disability provisions under the circumstances!

The minivan turns a corner on two wheels, and we climb a steep hill, bouncing and sliding. There is a miniscule police strobe bar on the windshield of the Nissan that I'd not previously noticed. It's activated now, illuminating the interior with pulsating flashes of red light. Entering the vast landscape of the Wainwright Estates via a cul-de-sac, we park the van amid a half dozen RCPD vehicles. At least 30 police officers are present, shooting us questioning glances until the others in the car remove their badge necklaces and place them outside of their shirts. I don't have one- so I remove my badge wallet and pin my shield onto my belt. The 5 story apartment buildings are lit by the flashing red strobe lights emitted by the police cars and trucks. We hear Tony broadcast that the suspect has been apprehended, and all relax a bit, not much. Again, the RCPD officers shoot us looks that can only be characterized as faintly hostile. A RCPD SWAT officer approaches us; Jackie identifies us: "County Police". But the SWAT officer doesn't relax his expression until Tony C. shows his RCPD badge.

Although there is no doubt that our group is comprised of police officers (our ethnicity alone marks us as such in this area), with shields displayed around necks and belts, we still receive questioning, doubtful, and faintly bemused looks from the dozens of cops present. But we will not leave. Not until we make personal contact with Tony F. to verify his safety. He emerges from around the corner of a building in the company of two state parole officers. And a handcuffed suspect. It happened that when Tony F.

returned to the office, the parole officers requested that he guide them into the Wainwright Estates, with which they were unfamiliar, in order to search for a parole violator. As they entered the complex, their quarry was coincidentally walking out of building that lay in their path, and the chase was on. It is a warm Indian Summer evening, Tony F., the two African-American parole officers (one male, one female), and the African-American parolee are all sweating profusely.

9/23/2004

But this was an exception; the workaday conversations relating to the proper treatment of “assholes” (or those persons who are deviant, know they are deviant yet don’t show the proper deference that a self-aware deviant owes to police officers) was largely composed of conjecture; there just weren’t many opportunities to confront them.

Most of those arrested were closer to van Maanen’s definition of the “suspicious person”, in that when arrested drug suspects are most often in possession of the contraband and receptive to the skillful, polite interview techniques employed post-arrest. The universal cop attitude that “the majority of what we do is asshole control” (p. 221) doesn’t apply to drug work in the same urgent way as a street cop would adhere to that belief. Van Maanen proposes that the concept of the “asshole” is functional in a sense for police, and is thus “conceptually part of the ordered world of police— the statuses, the rules, the norms, and the contrasts that constitute their social system” (p. 221). Lacking the outlet of at least a modicum of daily opportunity to “fight crime” or confront “assholes”, the drug cops of Merton County are challenged to form identities in conformance with the norms of the wider police culture.

Manning’s data for his monumental (1997; 1997 [2nd. ed.]) Police Work were drawn primarily from ethnographic research among officers in the London Metropolitan Police Department in 1973. Although his subsequent work, The Narc’s Game (1980; 2001), is specific to drug policing and more relevant to this project’s analysis section,

Police Work grounds much of Manning's later work in the belief that constructing rational-legal models of policing does not suffice to portray the wide range of data that can best be uncovered through ethnographic inquiry (Manning, 1997:130). What is most relevant to this project is Manning's (1997) discussion of the organizational segmentation of police agencies; the rank structure in terms of loyalties, acceptance of legitimacy of place within the organization, and the tension between the need to adhere to the "unity and integrity of the criminal law"—retaining membership in the legitimating order (1997:135), and walking the fine line of innovation needed to get the job done on the ground. As Manning notes, the higher ranks seldom appear in court and don't suffer the consequences of their own decisions gone wrong— it is most often the foot soldiers, the grunts in the war on crime and drugs that pay the price for policy failure. Manning's (p. 136) characterization of the relationship between officers and commanders as “[simultaneously] symmetrical and asymmetrical, situational, and universal” in the context of the evaluation of personal relationships that exist within police organizations between ranks holds relevancy in undercover policing as well, but in a different sense; at least in Merton County. There the supervisors of the Special Investigations Unit engaged in a relatively informal, egalitarian style of supervision. Group solidarity, at least following the transition in command that occurred several months into the research, was extended to the immediate supervisors to a much greater degree than what had been my own experience in standard uniformed policing.

Elizabeth Reuss-Ianni's (1983) work, a study based on ethnographic data collected in New York City, proceeds from the theoretical assumption that organized social groups such as police organizations are akin to social institutions- but with an important

difference to the generally accepted definition of the term. Transcending an orthodox structuralist reliance on “positional elements” such as “status” or “organization” in grounding the analysis, Reuss-Ianni searches instead for a “code of rules” (p. 127-28) as the basis to illuminate the nature of social relations in a large organization such as the New York City Police Department. Bearing in mind that the widespread corruption in that agency as revealed through the Knapp Commission report, combined with a specific incident where a police officer was convicted of manslaughter in the death of a suspected cop-killer while in police custody provides the backdrop and primary context of the study, Reuss-Ianni's work is also valuable for its historical durability.

There are two aspects of her findings that apply most saliently to this project, and constitute the basis for two themes that differ in the undercover/vice milieu to a greater degree than in the wider police subculture. Secrecy and the “us/them” worldview are much more powerful aspects within the context of the undercover/vice experience.

Operational integrity... that means keep what's in this room... in this room. In some departments you can't even ask the civilians to run a criminal history check for you... They'll be making that phone call. People run their mouths without even meaning to do it, and the next thing happens is someone gets hurt out there. You really wouldn't believe it, Mitch.

(Sgt. M.; MCPD)

Well, I responded, I do remember on operation where a sweep resulting from a series of "bar cases", all stemming from undercover transactions in one particular establishment, was cloaked secrecy of unprecedented magnitude. Even the tactical team tasked with the execution of the arrest and search warrants resulting from the investigation were called in to work on overtime on the pretext that a civil disturbance was expected to occur at the site of a labor dispute. As the shift commander, I bore the brunt of the complaints and protestations of the betrayal of the normative standard of solidarity. When I did query the sergeant in charge of our departmental drug squad, a friend since our days as rookie sector officers, the answer was:

You never know... T.D. (a local fireman who was well known for run-ins with the police) has a piece of the place... He's dirty too as far as I'm concerned and fights cops (which I was well aware of). So what would you do? Be safe- or be stupid?

(Vice Squad supervisor, Diverseboro PD; personal communication, 11/2004).

Here one can see the commonly noted (Manning, 1977; van Maanen, 1974; 1978; Reuss-Ianni, 1983; Skolnick and Fyfe, 1993:92; Crank, 1997; 2001) theme of solidarity writ large: in this instance the mistrust and suspicion of “the other” is extended not just to “civilians” but to police officers as well. Moreover, one can discern the overriding sensitivity to the sense of what Crank (1997) labels “hypervigilance”, or the constant awareness of immediate danger based on the relatively unsupported belief that the routines and practice of their work requirements are fraught with a great deal of danger.

Secrecy in policing is little explored except as an aberration that lies at the root of corruption and resistance to change. Westley (1953:254) makes a point of tracing the theoretical underpinning of secrecy in society to the work of Georg Simmel (Simmel, 1950; cited in Westley, 1953:254). He also cites the findings of the Wickersham Commission in 1930, which (G.Printing Office, 1930:48, in Westley, 1953:254) which for the first time in modern literature refers to the phenomenon that later became known as the “thin blue line”, or the code of silence encountered by any outsider when investigating police misconduct—however outrageous. Westley argues that police officers bonds of secrecy arose most importantly from the contempt and general low regard to which the public seemed to hold for them; indeed the first urban policemen were political creatures and functioned as little more than enforcement agents for whichever political machine held sway in their district. In Westley’s words, the police are in effect a

“conflict group” at odds with not only the criminal element but the press, the community, and the law itself (p. 256).

Westley characterizes the code of secrecy as a “latent function” that most importantly serves to cause police officers to identify with themselves much more closely than with other elements of society. In undercover policing, the officers identify not only with other cops, but more specifically with other drug cops. As a process of entrée to the undercover world, initiates aren’t outright told much at the outset. Westley would argue that power, acceptance, and threat are all correlated with knowledge to some degree (p. 265); the rookie is tested for the exercise of discretion before she is allowed to gain full knowledge of the group’s collective lore, as the acknowledgment of the importance of secrecy is only the first step; rookies must demonstrate their consistency in adhering to it before gaining the group’s trust. One of the most important aspects of this lore is to know whom *not* to trust, and drug worker police seem to invest a lesser degree of confidence in outsider officers.

Under the rubric of “solidarity”, John Crank (1997:188-89), following van Maanen (1973) traces the development of police solidarity to the socialization experiences of the police academy and field training under the guidance of a more experienced officer that is well-thought of by the command staff. And this identity is exactly what must be shed when working undercover. And again, it is not surprising that police organizations may attempt to circumvent this initial socialization experience in the interests of the efficient development of an operative’s ability to maintain the proper degree of impression management in the field.

According to Crank, the most powerful components of cultural transmission in

police organizations derive from 1) generational connections, or the transmission of attitudes and beliefs across several generations of officers in the same or related families, 2) the sort of “small-town traditions”, or the traditionally conservative values existing to a greater degree in the demographically homogenous rural and semi-rural areas of mid-America where a fear of crime is often associated with perceptions of the urban experience, and 3) the proliferation of military ideology among police officers— this resulted from two developments in the mid 1970’s: the return from military service and entry to police service of large numbers of veterans, and the evolution of police academy curricula according to the military-inspired “street-training” model (Crank, 1997:193; see also Kraska and Kappeler, 1997). And lastly, the Crank posits a fourth, and the most current source of cultural transmission, the university setting. This is an arguable point, as most police remain relatively unexposed to a structured and institutionalized program of study that is required for certification as a police officer. In any event, Crank concludes that the development and acculturation of cops in the United States results in an archetype that is “extraordinarily generic, quintessentially American, altogether typical” (Crank, 1997:195). But here again Crank (p. 196) rejects the typical characterizations in much of the previous literature; in his analysis the ethnic or regional origin of the officer is secondary to the process of cultural transmission. Instead, he contends that police employment continues to offer a pathway to upward mobility, and attracts aspirants descended from a pool of newly arrived immigrants eager to achieve the American Dream. Solnick and Fyfe (1993:92) have it about right when they argue: “Cops don’t trust other people—which is practically anybody who is not a cop”.

Research most salient to this project, in terms of a focus on undercover/vice work

continues to be most accessible in the work of Manning (1979; 1980), Manning and Redlinger (1978), Gary Marx (1982; 1988; 1992), and Jacobs (1992; 1996; 1997). This work provides some insight to the unique issues faced in the undercover milieu. As noted, Manning and Redlinger (1978) address the dilemma of internal/external pressure on undercover cops to produce results; the issue of corruption— from the temptation to use drugs in order to establish credibility (pp. 158–59) to the notion that law-breaking is necessary to enforce it (pp. 162–167). It is a dated yet revealing analysis that relies on the social construction of the illicit drug trade as a phenomenon that police officers are constrained to fight according to the “rules”.

Manning’s (1979) treatment of organizational discourse employs the example of undercover policing, in an analysis consistent with the tradition of employing the *synechdoche*, or seeing part of the whole, as a trope that leads to the construction of *irony* as the methodology of choice in order to arrive at an explanation of the metaphor “master detective”, as applied to drug policing (pp. 662–64. Employing the case as *synechdoche*, Manning argues that the standard definition of “master investigator” cannot apply to drug policing for several reasons, most significantly the fact that cases themselves are not channeled or assigned to drug cops in any routinized fashion; their supervisors have little control over the process of a case from intake to termination. Moreover, Manning found that case materials “were not kept in formal, shared, rationalized formats and stored in a central location”; instead individual officers had a great deal of autonomy to decide when a case would be closed, and in most instances a “case” was opened and closed the same day through an arrest (p. 684). I found much the same circumstance at the Merton County Police Department. Manning’s largely existentialist perspective here reveals the

essential paradox of undercover policing:

Ironically, undercover narcs do not look like police officers: they keep strange hours, hang out with ‘bad guys’, can drink, frequent bars, dress like criminal while on duty; are paid on a different basis; and attempt to become like the persons from whom they are meant to be different.

Manning, 1979:666–67

As the “drug problem” is proposed as the *synechdoche* for all crime, Manning argues that drug use is therefore conflated with the drug problem, and the irony of undercover police officers that are basically indistinguishable from their counterparts (dealers/users) is dissonant with the “morally proper and necessary enterprise of policing” (p. 666).

Manning traces the use of the *synechdoche* as a set of rules for context framing to the work of Goffman (1974) and also cites Derrida (1976). In actuality, Manning’s (1979) article is intended more as a methodological treatment of writing in the context of representation of a mode of what Manning terms “linear communication” (p. 669). But the field observations have utility in the context of previous research, dated as it is. Manning’s fieldwork provides timeless insight to the world of undercover policing, and his (1980; 2004) inquiry to drug enforcement is a comprehensive and densely constructed work that is unique in its scope; The Narcs’ Game is based upon ethnographic data collection, and was recently (2004) updated to reflect current political and social realities.

Manning’s original (1980) treatment of undercover drug policing was funded by the NIJ 25 years ago, and shares an ostensibly “law-and-order” focus with much of the work generated in that era. That said, Manning’s study remains as the most complete and insightful inquiry into the world of drug policing, and shares a very basic similarity with the study at hand. Further, although Manning pays lip service to the no doubt predetermined focus on the normative implications of drug policing such as the historical,

and often mostly technological difficulty in making headway in the purported “war on drugs”, the latent emphasis is nested within what Manning terms the sociolegal attempts to control markets for drugs. The analogy of legal vs. illegal drugs draws out the powerfully contextual element in the social construction of drug users that police officers employ. The Narcs’ Game is primarily devoted to discerning the differential aspects of drug policing in the inner city as opposed to the suburbs, as is this thesis. The difference arises in the research design; Manning was able to obtain permission to work within two separate police departments in the same county; one urban, and the other suburban. As will become apparent, masking of departmental designation, the names of the officers, and even the municipalities in close proximity to the sample group[s] is essential to confidentiality issues, and Manning labels his two departments quite simply “Metro” and “Suburban” Police Departments. Both exist in a county of approximately 500,000 population in the southeastern United States; the “Metro” department employs approximately 3800 sworn officers, and the “Suburban Department” employs about 800 officers (this seems to be a large number of police officers for that population; the text is unclear on whether the county’s population includes the that of Metro City or not).

This study is similar, yet different; I worked with a countywide agency that conducts operations across municipal boundaries in a county that has a population of slightly below one million. The population is diverse, both ethnically and economically; densely populated urban areas are concentrated at the outer edges and in the central region. Beyond the urban areas are suburban tracts of middle class to upper middle class bedroom communities, and in the hinterlands there are considerable numbers of tracts comprised of the bosky estates of the ultra-rich, replete with horse trails and exclusive

golf clubs. As the research evolved, one of the more interesting issues for analysis became identified as the differences in group behavior and work routines in the various components of the county. How did the group meet their work expectations, defined as arrest statistics, in the inner city as opposed to the outlying suburbs? Although Manning (1980; 2004) engaged in an analysis based on ethnographic data drawn from two separate agencies, the study at hand relies on data from a sole police department, much smaller than Manning's "Suburban Police Department", which was in actuality a large department of 800 officers in a large city. The Merton County Police Department has 300 officers, most of whom are assigned to highway patrol and security duties in the parks, amusement facilities, and government offices of Merton County. So although there are differences, the present research can to some degree be considered as an "ethnographic revisit" (Burawoy, 2003) In this regard, much the same as Burawoy returned to the factory where Donald Roy performed his work, I returned to the question of the differences between drug policing in an urban vs. suburban setting.

Manning (2004:23–36) discusses the political economy of contemporary America, and its influence on drug policing, first explicating the "sociolegal implications" of the attempts to control drug markets, and making the point that while in 1976 there were 13 federal agencies engaged in the enforcement of some 900 federal laws targeting drug enforcement fueled by a budget of \$295.2 million dollars for enforcement—by 2003, despite the somewhat disingenuous assertion by the DEA Administrator that drug abuse was down by half across the previous twenty years, funding for enforcement had risen for the DEA alone to 1.7 billion dollars (Manning, 2004:29; see also www.dea.gov/). Putting the legal mandate discussed in detail in

Chapter 2 to good use, Manning suggests that the government's use of what he terms the "corrective/control model" has resulted in the arrest and incarceration of large numbers of drug users and sellers. What it hasn't done is provide any useful data to track the effects of such efforts in terms of impact on public health or drug usage rates. The implication is that the arrest of street-level users and dealers merely fuels the model, enabling the maintenance of the position of drug police within the wider context of policing—and by implication the position of the police establishment within the context of the wider society.

Gary Marx' (1988) overview of undercover policing in the United States provides a comprehensive historical and sociological analysis of undercover policing, tracing the extension of undercover tactics to private detective agencies working as proxies for the government (pp. 28–29). Unlike France, which had historically endured the widespread surveillance network instituted under the monarchy and strengthened under Napoleon and England, which developed a citizen-based mechanism of vigilante justice, America was relatively free of state-sponsored governmental organizations that employed undercover tactics for the detection of criminals until the early part of the 20th century (pp. 17–35). Marx ties the proliferation of undercover tactics in the United States with the shift from a rural, largely unregulated society to an industrial, densely populated and policed urban society (p. 35). His work is characterized by the concentration upon the theme of "surveillance" as the operative term, and provides a balanced treatment of the effects of undercover surveillance on personal liberty and ethics (pp. 89–107) as well as the consequences to "innocent third parties" (pp. 129–145) and also the damage to the practitioners themselves (pp. 160–173) along with the exceedingly daunting issue of

interagency rivalry and competition (pp. 173–77).

Marx' book is notable for its breadth and use of ethnographic data to illustrate his exploration of the implications of undercover tactics for the nature of our society. The use of undercover and covert police methods is only loosely coupled with drug law enforcement; by strong inference however, Marx argues that these tactics are potentially destructive to all persons involved and should be employed only as a necessary evil of last resort that would be applied when there is no other way to stop acts universally condemned as harmful in the extreme. In his conclusions, he employs a Foucauldian argument that as social control agents acquire more technologically advanced (and ostensibly less intrusive) alternatives— they extend surveillance to more and more aspects of what heretofore had been considered private aspects of life. There looms the prospect of what he terms a “maximum security society” (Marx, 1988:217–221). This is the central theme of Marx' later work, and anchors the premise that surveillance, repression, and the transformation of society may well be headed toward the “carceral-industrial” complex as Wacquant (2000) warns.

The police cultural literature is extensive, wide-ranging, and eclectic. It would be possible to provide a more comprehensive review, however there is little point in mounting such an exhaustive effort for the purpose at hand. As can be inferred from this survey, most of the literature can be categorized as either more or less appropriate to undercover work from an organizational perspective, police culture (generically defined), and undercover police culture. The work can further be separated by its provenance— either deriving from ethnographic data, or not. Of course, the nature of this study requires extensive further review of the relevant literature in the methodology section,

which follows. This section will define reflexivity as applied to social science inquiry, introduce the epistemological perspective of the subsequent analysis, and then proceed to the research design and data collection methodology. The intent of this preliminary overview is to provide some measure of the existing state of inquiry; while it is by no means exhaustive, it can be considered representative of the literature as it stands.

Part II- Methodology and Research Design

CHAPTER 4 Methodology

In a sense, this inquiry began on February 18, 1982 when my friend Jeff Ross was gunned down in the Ranch House Roadhouse in Tucson, Arizona. Jeff was an undercover/vice officer in the Tucson PD; a member of the arrest team tasked with taking a one-legged cocaine dealer I knew by the moniker of “Peg-leg Cliff” into custody following the successful exchange of cash for a large quantity of cocaine in a back office of the roadhouse, where Clifford Hamilton worked as manager. As the door to the office was breached and the arrest team surged into the room, Cliff must have been more afraid of the consequences of losing the product than he was of being arrested. Or maybe he believed the police raid to be something more sinister—a robbery by a group of outlaw drug dealers. At some point, a 9mm pistol was drawn and fired at the police officers, killing Jeffery H. Ross at the age of 28.

At that time I was a college student in Tucson. I had become acquainted with a group of men approximately my own age that had obtained employment in the police department and were now working in a countywide drug unit. They worked undercover, seeking drug buys and introductions to and from informants in the traditional way. In this era, there was a great deal of autonomy afforded to drug police. In order to establish and maintain cover, Jeff Ross’ unit was given the use of a department-provided apartment, allowed to cultivate very long hair, beards, and decidedly non-regulation modes of dress. Other than their status as police officers, to all appearances they weren’t much different from the other friendship groups with whom I had become acquainted in

my 7 years in Tucson; ethnically and economically we shared much the same demographic profile—middle-class, European-American, primarily white Protestant. Before Jeff's murder, I had harbored no expectation of ever serving as a police officer. After it, obtaining police employment became an obsession that was eventually realized a year later.

I entered police work with a Bachelor Degree in Fine Arts, and considered myself an idealist. As a member of the generation that came of age in the late 1960's-early 1970's era, I was not unfamiliar with nor overly disturbed by drugs as encountered within the context of my own life history. I considered myself to be a humanist in most respects. But there was something different in the street level drug trafficking that I encountered in 1983 as a new police officer, assigned periodically to work undercover ferreting out and arresting drug dealers. I was not a stranger to life in a marginalized, ghetto area. While attending college in Tucson, of necessity I lived for a time on the verge of the largest barrio in the city. But I felt uncomfortable in the African-American ghetto area of the city where I worked as a police officer. I observed people overtly selling drugs and gambling policy when I knew that they could have real jobs. It was not so much a matter of prejudice as a result my educational and cultural background.

With the perspective gained through many years of academic inquiry, it eventually became apparent that the "blame the victim" connotation to the "culture of poverty" argument was part and parcel of my ingrained personal perspective. Having read portions Oscar Lewis' La Vida (1966) as an undergraduate, I believed myself to understand how the conditions of the inner city arose, but at the same time believed these conditions to be insurmountable for the residents unless they adopted the self-same

worldview as had been passed on to me. These beliefs, conflated with the altruistic motivation for my entry to police service, provided the template for the formation of my own police identity.

Most of those I arrested were African-American and Caribbean street level dealers that I had little personal contact with. They were arrested according to the “buy-bust” scenario. But other investigations involved introductions from informants to higher-level dealers, usually white, that I developed acquaintances with sometimes over an extended duration of time. When the time came for these people to be arrested, there was often a bad feeling- a sort of “if not for the grace of God, there go I” feeling of regret, affinity, and betrayal. My presentation of self (Goffman, 1959) had of necessity become adapted to conform to what was considered acceptable within the milieu of the police culture to which I now belonged, and I enjoyed the excitement and prestige that came with undercover work. It was sometimes difficult to reconcile my “police self” with the person that I had been for the first twenty-six years of my life; there was a tension that at times engendered near-crises of identity. However, my own undercover experience was short-lived. After my cover was blown and I was “burned” for a ten-dollar marijuana buy in a housing project, there followed a return to patrol assignment and a relatively uneventful career as a patrol officer and supervisor.

Fifteen years into my police career, the spectre of Jeff’s death remained— a wound still, though long scabbed over. The routine trajectory of my time in the police department led through the course of a marriage to another police officer, two promotions, and myriad opportunities to reflect, from a layman’s perspective, upon the impact of harsh enforcement and incarceration policies targeting drugs. Fifteen years on

I had to ask—what did Jeffrey Ross die for? To save the “victims” from themselves? To stand in perpetual solidarity with the other fallen soldiers of the war on crime and drugs? Was there another way? And if so, then why did Jeff have to die? For that matter, why did Clifford Hamilton have to die? Of course it stands to reason that if you fire on a group of armed police, there is the expectation that they will defend themselves. I continue to regard Mr. Hamilton as the murderer of a friend and fellow officer, yet it was over drugs, what Manning (2004) labels as a mere “feel-good” substance that has been socially constructed as to connote a great threat to our survival as cohesive society— but may not be in the final analysis.

Born of the tragedy of the Ranch House incident, this dissertation was conceived as my research focus in the third semester of graduate school. Initially, the hope was to develop a quantitative research instrument that might aid in the selection and training of undercover officers so that negative consequences that are unique to that assignment might be ameliorated. This was a difficult undertaking that would have added little to the state of the literature, given the existence of much current work in a largely quantitative, postpositivistic approach to the psychological implications of undercover policing (Girodo, 1984; 1991a; 1991b; 1997). And it would have revealed little in the sense that there are much wider implications for this particular focus of law than the effects upon individuals involved in its enforcement. Therefore, as my own knowledge and sophistication grew in the area of qualitative inquiry, I came equally to rely on a critical ethnographic paradigm, informed by the reflexivity inherent in my own life history and positionality within the system I proposed to explore. Implicit in the reflexive nature of this work is a continuing regard and concern for the collective welfare and quality of life

for undercover officers, and this forms a secondary though important aspect of the study. But primary for this project are the wider implications for society; what naturalistic inquiry to the workaday routine of one small group of foot soldiers in the war on drugs can tell us about the macro implications of drug policy in the United States:

Is the culture produced within the milieu of undercover policing and other aspects of targeted drug enforcement policing reflective of the structural imposition of unequal power relationships among the various classes? Can understanding of this culture provide greater insight into contemporary notions of race/class domination?

Is the duration of time spent in undercover work the most salient determinant in a successful transition back to the mainstream of policing, or do successful undercover officers possess certain personality traits or psychological characteristics that immunize them against the type of occupational hazards as outlined above?

Theoretical Groundings

This work is not grounded theory; it is an eclectic mix of the extended case approach (Burawoy, 1994; 2003), combined with the cultural engagement advocated by Rosaldo (1994), and informed of necessity by the autoethnographic perspective outlined by Ellis and Bochner (2000). I have “a tent of my own” (Rosaldo, 1989; 1993:174–79) by virtue of my twenty-three years in policing, though during the entrée phase of the research this was sometimes a tenuous assumption at best. Ellis and Bochner (2000:740) argue that reflexivity in ethnographic inquiry, though primarily focused upon cultural or subcultural groups allows researchers to draw from their own experiences to bend knowledge back upon itself and gain greater insight at the “self-other” interactive experience. Denzin (1997:251) suggests that the boundaries of “traditional realist text”, challenged successfully by the new ethnographers (despite having been “policed, mocked, even ridiculed” by traditionalists), have been successfully breached in the “Sixth

Moment” and the door is now open to a postmodern use of reflexivity to further the moral, political, and social consciousness of the late modern world.

Rosaldo’s contention that the ethnographer’s task includes engagement with her participants to the extent that they become active participants in the formulation of research objectives as well as the evolution of the methodology is particularly salient to the work at hand; this project was greatly enhanced by the inclusion of the group, and as a matter of fact would have been impossible without it. And though Bourdieu and Wacquant (1992:42-43) would argue that Rosaldo’s (1989) construction of epistemic reflexivity is inferior to Bourdieu’s belief that the conflation of the interests of the observer with those of the observed is inimical, or at least detrimental to accurate interpretation, the intrinsic nature of this research requires adherence to Rosaldo’s construction. Due to my status as a long-time police officer, it is that habitus that largely informs my own life-perspective, engendering an inescapable conflation of interests. To ignore it would interject a bias of omission to the interpretation of data. And to deny that I have an interest in conflating the interests of my subjects with my own would be an exercise in self-delusion. Rosaldo’s postmodernist perspective is paramount here. His attempt to apply classical exchange theory to the question of rage, grief, and headhunting among the Ilongot people of the Philippines was ultimately rejected—but not until the tragic death (Rosaldo, 1989:28–29) of Michelle Rosaldo. In this research, my experience with the death of a friend predates my police career but was embedded in the foundations of my police identity from the outset; it formed the basis for my interest in the undercover world, drug law enforcement, and ability to interpret the ethos of vice policing.

This study is a critical ethnography, in the sense that I have abandoned the standards of “neutral discourse”. As Jim Thomas (1993:22) suggests, this topic and line of inquiry was deliberately chosen because it raises “ought” questions. The tactics and objectives of undercover enforcement materially contribute to the development of the Benthamite “maximum security” society as conceived by Gary Marx (Marx: 1988), with little effect upon the proliferation of drugs in American society (Manning, 1980; 2004). In fact, Marx offers examples of how these tactics themselves prompt the commission of crimes that would never have been committed in the first place (Marx, pp. 80-82). For the foregoing reasons, it is essential to gain insight to the “motives, beliefs, concerns, interests, unconscious behaviors, customs” (Lincoln and Guba, 1985:271) of the members of the Merton County Police Department’s Special Investigations Unit, also including myself as a data source, and therefore allowing the discernment of latent as well as patent bases of knowledge (Lincoln and Guba, p. 271-2).

I organize and explicate the data from a dramaturgical approach (Goffman, 1959; 1963; 1974; Manning, 1980; 2004); this is a baseline for the framing of the decision-making processes and routine creation of the group. Some explanation is required; Goffman’s (1959) work is important if one is to understand the mechanisms by which police officers engage in deception and subterfuge while moving in and out of alternative identities. Some application of his essentially social psychological theory is required to understand both the processes that facilitate deception as well as the “back-stage/front stage” movement that impact upon officers’ ability to perform their work effectively. It is logical to assume that deceptive behaviors of any stripe are grounded in the fundamental principles of the “looking glass self” developed by Charles Horton Cooley

and elaborated by G.H. Mead through the development of what became known as “symbolic interactionism” in the early part of the 20th century. How do police officers, for the most part honest and moral persons, manage to internalize the justification for the use of illegal, immoral, and sometimes self-destructive means in the pursuit of justice? Cooley (1902:179-185) proposed that one’s conception of self is a product of one’s social transactions with others, and society. There is no sense of “I” without relation to the concepts of you, she, or them. Hence, Cooley argues at the most basic level that behavior is grounded in socially constructed communicative norms. How we are seen by others, how our appearance is judged, and what we perceive others are thinking about us are the elemental building blocks of behavior. Multiple and complex life perspectives result and enable equally complex and sometimes paradoxical behaviors, such as police officers engaging in deliberate and often illegal deception in the context of achieving the ultimate end.

G.H. Mead (1934) introduces the concept of the relationship between the creative self (I), which symbolizes the disorganized, aimless tendencies of the self and the conventional self (Me), which reflects the internalized perception of the expectations and perspective of others. As people grow and are socialized through interactions with others, Mead posits that “symbols” are identified and become the basis for social life. The use of symbols prompts a sense of self; meanings are derived from people, not objects. Eventually, the interaction through the use of these symbols engenders the development of a sense of self, as persons perceive how others see them. Unconscious communication within the context of the social process, expressed through the “symbols” of language, gestures, and appearance informs the process of the definition of self-

perception, and may also explain how a police officer comes to believe that assuming an alternative identity, and even breaking the law, is necessary if justice is to be served.

Manning (1987) incorporates the concept of semiotics as central to the practice of fieldwork; in the deconstructionist spirit, it is essential to include and emphasize this aspect of communication within this analysis.

Goffman (1959) provides a complex description of the establishment and maintenance of social identity. His analysis is grounded in the symbolic interactionist perspective, and introduces the concept of “dramaturgy”, or the analogy of stage performance as applied to the presentation or projection of self. In Chapter III of his analysis, Goffman (1959:107-40) explicates data obtained through ethnographic research conducted in the Shetland Islands in support of his proposition that the “presentation of self” can be explained through the dramaturgical model of “front”, “back”, and “outside” stage behaviors (pp. 107-112). The “backstage” is the region in which the actor prepares his presentation for the front; normative performances in the front stage are the product of what the actor perceives to be expected of him or her, contingent upon the audience.

Goffman also addresses the concept of “teamwork”, which is quite relevant to any analysis of police occupational culture. He argues that the cooperation between a group of persons that have acquired the status of a team with common goals (1959:78-80) can be explained most effectively through the metaphor of region, with the goal oriented behavior of a team becoming further enhanced by the intra-group dynamic of unanimity of purpose. Hence, peer pressure within policing can also engender the use of deception, betrayal of trust, and law breaking (or crime-producing), when the goals of both the wider society (crime control), as well as the “team” (apprehension and incapacitation of

deviants) is at stake. The front stage region is realized through the trappings of state represented by the formal criminal process, presence of the jury, and bit players such as the judge, prosecutors, defense attorneys— in short, the courtroom working-group as a whole. Backstage preparation within the police “team” consists of behaviors most likely to insure a conviction and, perhaps most important, the avoidance of embarrassment or degradation before the court. This project focuses most specifically upon backstage behavior as the locus of cultural production.

How does this occur in an office, in a bar, at a co-worker’s home in a social moment? Goffman (1963:5–45) discusses the concept of face, and facework to explain the impact of interactive construction of regulatory processes within groups; the creation of hierarchical status classifications, and the rules necessary to preserve the particular “ethos or emotional atmosphere” (p. 35). This is an important concept that is useful to organize the data at times when an interpretive perspective derives from observation of a specific process, such as Hector’s transformation to “Chino”, his street moniker and undercover identity:

Hector offers an account of an uncomfortable moment last Thursday night that was barely audible over the kel. He had been involved in a transaction with a seller that suspected him of being a police officer or an informant, and patted him down for a wire. As he tells the story, Hector’s persona is transformed. His articulate, easygoing speech pattern mutates into street jargon that is accentuated by an affected African-American dialect; slurred diphthongs, dropped word endings, deliberate mispronunciations... "I axed him, he tol' me", etc. Hector doesn't talk this way.

(Hector B. 10/4/04)

It must be emphasized that the use of Goffman’s theory as an organizational framework does not foreshadow the inclusion of an ethnomethodological (Cicourel,

1973; Garfinkel, 1967) analytic perspective. It is necessary to include some baseline device to make sense out of a year of fieldwork and almost a thousand pages of notes, but the Goffmanesque organizational framework is sufficient to bolster a more sophisticated interpretation of the “becoming” of an undercover agent and maintaining group solidarity in the face of the internal and external pressures collectively experienced by the members of SIU. But the most powerful underlying explanatory template is provided though existential sociological theory (Smith, 1984; Johnson, 1974; Douglas, 1974; Johnson and Kotarba, 2002). Smith (1984:101–102) argues that deeper meanings found within organizational dynamics itself are best explained through understanding the feelings and motives of its individual actors, who are challenged to interpret and reinterpret the formal structures and order of the bureaucracy in the course of an ongoing interaction with their co-workers and superordinates (p. 115). Smith extends the existentialist perspective to organizations, and this makes sense if one accepts the essential symbolic interactionist argument that communal life hinges upon the ability to arrive at a consensus regarding commonly accepted meanings in life, and cooperation to set group aspirations and achieve them (see Blumer, 1962; cited p. 117 in Smith, 1984). Smith argues effectively (p. 116) that organizational identities, combined with personal interests and emotions are the primary influences on the formation of a person’s “existential self” relative to that organization. Smith concludes that organizations are not primarily restrained by the “iron cage” of Weber (1959), but rather by the notion, from Sartre, that members of bureaucracies are condemned to be free (p. 117).

Classic Weberian analysis ascribes preeminence to bureaucracies as the most logical and efficient organizational structures for the management of the division of labor

in the police, the military, and other governmental institutions. But this exclusivity ignores the inevitable consequence that increased efficiency, the benefits of loyalty to the hierarchy and the sense of worth deriving from the maxim of work for work's sake can also yield the undesirable and toxic effect of the de-personalization of the members of an organization. And the imputation of the Calvinistic sense of duty and mission to police work may also reveal the analogous and frightening prospect the sense of mission implies: extraordinary means are acceptable to achieve the ultimate end. Although this did not prove to be the dominant worldview among SIU, it is necessary to show how the this Weberian construction is relevant to the research issues even as I reject Weber's argument that bureaucratic structures best apply to policing. After all, as Bourdieu and Wacquant (1992:92–3) note—both Weber and Elias (and Bittner) “fail[s] to ask who benefits and who suffers from the monopoly of the state over legitimate violence, and to raise the question... of the domination wielded *through* the state”. This is an important query for this research, because here I argue that at times police officers themselves suffer the consequences of their own co-optation.

It is important from the outset to preface the methodological process of this thesis with the caveat that it is impossible to provide an ordered, postpositivistic analysis (Glaser and Strauss, 1967) of the identity formation that I observed and participated in among twelve drug cops. According the principles of grounded theory, one must of necessity engage in a comparative approach that requires evaluation of data that has been methodically collected, coded, and analyzed; previous theoretical propositions are the basis for this quasi-scientific approach. The result is what is termed a “systematic, substantive theory” (p. 113), which is irrelevant to this research. Much of what I have

attempted was quite the opposite: an attempt to deconstruct the obvious; the apparent; the conventional. As Derrida's famously enigmatic refusal to define "deconstruction" implies- the meaning is often defined according to the setting in which the knowledge is acquired. The sustained period of contact with a relatively small group of people provided the opportunity to apply the perspective of a person with a considerable amount of folk knowledge of police culture to a different, yet similar lifeworld; the concomitant application of the academic perspective resulted in the ability to implement deconstruction with some authority. Therefore, there will be no attempt to impose a retrograde and reactionary (Lincoln and Denzin, 2000:1047–49) perspective that rigidly adheres to objective, politically neutral discourse relying exclusively upon a focus on the formal strategies of positivist ethnography. Instead, I attempt to give voice to the representation and collaborative agency of the group as part and parcel of this research through active participation, dialogue, and the attempt to uncover the cultural artifacts and values that facilitate the historical exploitation of drug cops and the concomitant repression of the population targeted for arrest and incarceration.

Paradoxically, it was necessary to employ an analytic inductive perspective to identify the themes revealing the pathways to group solidarity and identity formation. Tracing this technique to Znaniecki's seminal (1934) construction, I began with the notion that there was an underlying typology of undercover/vice officers that could be elaborated and developed through this research. That was the initial "hypothesis", but the limitations of small "sample size" precluded the use of this device. Again following Znaniecki and others, including most relevantly Burawoy (1998), the hypothesis was modified early on to focus upon group routines rather than individual characteristics. Of

course causation is not a focus of this research—there is no conceivable macro-event or phenomenon that is at issue here. Instead, I argue that analytic induction is congenial to the narratives of an ethnographic approach as I attempt to explain the processes and influences of identity formation among the group of officers I worked with. The formed identity and the group activity it ignites is the *explanandum*; the interpretive procedures are implicit; analyses of routines can be considered as *explanans*. I began the field work without a precise hypothesis because the intent here is to show how the officers of SIU break free of the constraints of the monolithic, militaristic-bureaucratic police culture to form a subculture that strives to achieve the larger goals imposed from above even as they manage to rattle the “iron cage” and develop a higher degree of representation of individuality, sometimes in blatant opposition to the norms of the wider police culture.

To this end, the methodology is significantly influenced by the theory of Michael Burawoy. Following his (1998) interpretation of the extended case method, I argue that a variegated theoretical approach in this instance is facilitative of a more effective analytical result. Of necessity the research process and theoretical grounding derive from an essentially reflexive paradigm. According to Burawoy (1998:5), this requires a commitment to “dialogue, virtual or real” between the researcher and participants, nested within a dialogue between internal and external forces influencing the issue at hand, and finally the ever-expanding dialogue within theory itself. I concur with Burawoy’s position that a reflexive perspective enables the micro-world of the SIU office to be extended to the macro-world of society’s obsession with vice enforcement; similarly, “the present is connected with the past in anticipation of the future” in the reinforcement of patterns of social inequity (p. 5). As Burawoy “extended out” (p. 9) from the

microworlds of Zambianization to the wider sources of underdevelopment, I have extended out from the microworld of the SIU's conceptions of drug enforcement to the sociology of the laws that demand it. As Burawoy comments (p. 10) it is often problematic to adhere to more rigid principles of sociological research such as (Burawoy's example) Jack Katz' "4R's": the avoidance of reactivity, the establishment of measures of reliability, the adherence to the assumption of the need for replicability, and the ideal of representativeness. Indeed, this study is only truly representative of the Merton County Police Department's Special Investigations Unit, though many aspects of the conclusions could logically be applied to other suburban police drug enforcement efforts. However, empirical science is not totally rejected here; it is assigned the role of identifying the interpretive themes and their coding. Rather than simply objectifying the positionality of the researcher in relation to the participants, as Burawoy interprets Bourdieu and Wacquant's (1992) definition of reflexivity in scientific inquiry, he proposes a methodology that accepts a dialog as the "defining principle" (Burawoy, 1998:14) and "intersubjectivity" between researcher and participants as its predicate.

I concentrate in the analysis section on the application of Burawoy's interpretive rubric of potentially harmful consequences of intervention, as they relate to the model of reflexive science, beginning with what Burawoy labels "context effects" (1998:14–22):

- Intervention
- Process
- Structuration
- Reconstruction

Context effects (*always* confounding in positivistic research) are then evaluated alongside of what Burawoy labels "power effects" (potentially confounding in reflexive science), as

they may impact upon the researcher, which can potentially threaten the efficacy of the reflexive interpretive perspective (p. 22–25):

- Domination
- Silencing
- Objectification
- Normalization

Burawoy (p. 26) provides a table that marries these effects as they impact on the corresponding variables in reflexive research, comparing the like contradictions within the positivistic perspective. For the purpose of this study, I have truncated the principles and practice of reflexive science from that of positivism, and placed them within Table 1. The extended case method makes use of these three broad categories in the interest of thematizing four principles (see Table 1) specific to reflexive ethnography:

1. Observer as participant
2. Identification of internal/external processes
3. Reconstruction of theory

<u>Reflexive Principles</u>	<u>Extended Case Method</u>	<u>Power Effects</u>
Intervention	Extension of observer to participant	Domination
Process	Extensions of observations over Time and Space	Silencing
Structuration	Extension from Process to Force	Objectification
Reconstruction	Extension of Theory	Normalization

Table 1

This template provides a useful format to control for bias and introduces the basis for an evaluation of the usefulness and relevance of the findings.

It is important to enunciate the differences in this project as opposed to previous ethnographic work done among police officers, as well as previous research in the subcategory of vice/drug policing. As noted in the literature review, there is an extensive body of research into police culture, police behavior, police socialization processes, and the sociology of the drug laws themselves. This project, then, represents a focused revisit. I am returning to the field on several levels: as a *participant-observer* of police culture collecting data according to a naturalistic, dialogic methodology; as a *participant-observer* of undercover/vice police culture; as a *researcher* interested in building middle-range theory regarding the subculture of drug cops; as a *positioned observer* drawing inferential conclusions about society from involvement within the lived experience and emotional perspectives of the lifeworld constructed by drug worker police. Burawoy (2003) suggests that revisits are differentiated from reanalyses of existing data without further fieldwork, employing the example of Gans' (1982) controversial update of the Urban Villagers. Revisits are also different from replications. Burawoy (2003:646–47) argues that ethnographic replication is perhaps impossible in that various ethnographers, or even the same ethnographer, is likely to view the same data differently. Replication involves maximization of consistent findings and conclusions across cases and researcher perspective, and the testing their validity and reliability. Burawoy posits that a “revisit” is the opposite—an anti-constructivist focus upon the “inescapable dilemmas of participating in the world we study, on the necessity of bringing theory to the field, all

with a view to developing explanations of historical change” (p. 647). And further, Burawoy points out (1991:282) that the extended case method goes farther than a grounded theoretical approach in its emphasis upon “systemic forces and the way they create patterns of domination in the micro situation” (pp. 282–83). Following Touraine (1988), Burawoy (1991:283) anticipates and predicts the possibilities realized within *this* project, in that at every turn I attempted to involve the participants in a conjoined process of analysis and praxis. I am not interested in reducing the issue to a search for a better way to efficiently control drugs through enforcement, nor even a better quality of life for undercover officers as much as the search for an understanding of the deleterious effects of the undercover experience upon the wider society.

Burawoy (2003:667–70) categorically defines “focused revisits”, or revisits involving dialog between the studies of a predecessor and succeeding researcher, as either 1) constructivist; or 2) realist. Constructivist revisits are further classified as either predicated on claimed distortions in the original study, focusing on refutation, or the replacement of the original with an alternative theory. Realist revisits involve a focus on historical change at the site of the research. The point here is that either the theory or the history predominates. Burawoy goes on to propose five other varieties of revisit: rolling, punctuated, heuristic, archaeological, and valedictory. Without dedicating much space to an explication of each, the heuristic revisit can be considered the most akin to this research; it is not always at the same site, and it is not always strictly ethnographic. Given my perspective as a serving police officer still subject to legal responsibilities vis a vis law enforcement, a realist element is inevitably interposed to the narrative to come in the following chapters. Here again, Burawoy allows that it is useful to introduce previous

research to frame the present analysis, employing the example of Duneier's (1999) use of Jacob's (1961) Death and Life of Great American Cities to recover an analysis of the same area and role of public authority figures (Burawoy, 2003:671). I will introduce the same heuristic device in the analysis section, primarily employing Manning's (1980; 2004) research in undercover/vice policing to frame the conclusions derived from this research.

In addition to the several variations of my revisit to the subculture of vice policing—it is a revisit in the personal sense. A return to the need to deal with the traumatic event of February 18, 1982; a return to my early days as a police officer buying drugs undercover; a revisit to the evolution of my perspective as an academic. Indeed, the experience of living the emotions, concerns; experiencing the influences and pressures of working drug officers had the occasional effect of turning my academic worldview on its head. But that is reflexivity in a nutshell, writ large. An autoethnographic perspective was essential to elaborate the analysis, as there is no escaping the glaringly apparent reality that in many ways, I was at risk of imposing an “insider's perspective” *post hoc*. But the risk, if recognized, could enhance the unique nature of the viewpoint of the study, and in the final analysis that is exactly what occurred.

Despite the use of what I have termed an “eclectic” theoretical approach to this study, it is necessarily an autoethnography *sui generis*. I make this claim first because there is no escape from self-same life history that engendered the research in the first instance, and undergirds the interactions between author/participant/observer and the members of the Merton County Police Department. Further, there is no need to deny it.

For openers, it has already been established that a detached, third-person narrative that smacks of the obsession with objectivity is irrelevant to a postmodern approach to ethnographic research, according to many scholarly treatises. Ellis and Bochner (2000:734) add that positivistic/postpositivistic methodologies that distance the observer also have the effect of diminishing personal responsibility for the conclusions. Touraine (1988) argues that the positionality of the researcher among social actors, especially within the context of progressive movements, is essential for the mutual success of both. Reed-Danahay (1997) suggests that understanding one's own life experience is central to the understanding one's life practice, and, by extension the life experience of others in similar circumstances.

In many respects, I was a "full insider" by virtue of my status as a working police officer. But my own lived experience was also quite different by some measures: age differential; work experience; rank differential. So in a sense the label of "complete member", or native, was inappropriate. My status allowed me to seek and gain entry to a heretofore little explored and secretive aspect of policing, but success in its penetration was dependant to a great degree on an ability to adapt— seeking status and acceptance as a full participant. And there wasn't much time. Tedlock (1991; 2000) provides detailed background narrative of anthropologists "gone native" for extended periods in exotic locations; there was little danger of that—not only was the Merton Police Department decidedly *not* exotic, I had only a year to collect my data, unaided by assistants or grant funding, and still working a full schedule as a police lieutenant in another agency. But despite the estrangement from my compatriots arising first from my promotion through the ranks, then by assuming the identity of graduate student/researcher, and finally from

my late status as a lame-duck cop close to retirement—I felt an overwhelming sense of solidarity with the members of SIU, to the extent that it is at times quite burdensome to reveal their confidences and print their words upon these pages. Hence this work can best be viewed through the lens of an autoethnographical perspective- as Ellis and Bochner (2000:742) suggest—“authors become ‘I’, readers become ‘you’, [and] subjects become ‘us’”. An autoethnographic perspective challenges the reader to engage in a secondary level of analysis; the search for alternative meaning, skepticism, even doubt and hostility (p. 745). This study is in some respects a grass-roots, craft brewed narrative that considers my lived experience both in tandem with my participant group as well as what derives and persists due to my life history. It is essential to integrate both perspectives. As argued by Ellis and Bochner (2000:760), the autoethnographic practice extends the ethnographic genre out beyond the academy; it opens up an interactive field within which one can more easily identify a degree of verisimilitude not often possible in the more rigidly “scientific” methodologies of social inquiry.

Bert Lemon

The multiple layers of confidence and trust, episodic instances of expressive self-revelation, and the imbedded reality of my own history in policing provide the backdrop for the interpretation of the lived experience of the drug cops of Merton County. This process is of necessity somewhat occluded by the lack of any basis of comparative analysis; there was no opportunity to either spend time with the uniformed officers of Merton County, within the other offices of the detective bureau, or among drug cops in other departments. Therefore, there is a need to strive for a balance somehow—there is a need to introduce an alternative and supplemental commentary that enables a dialog

between that which is observed, lived, and revisited. In the tradition of postmodernism, both of the ludic as well as the resistance genres (Kincheloe and McLaren, 2000:294–295), I introduce *Bert Lemon* as a narrator, participant, and commentator. Bert Lemon is a composite of several real police officers that I have known over the past twenty-three years. He is a male, European-American vice cop of a certain age who can also provide authoritative commentary on various other aspects of police work. Bert will serve throughout the remainder of this study as a window to the complex and varied intertextual transactions between drug cops, uniformed street cops, and the culture of the police administration. He gives voice to the worldview of police officers I have known, worked with, and interviewed across the time frame of two decades, but perhaps more importantly Bert allows the introduction of material that was gathered in circumstances that don't allow the identification of the source. The stories, comments, and observations attributed to Bert Lemon enable the introduction of layers of analysis that contrast with and reinforce the stories, comments, and observations gleaned from my year of fieldwork with SIU. In addition to concerns of confidentiality and the introduction of alternative perspectives, the use of what Denzin (1997:210) labels “narrative truths” can evoke the felt emotions of the reader and establish the authority of the author.

If you wants to be makin sandwiches, you gots to have the bread.

Bert Lemon

CHAPTER 5- Research Design

Merton County

Merton County is the name chosen for the jurisdiction of my research group, which is a drug enforcement unit within a county-wide police department that is legally empowered to enforce all laws and statutes within the bounds of the county. The nature of this research involves immersion in the secretive world of drug policing, and as such it was imperative to provide ironclad guarantees of anonymity and confidentiality—both to the participants themselves as well as the agency head that allowed access to the officers. And further, the university authorities requirements were stringent in this regard to the extreme; as naturalistic research with few “cases”, there was a particular concern for the welfare of the participants in terms of a guarantee of immunity from their superiors that their participation would not impede their future career paths. It is therefore essential to outline the measures taken to comply with these concerns.

In most respects I have portrayed the communities within Merton County as accurately as possible without including data that would reveal their true identities. Census data has been “smoothed”, but only to the extent necessary to maintain the integrity of the masking process. Of course, a determined attempt to uncover the true location and perhaps even the police department[s] located within the county would likely succeed if pressed and precisely investigated. However, there is only so much that can be done in this regard before losing the true essence and flavor of policing, and indeed life, within the world of Merton County. I have constructed a detailed map (Figure 1) of the research site, replete with pseudonyms for the names, spatial orientation, and geographic layout of the county and its political subdivisions.

Merton County

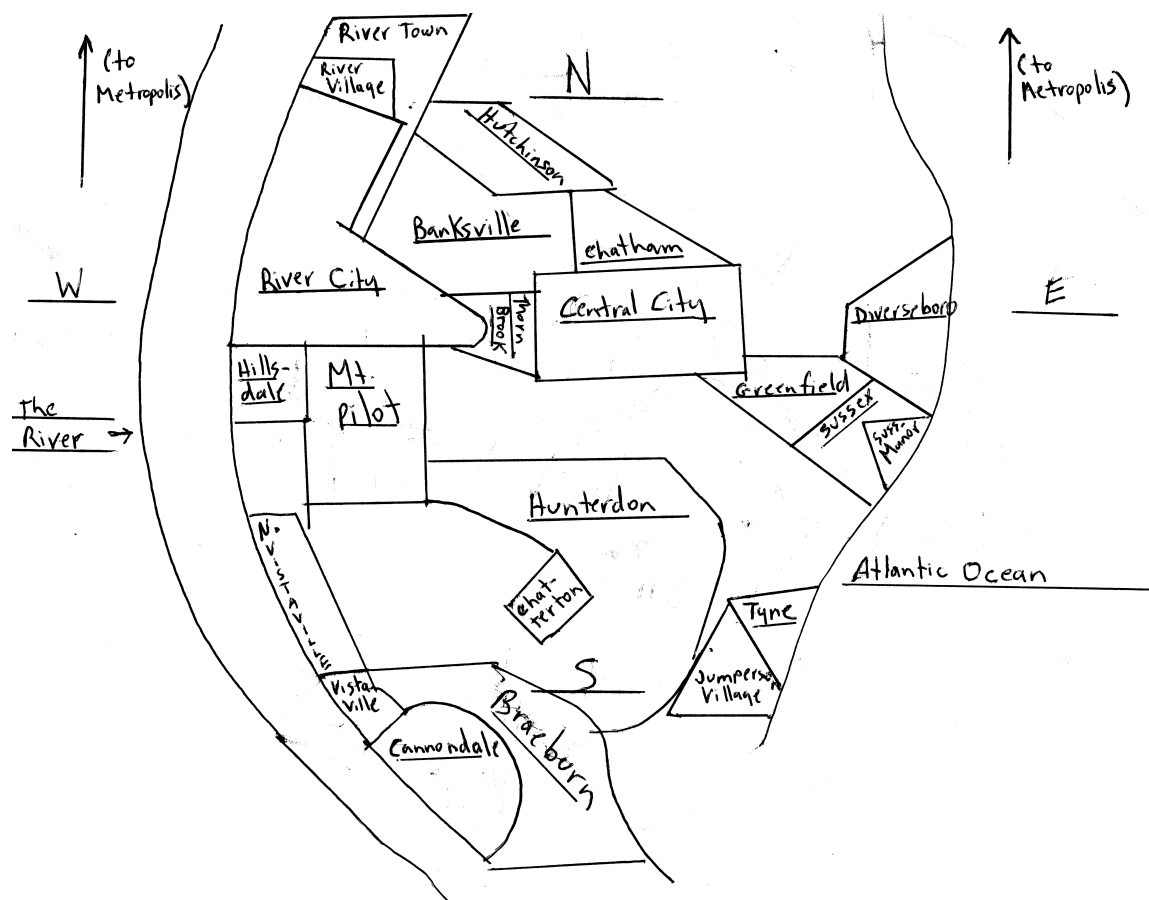


Figure 1

Merton County is located in the northeastern quadrant of the United States; it is a study in contrasts, containing vast tracts of inner city neighborhoods as well as hinterland areas that are characterized by bosky estates populated by some of the wealthiest and celebrated people in the United States. It abuts one of the largest cities in America, to which I refer as “Metropolis”. Merton County is a veritable patchwork quilt of legal jurisdictions; comprised of well in excess of forty separate entities that maintain their own independent police agencies. The structure of local government itself is vestigial to the township system of the colonial era. Well-established and entrenched middle-class communities exist in the midst of both great wealth and great deprivation. Among a total population of nearly one million, there are 4 major cities in Merton County with populations in excess of 50,000; of these cities there is one with a population of about 200,000, and two with official populations in excess of 70,000. In addition, there are three municipalities that are technically classified as “towns” for political purposes but contain densely populated inner city neighborhoods where minority populations, largely Latino(a) but also African-American, live in fairly close proximity to the availability of labor opportunities in the service and landscape industries.

The demographic composition is also quite diverse. European-Americans, or those classified as “white” by the census count comprise about 70% of the total; African-Americans are about 15%, as are Latino(a)s. There is a significant number of Asians, about 4-5% as reflected in the 2000 census count. About 9% of individuals and 7% of families live at or below the poverty level, also according to 2000 Census Bureau statistics. Crime is not unreasonably high in Merton County. For example, homicide rates are often touted as a useful indicator of crime levels and perception, and homicide

rates in Merton County are low in comparison with national rates as well as those of Metropolis—the nearest large metropolitan entity. In 2000, the national homicide rate as reported in the Uniform Crime Report was 5.5/100,000 population. In Merton County the homicide rate for that year was 2.7/100,000. And most of those homicides occurred in the urban population centers; River City, with the largest population had a rate of 8/100,000 and Greenfield, a densely populated city with the lowest per capita income level in the county had a rate of 7.8/100,000. By contrast Diverseboro, the second most populous city had a negligible homicide rate of .5/100,000 in 2000, and Central City, the governmental hub had a rate of .52.

Available statistics from the State Criminal Justice website reveal an interesting anomaly in comparison with most of America in late modernity— for violent crimes, drug crimes and misdemeanors in Merton County have risen and continue to rise since 1994, contrasting with the prevailing national trend. At the same time that arrests for drug offenses in New York City have plummeted from 15,908 in 1994 to 9432 in 2004 (New York State Division of Criminal Justice Services), the arrests in Merton County have risen from about 4500 to about 5500. This reflects the same proportionate increase as the other indicators of crime in Merton County, including violent crime. What does this tell us? A difficult question, but one possible correlate may be the increase in the minority population across the past 15 years in Merton County. Specifically, the Latino(a) population increased dramatically, from less than 4% in 1990 to over 15% in 2000. Most of the activity I participated in took place within a limited number of the 40 jurisdictions. A brief demographic profile of each is provided in Table II. Other communities that are referred to will be explicated within the text.

The Search for a Participant Group

For the past fifteen years, the “war on drugs” has been conducted in Merton County with the assistance of the Drug Enforcement Agency, which provides funding, office space, and the clout of federal law to maintain the noted DEA Task Force. Many local police departments contribute officers to the Task Force; it is coordinated by a supervisor from the County Police and thus provides a good cross-sectional sampling of drug policing in the county. Gaining access to this branch of the DEA/Local Task Force as an operating base would provide a good opportunity to observe the production of culture and group identity among a diverse group of officers hailing from different departmental cultures and socialization experiences. And though the initial hope was to gain access to and recruit participants from two or three separate agencies, past experience in this type of research indicated that that would be difficult to arrange. So I began with the DEA Task Force in Merton County, located in the federal office building in the government center of Merton County, Central City. My field notes summarize the events:

I approached the Special Agent-in-charge of the office, and met with him at length. He was affable, and offered his cooperation. I had also laid the groundwork for entry by contacting several of the local officers through the police grapevine, and enlisting their support. I arrived at 165 Broad Street in Central City, the “county seat” of Merton County. Adjacent to the Federal Courthouse, 165 Broad Street is a mud-colored 10 story building that houses local branch offices of federal agencies including the Drug Enforcement Agency. I'm admitted to the building by a uniformed officer of the Federal Protective Service (Department of Homeland Security) in the lobby of the 1980's vintage building, and directed to an elevator that takes me to the second floor. Then on down the carpeted hallway to the imposing, heavy blond wooden door that is labeled with a decal stating simply "DEA". This office was the setting for the first interview I ever conducted for my inquiry into the undercover world, over five years ago. The detective I spoke with was still assigned to the office; I had re-contacted him fairly recently when I was seeking references that

would allow me to gain entry to the River City PD. Pedro O. was his name; he was a RCPD detective but had been assigned the DEA Task Force for many years. There I met with Jack L., the DEA Resident Agent-in-charge. He was gracious, enthusiastic, and a good listener. Then he threw me out. The rationale went something like this:

1. He had no problem with me coming into the office as an observer.
2. But he needed authorization from the regional office in Metropolis.
3. The public affairs officer in Metropolis didn't have a problem either, but needed authorization from Washington.
4. The officials in Washington had a problem, which was this:
 - ☐ Any person allowed to work within a DEA office for an extended period of time needed security clearance.
 - ☐ Mitch Librett qualified by virtue of his status as a serving police officer.
 - ☐ BUT- the next graduate student seeking entry might not. So to preserve the integrity of access denial to non-law enforcement affiliated graduate students- I would not be allowed in.

The next option was the large police department that I have labeled the “River City PD”. I gained entry to the Police Commissioner of that agency by virtue of his membership in the Emerald Society Band; one of my colleagues in my own police department was the assistant bandmaster. The commissioner was not easy to reach, and I was on a first-name basis with Elaine, his secretary, before I finally was able to make an appointment. When the time came, I presented my research proposal and the commissioner seemed enthusiastic, gracious, and willing to accommodate it. He promised to get back to me within a week, but ended the meeting on a disconcerting note. “Well, I’ll have to find a unit that will be OK with this... I need to talk to them first personally”.

This commissioner had the reputation of a street cop who had been promoted up through the ranks and never lost his ability to understand the perspective of the foot soldiers of the agency. I responded that I wished he wouldn’t do that until I had the

chance to at least make the initial approach and present the research to the potential participants. I reasoned that any possible guarantee of confidentiality would ring hollow indeed if prefaced by the personal appearance of the Police Commissioner at a small unit of his department with the express purpose of asking their [voluntary] participation in a research project involving the entry of an outsider to the intimacies of their office subculture. However, he insisted on following this path, and it was unsurprising when I didn't hear anything back for the next month. In the end, when I did make contact, the commissioner expressed regrets, but said that all of the officers he had approached were "suspicious". He did leave open the possibility that the project might be revisited in the event that I was able to contact any River City vice officers through my informal network of contacts within the local police community, and obtain their agreement to cooperate.

The eventual success in obtaining agency cooperation elsewhere brought me into close contact with the members of the River City Narcotics Squad several months later; the two units were conducting a joint operation in an area of North River City plagued by the persistently enduring and somewhat anachronistic presence of a thriving open-air crack market. By that time, I'd been given permission to solicit the individual cooperation of River City officers, though not blanket agency cooperation. So as long as an informed consent document was distributed and the officers were made aware of my identity, I was able to include data from that episode in the research by virtue of my official status with the Merton County Police Department.

The Merton County Police Department

I approached the Deputy Commissioner of the Merton County Police Department in April of 2004. By introducing myself as an “adjunct lecturer” at John Jay College, and using as reference the name of a colleague in my department who had been his schoolmate in their teenage years, I was able to get through to him on the telephone. The Deputy Commissioner taught criminology part-time as an adjunct at the local community college, and was sympathetic. But he only could offer to pass along the prospectus for the study to the Commissioner; I wasn’t optimistic about this, and expected the same negative outcome. Surprisingly, I was wrong.

The next week, the Merton County Police Commissioner’s secretary contacted me by telephone to say that she’d been instructed to set up an appointment between the Commissioner and me. I set the appointment- and then resolved to move quickly in order to avoid the same sort of fatal events that had doomed my attempt to gain entry to the River City department. Chronologically, and before the meeting with the Commissioner, the following actions were taken:

- I identified the unit of officers within the MCPD that was most appropriate to this project. This was SIU- the “Special Investigations Unit”, or the departmental vice squad.
- I was able to once again take advantage of a personal reference and contact the unit commander. This man was a lieutenant, which is the same rank as my own. It was therefore quite appropriate for me to contact him, provide a quick overview of my proposed research, and enlist his cooperation. He agreed to allow access to his officers for a group meeting with me, at which time I would be able to solicit their cooperation and provide a credible guarantee of confidentiality.

The meeting with the Police Commissioner of Merton County went well, and he offered all manner of cooperation, with the caveat that the officers would have to agree and allow me entry. I interrupted him here, and emphasized that at this time I was only asking for

his permission to approach the officers, explain the research, and ask for their participation. He agreed, the meeting took place, and the research received departmental sanction. I was in, and the only condition was that I was to provide bi-monthly briefings either personally or via email to keep the Commissioner assured that my work had had no adverse effects upon SIU.

<u>Municipality and total population</u>	<u>%White</u>	<u>%Black</u>	<u>% Latino(a)</u>	<u>Per Capita Income</u>	<u>% Living Below the Poverty Line</u>
River City 200,000	60%	17%	26%	\$22,000	16%
Jumperson Village 28,000	61%	7%	47%	\$21,000	13%
Cannondale 23,000	57%	26%	22%	\$23,000	14%
Braeburn 1,500	96%	0.8%	0.8%	\$23,666	7%
Greenfield 69,000	29%	60%	10%	\$21,000	14%
Tyne 15,000	90%	1.5%	5%	\$77,000	2.4%
Hunterdon 35,000	90%	3.2%	6%	\$34,000	3%
Chatterton 10,000	78%	6.2%	25%	\$33,000	11%
Chatham Village 4,500	55%	20%	24%	\$28,000	13%
Mt. Pilot 7,000	91%	3%	7.5%	\$42,000	5%
United States	75.1%	12.3%	12.5%	\$21,587	12.4%

Table 2

The Setting

The Merton County Police Department is housed in an imposing 30's-40's era brick building. The obsolete designation "Merton Co. Parkway Police" is engraved into a concrete facade above door. "Merton Co. Police" is printed on a taped sign above the glass doors. The change occurred over 20 years ago, when the Sheriff's Department was merged with the Parkway Police. This change was traumatic for many of the officers in both offices and is still a subject of conversation among those officers that made the transition and remain in the department. The Sheriff's Office was responsible for investigations and civil processes; the Parkway Police patrolled the roadways maintained by the county and county owned parks. There are several references to a slain officer, "Andy Dempsey"; in addition to a stone monument outside the front door, there is a street sign reading "Andy Dempsey Way" at the entrance to the parking lot. This officer was assigned to uniformed parkway patrol when he was murdered during a routine traffic stop by a mentally ill sociopath that was driving with a suspended license. There is also a picture and dedication in the reception area.

The Special Investigations Unit resides in a large office on the second floor of the building. The office is painted light blue with dark blue trim; the paint is fresh; a recent job. Moving counterclockwise from the entrance door, there is a large American "flag of heroes" containing the names of all police officers killed in the WTC disaster superimposed on the stripes of the flag. This is another recurring theme throughout the building. In every office in every police department I've ever visited there are similar shrines. Next to the flag there is a fish tank, well maintained. Inside lives the pet

piranha, Chopper. Chuck B. tells me it eats "feeder fish", or live small baitfish dropped into the tank when the piranha gets hungry. Then there are three white boards:

- a. A sample format for a police report, presumably for those detectives who have difficulty remembering such details
- b. Assignments of territorial responsibility. Each "enforcement officer" is assigned an area within the county within which he functions as the lead investigator; cases received and assigned for investigation conform to this geographical division. Chuck explains that these assignments are made to prevent jurisdictional disputes; some are made according to where the detective grew up, worked in a previous police job, or for no apparent reason. I learned very quickly that in the pecking order of the unit, the "enforcement officers" are given more responsibility and authority than the undercover officers, who typically have less experience in the department and whose primary function is to make undercover drug buys. Undercover officers ordinarily explore the leads provided by intelligence that are then reified as "cases". The undercover officers are *de facto* as well as *de jure* subordinate, in most instances, because all police departments are governed by the military "chain of command", where in the event that in the absence of an officer of command rank, the most senior of those present holding the same rank assumes operational command.

- c. A weekly calendar, ordered by the day of the week, where the unit will work.

There is a coffee area on a small table that is covered with a green table cloth, contrasting with the blue paint. A high quality Hamilton-Beach coffee machine contains good coffee from Starbuck's, several mugs, and a box of Krispy Kreme doughnuts. It is VERY NEAT AND CLEAN. Different from many, if not most police offices I've seen. Next there is a Deer Park water dispenser. Spare and empty jugs are in a plastic rack against the wall.

Above the desk in the rear corner of the room is a display board. This contains examples of "drugs of abuse"- labeled as Depressants, Stimulants, Hallucinogens, Marijuana, Narcotics, Cocaine- all in various forms. It must be old—it contains no "club drugs" such as Ecstasy or GHB. Then there is a smaller shrine to 9/11 victims. This consists of a framed picture of the WTC "towers of light" display. Next to this is a framed version of the "Policeman's Prayer", and a framed depiction of a blown-up commemorative stamp, again with a WTC theme.

Above a small desk with an internet-capable computer terminal there is a framed emblem that contains a detective's badge below the term "Narco". The word "detective" appears where the shield number would ordinarily appear. Next to this, there is a larger framed emblem that consists of the stated title "Narcotics Squad" above a MCPD shoulder patch and detective badge. This badge has the word "narco" where the number would be. Next comes a small cork bulletin board with stickpins holding assorted telephone numbers of courts, other agencies, and a few calendars. There is clipboard next to it that holds the "master tracking sheets" which serves as a control mechanism

that enables a statistical compilation of the unit's achievements. These are categorized as follows:

Date/Area/Case#/Officer/Date of Buy #1,2,3,4/Subject of Investigation/ID/

Photo? Y or N/ Date review/Date Grand Jury/Disposition.

The supervisor's office is separated from the main area by a partition and door that remains locked when Phil M. is not present. Looking into it through the window, one can see a large "Don't Tread On Me" naval jack version of the Gadsden flag of the Revolutionary War era on the wall. There is an obsolete Chief's Special Colt .38 revolver in an old leather holster on the desk. Phil M. has been a police officer since 1972, a member of a different generation from my own. He is alone in command of depleted unit. Once comprised of up to 25 detectives, 3 sergeants and commanded by a lieutenant. Now his one sergeant is out on extended sick leave and hasn't been replaced. There are only 8 detectives currently assigned to the office. The depletions are due to 9/11 realignment of priorities, and there is some ill-concealed resentment expressed regarding this development.

The Policeman's Prayer (author unknown)

Lord, I ask for courage;
Courage to face and conquer my own fears...
Courage to take me where others will not go.

I ask for strength;
Strength of body to protect others...
Strength of spirit to lead others.

I ask for dedication;
Dedication to my job to do it well...
Dedication to my community, to keep it safe.

Give me, Lord, concern;
For all those who trust me...
And compassion for those
who need me.

And, please,
Lord, through it all;
be at my side.

The Participants

The members of SIU were recruited into the study according to the following methodology:

SIU at the time of my initial contact was comprised of eight officers; the original configuration was subject to maturation; in early November, several months into the fieldwork, Lt. M. was re-assigned. He was replaced by two sergeants who were to share command operationally, with the senior of them responsible for administrative accountability. In addition, two of the officers were similarly removed, with three officers as their replacements. The third departing officer had been on loan from another department; he was transferred back at the same time.

Both initially and subsequent to the reconfiguration, there was a significant dichotomy even within the unit; the officers carried two distinct labels and sets of responsibilities. As noted, the undercover officers were exclusively dedicated to maintaining their covert identities, and only furtively participated in activities that required compromise of this identity to members of the general public or even other police officers. The “enforcement officers” served a two-pronged function; they were the backup teams for the undercover officers in the field, and they were also the “case managers”. Only one of the enforcement officers, Ron M., had previously worked in an undercover capacity.

In the Merton County Police Department, undercover work was considered an entry-level position in the detective division. Following an often-finite period of assignment in this capacity, the undercover officers were traditionally rotated back to a more traditional assignment for a period of time. As long as the former undercover

officers maintained a clean record in terms of performance evaluation ratings, use/abuse of sick leave, and the other often intangibles of the police evaluation process, a promotion to detective rank would follow, with the chance to volunteer as an enforcement/case officer within 2 to three years time. However, within my sample group there were several officers that hadn't followed this traditional career path, and there were internal resentments. All three of the original Merton County undercover officers (the fourth, John R. was on loan from another agency) held the rank of detective. Two of the four enforcement officers still were ordinary patrol officers in rank, although they received promotions two months into the data collection phase.

There were resentments— both between the two groups as well as within the undercover group. The case managers exuded a greater sense of solidarity among their own subgroup than did the undercover officers. Much of the responsibility for report writing and warrant application rested with the enforcement officers; these officers also functioned as liaisons between the MCPD and whichever local agency or agencies had jurisdiction in the area that MCPD was operating. This was often a daunting, always labor-intensive, and sometimes impossible task. The perceived disparities in the division of labor at times engendered personality conflicts in SIU; Joe Torres, an undercover officer bore the brunt of this ill will- he was resented both within the micro culture of the undercover group as well as by the enforcement officers and overtly labeled, even by self-definition, as the “outsider”. Joe lived in a distant county far from the customary “coplands” favored by the Merton County and other officers from the local agencies in the county. His detective rank was obtained by virtue of his military service; the state where the research took place mandates that an officer assigned to an investigatory

assignment for a period greater than 18 months cannot be removed from that assignment without cause, and must be promoted to detective/investigator status, which is not a civil service rank. Joe was a reservist, and had been activated for the Iraq invasion. While he was overseas, the 18-month period expired, and federal law mandates that a reservist that is also a civil servant cannot be removed from her civilian position while on active service. And most importantly- the entire group questioned Joe's abilities as an undercover officer, it was reported to me that he made fewer buys, reported in sick far more often, and was slower to complete the minimal apportionment of paperwork he was responsible for than the other undercovers.

Of the sample, all of the original members had begun their careers in law enforcement with other agencies; three with the police in the large city adjacent to Merton County (labeled as "Metropolis"). Two had military experience; Joe was an active reservist and Ron M. had just applied for retirement after twenty-five years in the Army and Army Reserve (at 42, Ron was the oldest member of SIU). He was the sole minority officer (Latino of Cuban-American heritage) among the enforcement/case officers, and all four undercovers were Latino. There were no females in the office either at the beginning of the study or subsequent to the reconfiguration of the office. Referring to a female detective that had at one time been assigned to SIU, one member of the unit commented that while they (female undercover officers) were "good in bar cases", they were difficult to work with and integrate to the group culture.

They're very good in bar cases... they can get a job pretty much by asking and once they're in it's easy for them to figure out what's going on. They do what they have to do, but... there's always those accusations that they get involved with someone.

ML: Do they?

Well that depends on what you call *involved*. Like, they flirt with people... people will say stupid things when they're high or drunk and they're showing off. Ask for a "favor" and they'll be happy to do it most of the time, or some of the time, or maybe just once even. But then you got em. They do what they think they gotta do.

Bart T. 1/12/05

This exchange reveals the attitude of the majority of SIU toward female undercover officers, as I learned over the course of the research. While they were not, and never would be offered entry to the group in any where near their representational percentage in the department, females were considered to have their occasional uses. Bar cases, or the infiltration of licensed establishments (bars and clubs) that sell alcohol were not one of the observed routines that took place during my tenure with SIU. In essence, they are carried out as follows: A female or male officer is placed as an employee in an establishment where it has been reported that drug use and trafficking occurs. The undercover officer is not always an employee, but this is the ideal. If not possible, then the undercover and a male officer insinuate themselves as patrons over a period of time, and then the male officer withdraws as the female officer is able to penetrate the friendship circles and social networks situated and/or framed by the club in question. The process of entry is sometimes facilitated by informants, but the goal is to place a police officer within the social life of the bar, as a "participant-observer", as it were. From there cases can be made. And for this it was considered essential to have a female officer in the operation. By contrast, none of the routines that I participated in required a female, and indeed they were considered as "high-maintenance", as evidenced by Phil M.'s reaction upon our initial meeting when I queried him about the composition of the

unit. In answer to my question about the presence of any females, the answer was “no, thank god”.

Fieldwork began June 10, 2004. After several false starts, missteps on my part, delays due to vacations; summer breaks where some members of SIU were temporarily assigned to patrol the county’s highways and parks, and the inevitable hurdle of conducting intake interviews where informed consent documents were circulated and explained, sustained contact began at the end of August. This contact consisted of at least two and sometimes three shifts per week in the SIU office and in the field. The participants are shown in two figures, 2 and 3. Figure 2 shows the composition of the unit upon initial contact and figure 3 shows the composition of the unit subsequent to the reassignments in December of 2004.

August 2004:

Lt. Phil M.
 Det. Hector B. (u/c)
 Det. Rudy M. (u/c)
 Det. Joe T. (u/c)
 Officer John R. (u/c)
 Det. Ron M. (enforcement/case officer)
 Det. Rob L. (enforcement/case officer)
 Officer Jackie C. (enforcement/case officer)
 Officer Chuck B. (enforcement/case officer)

Figure 2

December 2004:

Sgt. Bud M. (Commanding Officer)
Sgt. Glen T. (Operational Commander)
Det. Hector B. (u/c)
Officer Eddie V. (u/c)
Det. Rob L. (enforcement/case officer)
Det. Ron M. (enforcement/case officer)
Det. Jackie C. (enforcement/case officer)
Det. Chuck B. (enforcement/case officer)
Det. Bart T. (enforcement/case officer)
Det. Tim B. (enforcement case officer)

Figure 3

The circumstances, effects upon group solidarity, and changes in the dynamics and subcultural representations within SIU wrought by the reconfiguration will be discussed in the sections to come. But it should be well noted that the departure of the first commander was unsettling to the group; it also jeopardized the status of this project, as I had to revisit the carefully laid stepwise sequence of consent that had begun with Lt. Marchini in June. After a period of sequential introductions and negotiation, the research continued. But I was told in no uncertain terms by the overall commander of the Detective Division that had it been his decision, this project would never have been allowed. An excerpt from my fieldnotes provides illustration of this difficult transitional juncture:

I check in with the Desk Lieutenant, who has become friendly. Kevin C. comes down to get me and we go upstairs to the opposite side of the hallway from SIU. Through a door that leads past a communal bathroom and into the squadroom of GIU. A maintenance worker is mounting a new bulletin board on his office wall, so we go into a small conference room. There is round card table set up and several folding chairs. Nothing much on the *faux* paneled walls. Kevin C. is a European-American, stocky build, about my age (47). He is dressed in business attire, but no tie.

I introduce myself first, offer a brief synopsis of my police career. I include dates; date of my graduation from the police academy, date of graduation from the Sergeant School, date of my initial hiring. This is a device that is useful for eliciting mutual acquaintances, and generally is a good icebreaker. But it didn't work this time, Kevin didn't volunteer any personal data whatsoever.

Introduce my project. Apologize again for his seeming exclusion from the loop. Apprise him of the progress made to date; he's interested in what limits have been imposed on my access by the Commissioner. I relate that I've been riding with the officers in the field, without restriction. We spend a few minutes chatting, but not easily. Kevin is skeptical of my research goals; he is very old-school. My impression is that he is unconvinced that I am truly motivated by a desire to uncover fresh data that will be useful in the enhancing of the quality of life of police officers. Therefore, I make no secret of the fact that a primary motivation is also the completion of my doctorate. That he understands, and loosens up a bit- not much. He lets me know that he is astonished that the

Commissioner had approved this project, and opines that were he in the Commissioner's position there would be no ethnography.

Aside from feeling slighted, Kevin is also likely to be annoyed about inheriting the responsibility of looking after me. He is now wearing two hats; the upcoming drug sweep is a very labor-intensive enterprise, although most of the work has been completed by Phil. But through any lens, there is no doubt that I am an additional burden, a "mess" that Phil left behind. This is something that is simply not done- you clean your own mess (Crank, 1998). He is surprised when I reveal my knowledge of the projected date of the sweep, and hesitates when I request to be included as an observer. But I'd hedged my bets and emailed the Commissioner the previous day about this, and he responded with no objections. So I tried in a subtle way to advise Kevin of this, not easy because I'd essentially circumvented the sacred "chain of command". Moreover, the sweep was in River City, and he would need to notify that agency that I was "on the list". Phil hadn't thought it would be a problem; Kevin was not so sure. He said that RCPD may object to my inclusion at the briefing prior to the operation. That would be regrettable, though not essential. I would remain in touch with Kevin over the next several days, he was evasive about the location where I could meet with SIU after the briefing if need be. But he agrees to include me. (10/25/2004)

The project continued. But until the new co-commanders assumed control of the unit, there was an interregnum period characterized by anomie within the group.

On November 1, the following order had been placed on the clipboard in the office where the operational notices are posted:

“Effective 11/1/2004. Lieutenant Philip Marchini is hereby re-assigned from the Criminal Investigations Division, Special Investigations Unit, to the Patrol Services Division”.

With that parsimonious declaration, accompanied by the suffix “by order of” and the signature of the Police Commissioner, Phil’s tenure as Commander was terminated. I would miss him personally—he was somewhat of an iconoclast; a strong authoritative manager, yet always friendly and quirky in his own way. Many times, I was greeted by the mellifluous tones of Beethoven’s Pastorale Symphony, or the Four Seasons of Vivaldi, or an opera sounding loudly from the Bose CD player Phil kept in his office.

Also gone was the “Don’t Tread on Me” banner, and the antique .38. The group was similarly affected, Chuck B. in particular:

There is an aura of anomic depression. Jackie C. and Rob L. come in we discuss Phil's removal at length; it is the only subject anyone seems to be interested in. They are unsettled, upset, and frustrated at their enforced inactivity. Police officers sometimes term it "masterful inactivity", and there are some that develop it to a high art (Rubinstein, 1973). But these guys are motivated and eager to continue with their routine.

Chuck talks about the operation he's conducting in Cannondale, a small city 40 miles north of River City. Also situated on the river. He's had an informant that has been attempting to either introduce Jackie to a major powder cocaine dealer or visually observe a cache of cocaine in the target's house in order for SIU to obtain a search warrant. Cannondale is Chuck's area, and they've been working the case most Friday nights. Chuck is frustrated, doesn't think it will go. I am interested in this case; all the major players are European-American. But there's been no progress, and I suspect that the interim supervisors are reluctant to allow SIU much latitude in this type of operation. Another source of frustration if this is so.

Field note- 11/01/04

Analytical Framing

From the outset, the intention had been to trace and explicate the production of culture and identity formation through the use of a typology constructed to differentiate archetypical composition of those officers present in an undercover/vice setting (see pp. 75–76). As noted, this construction was useless within the context of this research due to small sample size; in any event it became apparent that the identification and deconstruction of the routines formulated by the group to accomplish their perceived expectations of work output would be much more valuable here. These are the primary units of analysis. A secondary direction, focused upon the construction of “undercover identity” is covered in the section entitled “Becoming an Undercover”. The routines were identified early on, and are as follows:

- **The Search Warrant** (as in “The Tyne Raid”)
- **The Drug Sweep-** or the culmination of a long period of activity wherein the undercover officers walk the streets in a targeted zone (or “set”), and make drug buys from street and mid-level dealers. Once the requisite number of dealers have been bought from at least twice and identified, sealed indictments are obtained through the grand jury process. An orchestrated series of raids then takes place, where the suspects are “swept up” in a conspicuous, publicity-laden media event.
- **Interdiction Patrols-** the routine in the absence of any pre-planned activity. SIU will divide into two or more groups, which are composed of undercover officers riding in “funny cars” (vehicles that do not resemble police cars; these have usually been seized from alleged drug dealers and put to use for covert purposes), and the enforcement/case officers tailing them lightly in unmarked police cruisers. Once a suspicious vehicle is identified as such by the undercover officers, the case officers will conduct a pretextual traffic stop, attempt to obtain a consent to search, and then call for a police dog that has been trained to search for illegal drugs.
- **The Informant Buy-** This routine involves sending an informant to contact a suspected dealer, buy drugs with cash provided by SIU, and make an identification of the subject and the location and quantity of drugs she possesses. This can either provide the necessary, particularized information to obtain a search warrant or might be carried one step further by establishing enough trust with the target so that a bona fide officer can be introduced and then the next transaction would progress to a “buy/bust” scenario.
- **“Jump Collars”, or “Rips”-** This is the least common of the routines. Here SIU will place a suspected street-level dealer under surveillance. When they have detected and observed at least three “hand-to-hand” transactions between the dealer and purported customers, the dealer will be “jumped”, or placed into custody, searched, and presumably arrested.
- **The “FedEx” Routine-** This routine occupied much of SIU’s time in the latter phase of the research. A police officer in northern California had a contact in a FedEx office where marijuana was often shipped to the East Coast, including Merton County. The drugs were allowed to proceed to the point of delivery, and then SIU with the assistance of the police dog Donut would attempt to identify the recipient and upon delivery make arrests.

The fieldwork proceeded in roughly three segmented phases:

- Entrée
- Participation

- Exit Strategies

As part of the exit/debriefing phase I held an organized focus group at my home where the entire range of participants was invited to attend and engage in a semi-structured discussion of the following four loosely constructed queries:

- a) What prompted you to enter this type of work? Do you have strong feelings about drugs? What are your career ambitions in the department?
- b) Do you believe that the work you do has an effect on the availability of drugs on the streets of Merton County?
- c) Do you know any officer that has had such negative experiences as a result of undercover work that his/her life has been significantly and negatively affected?
- d) If you had to, do you think that you could return to a standard assignment in uniform?

The data from the focus session, which lasted almost five hours, frames the analysis of the study.

Part III- Fieldwork & the Formation of Identity

CHAPTER 6-

Becoming an Undercover, the Case Officers and Between–Group Differences

As a lookout on a bicycle looks over at the old, decrepit Ford Explorer we're using for surveillance of an open-air drug market in River City, he whips out a cell phone and puts it to his ear:

See that? He knows we're here. Now we gotta leave- we're burned. You know, the first thing you have to understand about this work is the eyes... When a cop looks at someone, and it doesn't matter what the cop looks like- you can be my size, your size- whatever; you're the predator, and they know it. You have to learn how to look like the victim, to learn to look at them like *they* are the predator. Not easy, and not everybody can do it. You gotta become the role...you gotta learn to show fear in your eyes.

Louie V. 9/16/2004

Performance, acting, representation for an audience or in the presence of “the other” underpins any attempt to understand the world of undercover policing. Also key to the understanding of the formation of identity, both in the workplace and beyond, is the idea that there is a “moral” component to both the self-presentation as well as the reception of the performance in the “theater” of the street (Conquergood, 1985; Denzin, 1997:95), as well as in the interpretation of ethnographic inquiry to the culture in question. Here the point is that the construction of the undercover identity both enables as well as circumvents certain logical expectations in the lived experience of a sworn police officer. An undercover officer often engages in a form of “method acting” in order to gain entry and acceptance to a world where the assumption of an shadow-like

alternative persona is necessary to establish a bona fide within that milieu and effectively move among those who populate it.

Louie V. is 41 years old, a River City undercover/vice cop. He is a huge man-6'5" at least, 300lbs., mesomorphic physique. Tattoos, some of them freshly done, cover his tremendous arms, which are bigger than my thighs. Louie is dressed in a cut-off tee shirt, jeans, and his head is swathed in a blue print bandana in the style of an outlaw biker. He moves easily back and forth between the discourse of policing and an affected identity of a gay man (he and his partner have been labeled "gay and gayer" by Jackie C.). Long assigned to vice work, he has on several occasions questioned my motives in researching the undercover experience. He offers the opinion that undercover work is indeed an aspect of policing worth looking into, because of its inherent danger to the cops that are assigned to it. Louie volunteers that his own experience tells him that one can become muddled, mentally lost in the transition from identity to identity across the day-to-night-back to day transitions involved in undercover policing. Menacing in appearance, Louie's representation speaks to the very core of the issues that prompted this research in the first instance.

On a hot Indian Summer night in River City, in a desolate industrial lot hard by the river, I witnessed the result of upwards of ten years of exposure to the process of "becoming" an undercover. As we ate White Castle hamburgers by the riverside, over a time frame of perhaps 90 minutes, I observed Louie engaged in his undercover identity (as we discussed the difficulty of assimilating to the tasks of buying drugs undercover on the street), his "cop" identity (as we discussed the events of September 11, 2001 and our respective roles in the aftermath at Ground Zero), and his off-duty identity (he worked a

side-job as a general contractor). He also moved easily between English and Spanish, bantering with Ron M.; the point here is that Louie was an unusual, gregarious, and willing muse who indicated the direction of where the research needed to head—how indeed does a person make the transition from either uniformed cop, or as is the more customary pathway, from police recruit to undercover police officer? And—perhaps most important to the issue of re-entry following a period of service as undercover agent—how does one balance the emotional and social demands of bouncing between the expression of the various personae?

The first signifier of undercover/vice officers is mode of dress. I agree with Hebdige (1993 1979) in that modes of dress in and of themselves are mediated representations of subcultural expression. Hebdige suggests (pp. 84–6) that the sources of style itself can be found within an interpretive reading of the influences such as the ideological effects of the media, the impact of economic transitions upon the lifeworlds that give birth to subcultures of resistance, and offer the option of dramatization of these influences through group expression. So it is in undercover policing as well. In SIU, there are actually three modes of dress, which are utilized according to role and assignment. The undercovers typically wear dark colored hooded sweatshirts, tee shirts with pictures of rap artists or sports stars emblazoned upon them, and expensive but worn running shoes. Hector B.'s hair is woven into dreadlocks. He often wears a black *cholo* hat and a leather jacket over his sweatshirt. John R. has several piercings in his face; one next to his right eye. The standard uniform of the enforcement/case officers consists of jeans or cargo pants, sports jerseys or tee shirts in the warm weather or a light-colored hooded sweatshirt in the colder months, work boots, and sometimes a woolen cap. All

maintain some form of facial hair, whether merely an unshaven appearance, an unkempt mustache, a beard or goatee, or a combination of the above. The enforcement/case officers are expected to maintain their hair at a conventional length, but this standard is loosely enforced. At times, the enforcement/case officers also may go undercover and attempt drug transactions when an introduction to the “target” can be arranged by a confidential informant. This practice is rooted in the precondition that the target, or at least the informant, is European-American. Although this is not an absolutely hard and fast requirement—most often the case officers only bought drugs from European-Americans. The third uniform is an actual uniform, as several members of the unit also are volunteer members of the departmental SWAT Team, which wears paramilitary fatigues and performs tasks that are coupled with the work of SIU such as the service of search warrants and the coinciding “dynamic entry” and premise search. Jackie C, Bart T., Tim B., Bud M., and Glen T. were all SWAT officers, and served double duty on an as-needed basis in that role.

The first time I got sent out to buy drugs undercover, it was pot...there was a guy selling it on a corner and he was this Jamaican dude who was an illegal alien but immigration wouldn't deport him. Said they didn't have the gas for their cars. This was like, in the late seventies. And I was wearing penny loafers and an Izod shirt. And khaki pants. Needless to say—I didn't get nuthin. But it's funny...three weeks later I got pulled off a foot post to do it again—the next block over from where I'd been walking in uniform— I went over there in jeans and a guinea tee, and bought whatever I asked for. And then, after a while I didn't wear penny loafers no more off the job either. Izod shirts neither.

Bert Lemon

Eddie V.

The process of learning to interact with, do business, and socialize with street level drug dealers is often facilitated by an apprenticeship to a more experienced officer.

During this research, a fortuitous event occurred in January of 2005, when Eddie V. was assigned to SIU. Eddie had just completed the Police Academy and had yet to be assigned to highway patrol duty. It is glaringly obvious that the undercover officers assigned to SIU were, and are still exclusively minorities. Eddie V. is a Latino from Jumperson Village, 24 years old. Prior to his police service he worked as a paramedic; he holds a bachelor's degree in criminal justice. His transformation from an upwardly mobile, second generation descendant of Puerto Rican immigrants that aspired to and achieved employment as a police officer to an aspirant to the undercover world provides a tremendous opportunity to explore the processes through which this transformation occurs.

Hector was expected to play the dominant role in Eddie's assimilation to the unit, by virtue of 1) default—Hector was the only undercover left in the unit, and 2) a sense in the office that he would have the unique ability to introduce Eddie to the collective worldview. Eddie's apprenticeship began with the responsibility for simple, mundane tasks, such as preparing the coffee at the beginning of each shift; he was also expected to look over Hector's shoulder as Hector prepared the written correspondence for his pending cases and court appearances. But the most important segment of the learning process, according to Hector, was for Eddie to learn to dress properly, speak properly, and to learn to "give off" the impression of a street person. He was advised to watch the BET channel as much as possible to become acquainted with the latest in rap music hits, and to learn to recite the lyrics. He was also instructed to buy the fan magazines for the hip hop and rap genres, and read them carefully. Hector jokingly referred to this as Eddie's "homework":

What he's gotta learn, is... you gotta get inside their world. Like, when I was hanging out with those crackheads in Cannondale last year. They were my friends! They weren't bad people, other than the fact that they smoke crack. I could talk to them nice—about music, a ballplayer, women—life in general which is what anyone would do just hanging in the street with nothing better to do. You think that's [selling/buying/using drugs] all they do but you're wrong... They people just the same. That's what Eddie has to learn. He still works his side job too, riding the ambulance in Jumperson, which is stupid and I try to tell him that but he don't want to listen. How he's suppose to be pickin people up off the street one night in a ambulance and buying drugs the next week on the same corner? But he don't wanna listen. Yet.

Hector B. (2/9/2005)

By the second week of Eddie's assignment to SIU, his appearance began to change. He now wore hooded sweatshirts, covered with a bubble jacket when they went out, black or blue jeans, and the requisite bandana. But still something was out of place. I realized that it was his footwear—the rest of the group, including myself wore worn leather work boots or broken-down running shoes. In the first several weeks of Eddie's tenure with the group, he insisted on retaining his New Balance running shoes, which were quite new, and marked him as a cop in the eyes of the others.

In the third week of March, Eddie was given his first true undercover assignment other than walking the streets of River City with Hector. By this time, he'd grown a wispy goatee and mustache, allowed his hair to grow toward his collar, and discarded the white running shoes in favor of a pair of work boots. He was to play the role of an acquaintance of a confidential informant; the two would play pool in the bar area of the bowling alley and await the arrival of the cocaine dealer. Eddie was clearly nervous during the informal, preliminary briefing in the parking lot of MCPD as we gassed up the cars. We headed to the Hunterdon PD in a caravan of "funny cars"; Eddie drove the black Maxima, Hector drove the old Explorer, Chuck was in the brown pick-up truck,

and Rob, Glen, and I were in the grey Durango with Donut the Labrador retriever. We met in the parking lot of the Hunterdon PD, a low-lying glass and concrete bunker adjacent to the town offices and courthouse. Entering the visitor's door, we were ushered through the standard, bulletproof glass security enclosure by a uniformed civilian employee. The building was of middle 1980's vintage, not as high-tech as the Chatterton department but of a similar layout. The doors were secured by key lock instead of the proximity readers in most newer police facilities. We are met by two plainclothes Hunterdon detectives, who brief us on the location of the bowling alley and the cocaine seller's routine.

Here Glen and Chuck begin to negotiate the terms of our assistance with the Hunterdon detectives:

1. "The body" (or responsibility for the physical processing of the arrest, if made, and the housing of the prisoner) to be taken by the agency that provides the "buy money". SIU expresses no preference to take this role; merely wants to do a shadow booking for statistical purposes.
2. MCPD offers to assist under all circumstances with the writing and execution of search warrants; explains that additional resources will allow us to place the female accomplice's house under surveillance and follow her to and from the bowling alley. Chuck outlines the likelihood that this circumstance will provide ample probable cause to search the accomplice's house.

Both Hunterdon detectives seem quite satisfied with this arrangement, and several minutes later the informant arrives. He is a European-American man in his early twenties, with a thin goatee. Dressed in black, he has three body piercings on his face, and wears black nail polish. Not sure of the symbolism, if any. Perhaps he styles himself to be a Goth, if they still exist. The CI (confidential informant), "Nails", is well spoken, and banters with the Hunterdon detectives as they empty and search his backpack. This is standard procedure both prior to and subsequent to any operation where an informant

may purchase and/or handle drugs, so that there can be no accusation that it was the informant who planted the drugs ostensibly seized from the target.

The Hunterdon detectives both speak with thick accents that are more common on the streets of Metropolis; they are both transfers from the Metropolis PD who have found a second home in the 'burbs. They are clearly contemptuous of the CI, taking their time turning out every item from his backpack and ridiculing the crotchless female briefs found inside. "My girlfriend's", explains the CI. The members of SIU leave the room to confer with the Hunterdon sergeant, and leave Eddie to introduce himself to the CI. I remain to observe this interaction; Eddie is becoming an undercover officer. It is interesting to see him exerting a gentle dominance *vis a vis* this hapless informant, initially by virtue of status; within five minutes, however, Eddie has developed a rapport with the informant and outlines the plan for the operation. This is the first time I've seen Eddie speak confidently to anyone in any context. He has come a long way from those first days in the office.

Eddie and Chuck assure the CI that his only role is to introduce Eddie to the target and buy another \$50.00 bag of cocaine. If the target offers to "serve" Eddie as well that would be a plus, but not necessary. Because if the CI is present, even a "hand-to-hand" transaction between a police officer and a target would be considered a "NFP" (not for prosecution) buy in order to preserve the confidentiality of the informant's participation—and his future usefulness. However, any personal involvement would still be desirable in terms of establishing confidence quickly between Eddie and the target. Then the CI wouldn't be needed for the next two buys. As always, the goal would be to have an

unaccompanied police officer make two felony weight buys from the target and then obtain a sealed indictment.

We listen to Eddie and “Nails” on the kel playing pool and drinking cocktails. They are playing for money and Eddie is losing badly. After approximately an hour, we’re getting cold in the Durango. Rob turns the heat on for several minutes, then shuts the car off. We hear a third person talking over the kel, but the battery is losing power and it’s hard to make out. The cocaine seller, a European-American male in his late twenties is not talkative. But when the informant asked him if there was anything he knew of that he could get to party with, the seller agreed to supply him with a fifty-dollar bag of powdered cocaine. He then made a call on a cellphone to his accomplice (already identified by the Hunterdon PD as a female at a local address); Chuck had already set up a surveillance there and awaited the events. It was a “to-order” business- presumably the seller held no drugs upon his person until his accomplice delivered them. Chuck tells us over the Nextel that the female accomplice is on the move in a grey Nissan, and five minutes later the Nissan pulls into the lot and parks. A dark haired stocky woman, possibly of Latina or Mediterranean descent emerges and enters the bowling alley.

Just then, another vehicle pulls into the lot and parks a few spaces down from our position. An African-American male with a shaved head puts the interior lights on and appears to be fumbling around for something. When he doesn’t get out, our suspicions are aroused. He waits, makes a telephone call, and shuts the car off. We speculate that he may either be involved with the dealer inside or be involved in something else. Another car pulls into the lot, filled with passengers. The first driver gets out of his car

and gets into the second vehicle. License plate numbers are written down for another day.

Eddie and Nails exit the bowling alley. They are laughing and appear relaxed. When we meet at the back of another parking lot up the street, Eddie is elated as he relates the tale of his first successful operation.

Eddie-Well like the guy was hanging out, but he was suspicious... but then he came over and he sees we're drinking and having a good time... Playing pool and shit. Sees me lose and give up the bet money to the CI... [He gave it back after of course]. Then he was like, OK, I'll do it and he walked away. But I didn't think he would do it. But there she comes and then he walks away and she gives it to him and then he's back and gives it to Spike. So that's it.

Glen- Did you see the bag go from her to the target?

Eddie- Nah but I saw her hand him something, I was too far away, but I did see him hand the stuff to Nails. That's what I saw.

Everyone is excited now because the operation went so smoothly. Eddie did well, his acquisition and representation of his undercover identity was reinforced by this relatively low-key operation. Of course the two drinks he had consumed presumably had a beneficial effect on his nerves, though he was certainly not intoxicated. We all agree that alcohol helps in this regard, especially the first time out.

Joe T.

Joe T. came to SIU by a decidedly different pathway. Joe is unshaven, with a scruffy goatee and mustache. Joe ordinarily dresses in jeans, a dark blue hooded sweatshirt, and work boots. He is 40 years old, an immigrant from Colombia at the age of 15. Speaks English with a heavy accent that the others tease him about. His education consists of a high school diploma, some college courses, police and military related training courses.

You think I look like a cop? If you saw me in my pickup, or walking down the street with JoJo (a hired confidential informant that plays the role of a sex worker)? You think I look like a day laborer?

Joe T. 11/04/2004

I agree that with his heavy accent, attire, and vehicle he would present a convincing impression of a day laborer, but still something doesn't seem convincing. Maybe the eyes- there was hardness in them when he engaged in direct contact that might be interpreted as "cop eyes".

Joe comes from a large, extended family in Colombia, and lived with his nuclear family in Queens, New York as he came of age and attended school. Following high school, he joined the army at age 19, and remained in the military for 8 years. His military career included parachute training and assignment to an elite combat formation. Joe participated in every major military operation during the 1980's, including the invasions of Panama and Grenada, and served in the initial Persian Gulf War. He rose as far as the rank of corporal before he was discharged after the first Gulf War. He married, had three children; the oldest is now 14, a daughter. He recently moved to a house that was located in an outlying county on the other side of Metropolis- an oddity in MCPD, where most of the officers tend to purchase homes in what Ron referred to as "Copland" to the south and east of Metropolis. Joe's house is west of the city.

Joe reenlisted in the military as a reservist in the early 1990's, and worked odd jobs when not on active duty. At one point, he said that he had to register for Medicaid in order to provide medical care for his family, but was careful to add that that was the only time he had ever required public assistance. He joined the state Park Police in 1992, which in comparative terms is not a well paying position among the various state and

local law enforcement agencies some of the other officers had begun their careers with. The retirement benefit package and compensation in MCPD far surpasses that offered by the Park Police, who are often referred to as “glorified rangers”. It is a decidedly low-status position within the law enforcement community of the state. For the better part of Joe's career with the Park Police, he was assigned to duty in a state park that is located in a section of Metropolis in an area dominated by minorities. He relates that he was often quite busy, without adequate available back-up officers; reliant on the Metropolis PD or regular state police officers in the event of threats to his personal safety. During this time, Joe remained as a reservist in the army, rising to the position of Staff Sergeant in a combat support unit. He was deployed to Bosnia as a peacekeeper, and to Kosovo as well.

In early 2001, Joe transferred to the MCPD for the increased pay scale and benefit package. Following the events of September 11 of that year, he was assigned to a security detail at the County Airport for an extended period, and received little experience in patrolling the highways or serving in the department's one remaining complaint station in Braeburn. This is one of the aspects of Joe's service record in the county department that some of the others find objectionable- he didn't “pay his dues”. Another security assignment followed, where he was stationed at one of the offices of the Department of Social Services. After that he was approached for duty in an undercover role, which he accepted as a step up on ladder of the career path. He was promoted to detective rank by virtue of his time in military service (in this state, a police officer assigned to investigative tasks for more than 18 months MUST be promoted to detective or at least receive that pay grade)... and federal law mandates that if a person is activated into

military service as a reservist, that person cannot lose rank or grade. So when Joe got back from Iraq he automatically became a detective.

Joe is estranged from the others in several ways.

I guess you could call me the outsider of the unit... Don't go out with them for beers on Friday nights. I live a long way... I really just no interested in that shit- nothing personal. I know they don't think I buy enough drugs either. I drive around in that old pickup truck, walk around with JoJo- you see me out there... they either sell to you or they don't. I'm not gonna chase them around or try to buy from one guy that doesn't want to sell to me when someone else is standing right there and wants to do this (this is a complaint from some of the others, who assert that Joe isn't aggressive enough in making buys from sellers that haven't been "doubled" yet, and will go for the "easy buy" from someone that has already been identified and "doubled"). You know walkin with JoJo- no problem buying drugs, but I can't pick who wants to sell them- so what? If I get pushy they gonna wonder what the fuck I'm doing on the block. You could get hurt... and I gotta be out there two, three days a week.

11/04/2004

Joe seems most resigned to the futility of drug policing from the viewpoint of the grass-roots practitioner:

ML: But you're doing good, right? These guys are getting busted eventually and pulled of the street for a while? How many of them are real dealers, standing out there every day selling as their only job?

Joe T.: Yeah I guess... when you get one there's 15 more where they come from just waiting. That's the way things are. About 70% of them are real dealers here. Small time- just enough for felony sale weight. It does feel good to get them off the street.

ML: What about the other 30%?

Joe T.: Well they just go downtown and get something so they can sell and get something for themselves... crackheads is all. I feel bad for them sometimes. And you know that pickup truck I drive? That's dangerous too!! Remember that night when it was raining hard the first time, maybe the second you came out with us? Couldn't even make it up the hill on Valley... had to back down and go up another road. And the brakes! My God, with nothing in the back...

Joe is the outsider, no question. The others attribute this status to:

- a. perception of weak performance
- b. unfair promotion
- c. self-imposed distance

However, when the lens is focused a bit more closely one can argue that Joe's off-duty characteristics and personal background are more significant than his promotion or work habits. Joe speaks most often of feelings of estrangement due to:

- a. They live in "Copland", and he lives on the other side of Metropolis.
- b. Most of the other members of the unit either began their careers in the Metropolis PD or somewhere in Merton County itself (except for Rudy M., another former Park Police officer).
- c. His absence from "bonding rituals".

It's interesting to note that Hector too has on occasion expressed some resentment toward Joe, in that both have similarly circumvented the usual promotional structure. Both are Latino. Both are resented to a certain degree by the ENF team (all European-American except Ron, who is an assimilated Latino descended from Castro-era Cuban refugees). But there's no love lost here. Joe is clearly the outsider.

But Rob expresses exasperation with Hector as well as Joe, though Hector is well accepted due to his accomplishments. But he still is regarded as a bit of a prima donna; the implication is that Hector's prowess as an undercover is inimical to his ability to return to standard police work.

Rob L.: You know what? Hector's got a attitude too. (we had just heard Hector lambaste Joe over the kel... accused of not working his area)... Hector loudly asked, even demanded that "someone find out where the fuck he is", and get him off the street if he's "not gonna do nothin." And Hector goes on to question why he's out there if "they"- meaning the RCPD scout car- can't find anyone.). And that's why. Won't matter now,

but he'd never make it on the street (as a uniformed officer). Talk to a boss like that? Hah! He'd be out on his ass!

9/23/2004

And Hector provides some insight to his own priorities when he relates how the sense of isolation and vulnerability experienced while working the street impacts upon his relationships with the others:

Hector B.: I call Stem on his cell phone, been a couple of months since I bought from him, Joe bought from him too so he was doubled, but I wanted another good buy from him. But it didn't work. So then I see Scratch at the train station and he got Stem's new number and calls him, and tells him Chino wants to get 5 joints. Stem's gonna come up to the station. So I wait but he doesn't show. And then I call him at the new number, and he wants to ax all questions about where I stay, where I work, where my girl lives and I tell him. So he drives up in about ten minutes in an old pieceashit car, license plate hanging off, headlight out- you know...

Now we walk up toward Valley and he gives me the 5 joints, and then starts this shit like are you a cop? Are you a infawmint? And he starts saying you wearing a wire?? And I say this is bullshit- you don't want to give me the drugs I'll go up the block. And we walk a little more back toward the train station. Now I know this dude carries a gun... either on him or in his car. So he says- give me my shit back. I say yeah here it is... and give it to him. He starts to walk away...and I say "where my money"? He just keeps walking to his car and then opens the door... and I say "where my money" and shoot him a look... Then he reaches in his pocket and gives me the drugs back... says here- now light it up; smoke with me. So I say nah, this is for later, man. I got a blunt behind my ear... I say I smoke woolies, man... This is for later on. Then I just walk away.

10/4/2004

The possibility of being pressured to use drugs in the presence of the seller is another danger. What is to be done about this intuitively obvious circumstance? If a police officer uses drugs, even in the furtherance of an investigation, or to safeguard her immediately endangered health—there can be any number of possible and undesirable consequences. The officer may come to enjoy the sensation and experience of drug use

(Wozencraft, 1990); the officer may avert the immediate danger yet face random drug testing and lose her job; or the use of drugs may lead to addiction, illness, or worse. But there is at least some evidence that given the immediacy of what can be perceived as exigent circumstances, this does sometimes occur. I include here a quote from an officer that cannot be identified (for obvious reasons):

ML: What happens when they wonder why you're not smoking? I remember some stories from years ago... and there was a book written by a woman who worked undercover somewhere in Texas (Wozencraft, 1990) who got strung out doing drugs to get the dealers to trust her.

Officer X: Well most of the time they don't care... I tell them I smoke woolies (marijuana cigarettes with pieces of crack cocaine rolled up inside), which you wouldn't do right out in the street. Usually they don't say nothing. But one time... A guy I'd been trying to buy from came right up into my face and said "Yo, I know you're a cop". I tell him no way, you don't know me. But he pulls out a stem (crack stem) and says "You're not a cop- you smoke with me right now". After that it was cool. He didn't sell to me but didn't bother me anymore. I stood up to him and that was it.

But I strongly suspect that that was not it. This officer's deliberately vague account of this last encounter contained a subtle yet clear admission that he'd had to either smoke cocaine or at least do an incredible job of simulating its use in order to maintain his cover, not to mention preserve his personal safety. In either case it was evident that the dealer, an important member of the officer's work audience, had been satisfied. But at what expense? This was not merely an instance of "giving off" the impression of a customer eager to buy a small amount of cocaine for an after-work high. This officer was able to engage in essential impression management only by an overt self-presentation of risky behavior. A police officer smoking crack? Not sure at this point, but seems likely.

Impression management and self-presentation (Goffman, 1959; 1963) are not enough. Clearly, what differentiates the successful undercover operative is an ability to act, and the discourse of method acting can serve to expand and bolster the explanatory frame for what takes place in the cultural production of the undercover world. Hector's belief that the usage of the ideational and material examples of culture as reinforcements by the newly initiated undercover officer is key. Because it foreshadows the role-creations and self-characterizations that can lead to the breakdown of certain strictures such as the use of drugs in the furtherance of an investigation as well as the willingness to immerse one's self in the circumstances where such activity may well be necessary to maintain one's safety. Now there is no doubt that there are ways to avoid law-breaking activities when working undercover (see Ross, 2004), but in the context of identity creation among the officers of SIU, there are cultural differences between the operatives, their back-ups, and at times the targets as well. The methodology suggested by Hector indicates that the optimal self-characterizations derive in large part from the cultural baggage brought to the SIU office in the first place; there is no reason to believe that they were not selected primarily by virtue of their own ethnicity.

The successful application of the "method" involves the achievement of integration with the character's life and lifeworld by the actor herself; Bandelj (2003) concludes her sociological study of method acting by arguing that there are many relevant similarities between constructing social roles with the creation of identity in the theatrical setting. She differs from, or at diverges from a Goffman-esque dramaturgical model in that she posits that "[m]ethod actors strive to reflect collectively shared understandings about the social world, and end up reaffirming and reproducing existent

typifications and cultural mores” (Bandelj, 2003:388). Placed within the present context, if Bandelj is correct, then this process is intrinsically fraught with potential danger to the initiate to undercover work. Officer X smoked crack, or so I can assume. Hector has learned to integrate, subvert, and transmit the elements of his own cultural background to the construction of an alter-identity to be turned off once the work day is at an end.

Bandelj argues that there is an unassailable connection between the micro and macro levels of artistic creativity that can be best explained through Giddens’ (1984) position that the structural arena wherein agency is exercised enables and constrains that agency at the same time. I agree. Here it is evident that the three undercovers—Hector, Eddie, and Joe both represent and exemplify of the effects of the structural influences (group subculture as well as the influence of the larger police culture and perception of social expectations), but along temporal lines in terms of their development and success as undercover drug workers. Bandelj (2003:410–11) posits three modifications to Goffman’s (1959) dramaturgical framework; paraphrased, the augmentations include the realization that roles are conformed to inwardly as well as outwardly, the scripts actors work from do not provide the whole picture—improvisation is also quite significant, and role performance is also greatly influenced by an ongoing process of group interaction.

Moving on to the “enforcement” or case officers, I will conclude this section with a brief analysis of the negotiated performance of the group as a whole, as mediated by the interaction of the two subgroups as an analogy; the micro-process of relations between the undercovers and the case officers at times reproduces the macro-processes of class/ethnic relations in the wider society. In a sense, the undercovers as a group come as close as possible in the bureaucratic, rational/legal structure of policing to engaging in

resistance and rattling the “iron cage”. Encouraged to immerse themselves in the subcultural milieu of “the other”, there is the paradoxical expectation that the concomitant and inevitable identity construction *as an undercover*, can easily and effectively be subsumed to the powerful influences of one’s own cultural roots and ethnicity. This, of course, is nonsense; it is a manifestation of the unrealistic yet powerfully held insistence on the primacy of the police command/rank structure as the *sine qua non* of the ability to maintain control under adverse conditions.

Joe T. never bought into the ideological certainty of the righteousness of the “war on drugs”; he was reassigned to an administrative job in the restructuring of the unit. Hector fights the war effectively, but may have fallen victim to the seductions of the nether world of street life. Eddie never had a chance for a standard police career. If he succeeds, then he may become less likely to ever gain entry to the wider police culture- he may become resentful if eventually reassigned and vulnerable to the pitfalls of disciplinary trouble or the other noted issues lying in wait for an officer never exposed to the standard work routine; if he fails then he must contend with the ridicule, jealousy, and contempt of his uniformed peers during his belated socialization to the department’s wider range of norms and expectations.

I heard that I got to go back on the road for the summer. They’re short, we know that and I guess somebody’s got to go... So let ‘em; I’ll do it I got a family to feed. What the hell they care, anyway?? They want to have an undercover buyin drugs or a cop writin tickets, that’s their business... But *anyone* can write tickets.

Hector B., 4/17/2005

The Case Officers

As outlined previously, the enforcement/case officers traditionally were more experienced, with longer tenure in the department and previous service as undercovers. But the enforcement/case officers in SIU at the time of my contact were somewhat atypical, though not in all cases. Chuck and Jamie had never worked undercover, and still held the rank of Police Officer (silver shield). Rob was a detective, and indeed the informal leader of the group—but also had no undercover experience. Conversely Hector, Joe, and Rudy had all received their detective rank (gold shield) while still assigned as undercovers and prior to moving on to other assignments and “paying their dues”. Therefore, accepted relationship structures had been skewed by circumstance; this was a source of discord among the group members at certain junctures.

From the outset, it was tempting to focus on the enforcement officers; they seemed more open to my questions and impressed with my credentials. A confluence of similar ethnicity, life histories, and the perception of shared cultural values created the constant temptation to align myself with this subgroup and lose sight of the original intent of this project, which was to uncover the effects of undercover identity formation on its practitioners. Further, the original commander of SIU, Phil M. preferred to place me among the enforcement officers on surveillance duty when in the field. Indeed it would have been difficult if not impossible to walk the inner city streets of River City or Greenfield with Joe or Hector. When in the office, however, I made every effort to engage the undercovers in conversation.

Significantly, it was the undercover officers that were able to first overcome the differences in age and rank first. While some of the case officers called me L.T. or “loo”

up until the conclusion of the field work, the undercover officers were less constrained by these structural boundaries.

Hector and I make coffee, we talk for about an hour, surf the internet, etc. John is talkative about his job in River Village. After 7 years in the Metropolis PD, he left for better pay and benefits, and- a feeling that he was uniquely qualified to work undercover among the Latino residents in order to combat a growing drug problem in the mile-square village. We chat a bit about idealism, reality of small-town policing, his search for a house to buy, central air-conditioning. He returns to the computer screen and I decide to make it a short night, go home and see my family. So I say goodnight to the three undercovers, and something unexpected happened. They all said- "Goodnight Mitch"! Not L-T, not "lieu", not boss. The three Latino undercovers, who I know the least, are the first to get beyond my police status and call me by my name.

Field note- 10/01/2004

There were instances when the roles were reversed, as in the drug sweeps that I observed, where the undercovers were assigned to surveillance/scouting duty on the perimeter of the action while the enforcement officers were serving warrants and kicking doors in. Therefore, there was ample opportunity to obtain life-history data and other details of the lived experience of working in a drug unit from all who would volunteer it.

The enforcement officers were conspicuous for their high morale and continued interest in various other aspects of policing. For example, Jackie C. worked additional shifts as the pilot of one of the department's maritime craft. Glen T., Bud M., Tim B., Rob L., and Bart T. were all volunteer members of the paramilitary SWAT Team. Without the need to maintain "cover" at all times, the enforcement officers were free to work in other assignments that were open to the public view. They were paid at overtime rates and could significantly augment their incomes. The undercovers were not forbidden to work overtime; they just didn't routinely do it. Hector wouldn't even exit the Headquarters building by the public entrance or even the rear entrance if any citizens

were present in the parking lot. During the course of the fieldwork, there was only one instance where I observed Hector let his guard down and perform a standard police task after identifying himself to a citizen.

The case officers had additional responsibilities. They were required to document each case for the legal record from its inception to conclusion. Case officers were each accountable for a defined area of the county, and were expected to cultivate and maintain cordial relationships with the local agency and Assistant District Attorney in their respective bailiwick. By virtue of their roles as managers, case officers had traditionally assumed informal status as supervisors. As discussed, this normative structure had been turned on its head by the rank apportionment brought about by Hector's stellar performance and the Iraq War; and this engendered some degree of discord that I observed on several occasions. Hector relates that there was a case in Chuck's area of the county that involved setting up a drug transaction where Chuck's informant would accompany someone from SIU into the dealer's house. They would complete the transaction, which involved a large quantity of Ecstasy, and obtain a telephonic search warrant.

Hector and Rudy M. were aware of the operation through the office banter that takes place at the beginning of the shift, before they go their separate ways. But they weren't included in the planning of the operation or in any detailed discussion. They thought they weren't needed, as the players were all from an area in southern Merton County where the population was largely European-American. The informant himself was an Albanian immigrant. But according to Hector, at the eleventh hour it was assumed that Rudy would serve as the undercover who would accompany the informant.

HB: So Chuckie says to Rudy- YOU go with _____ (the informant) in the car OK? Now we both thought Jackie was gonna do it, nobody said NOTHING until then, know what I'm saying? Rudy didn't know nothing about it and now like at the last possible minute he's just supposed to go with this guy without knowing anything about it? That's bullshit! So they really had it out.

ML: So did he go?

HB: Uh, uh. Jackie went. And the warrant went down. It worked out anyway.

11/18/2004

And there was equal resentment on the other side of the room. On surveillance one bitterly cold winter night, I was hunkered down in a car with Hector around the corner from a house where drugs were being sold. Hector detected suspicious activity in a car in the parking lot where we had parked. After about 40 minutes, Rob (who is the case officer for this operation) announces over the Nextel that the target has returned. By simple and fortuitous coincidence, Rudy M., who was recently re-assigned out of the unit, lives directly across from the target's house in a second-floor apartment, and has provided his home as an (unofficial) surveillance base. Hector banters back and forth over the Nextel with Rudy, and then after nearly 30 minutes more Rob announces that the target is leaving again. As he has to pass directly by our position, Sgt. Glen directs us to put a "light tail" on him to see where he might go. But we're too late and lose him in traffic. So we return to the lot and wait, hoping to see some customers enter the lot to wait for him. Several cars enter; some drivers get out to walk over to the bar, some stay in the car for a few minutes and then get out. Hector says they're most likely taking some variety of drug before they enter the bar around the corner. Makes sense, but impossible to be sure. At about 9:45, a dark SUV pulls into the lot and searches furtively for a space. He pulls into one, then backs up, changes spaces, and then repeats the drill.

He comes to rest directly in front of us, shuts the car off, but doesn't exit. We think it likely that he's one of the customers, and broadcast that to the rest of the unit. A dim interior light goes on and off intermittently, but no one exits the SUV. Now we are freezing, because Hector doesn't want to chance starting up the car from time to time as he'd been doing for fear of alerting the driver of the SUV, who might be a customer of the target. Still, the driver doesn't get out.

At 10:20, Rob announces that the target is leaving the set again, and requests that we follow him. Hector's reluctant to blow cover to do it, because the operator of the SUV still hasn't made a move. So we stay, despite Glen's direction to go. By that time it's too late anyway; Rob is frustrated and lets Hector have it over the Nextel:

RL: Hector, when a *boss* says to go- you go... That SUV's not our concern...

HB: (reverts to street dialect) I'm not following the dealer, he be back... waitin on the customa, know'm sayin?? No sense in that. He be back. This dude might have a cellphone in his hand righ' now, see who's following the target, blow us up.

2/11/2005

This is a good illustration of the fundamental difference between the undercovers and the enforcement officers; the enforcement officers adhere more loyally to the rank structure and chain of command—the undercover officers are always more concerned with maintaining cover and “hooking up” with the next dealer/user.

Chuck B.

Chuck is the first officer that I was paired with in the field. Chuck is 38, northern European-American, one of two officers in SIU that will admit to being a regular church attender. Originally from a small city on the edge of the county, he initially worked in the Metropolis Police Department, moving on to several suburban departments along the way before coming to rest in Merton County PD 3 ½ years previously. About 10 years of service in total. Married with three children, he lives “upstate in CopLand” (an area about 40 miles south of River City where many police officers and live in order to avail themselves of lower real estate prices, taxes, and an attractive exurban lifestyle that is attractive to many cops. The term comes from a movie starring Sylvester Stallone that is set in a suburb in New Jersey that has a similar composition. Chuck has spent 1-½ years in SIU as an enforcement/case officer, without any experience as an undercover officer. He attended the same high school as Rob L. Interestingly, the very first topic of our conversation concerned the theme of solidarity within the unit, as if to inoculate me in a sense from the discord that I had yet to personally observe. Chuck relates that several of the unit began their assignments at about the same time, and at one point made a pact to:

1. Set aside personal differences/opinions
2. Support each other under any and all circumstances
3. Work well together to achieve collective goals

In addition, the case officers pledged to take responsibility for the safety of the undercovers. As a group within the group, Chuck was quick to declare that the case officers are dedicated to preserving the safety of the U/C guys as a collective goal. This seems a bit defensive, and when I tell him so he answers:

Well you know there was a problem... not really a problem but it could have been. So we all got together and made sure there wasn't... gonna be a problem. We're all here to go home safe and get the job done, and long as everyone can deal with that then it's OK. No matter what we think to ourselves—we'll be there for each other no matter what

Chuck B. 9/20/2004

Hector had a different perspective on this episode, volunteering more information on the nature of the fissure within the group:

Yeah, I had enough. Some people don't pull their weight, you know'm saying? I was out there every night, in the snow, in the rain, looking correct and making good buys. Some other people (nods his head toward Joe's unoccupied desk) didn't do shit. Walk up to a guy dealing one time. One time, and then leave the block. Which is bullshit because you have to stay there, talk to the people, make friends with the crackheads. And other people (nodding with his head at Jackie and Chuck's unoccupied desks don't get what they deserve). They been working hard a long time here.

Things got so bad at one point that we had a meeting among ourselves... no supervisor... just us, although he should have seen what's going on. But anyway, we did it on our own. Tried to straighten things out. But I'm tired of this shit. I want to get out- tried to get out, but they told me that I have to stay, at least until the River City operation is over. And that's because I'm doing most of the work again.

9/20/2004

Whereas Chuck's portrayal of the discord within the group was couched within the context of the repair of lost solidarity in the interest of achieving group aims and the maintenance of efficiency, Hector's version put the emphasis upon his own interests and the perception of inequity in the division of labor. Chuck's work ethic is such that it is

rare to come in to the office and not find him typing reports or preparing other correspondence. He only infrequently can be found surfing the internet as many of the others do in what appears to be their more abundant spare time. And the undercovers do indeed have more discretionary time available for this activity, as they are not responsible for the same volume of paperwork. Beyond cursory accounting for their street activities and the logging of evidence, the undercovers are not required to write narrative reports or prepare warrant applications.

Chuck is the keeper of the unit's mascot, Chopper the piranha, and takes responsibility for the feedings and maintenance of the fish tank. His attire is standard for the enforcement officers; the usual combination of tee shirt, jeans or cargo pants, work boots and baseball cap. Hooded sweatshirt in the colder months. He cultivates an unshaven visage, and as the months of our contact progressed his stubble grew into a short goatee. Chuck is an efficient technician in terms of his ability to play both roles (undercover as well as case/enforcement officer); he was initially guarded in our interaction but eventually opened up considerably more than expected. Chuck is committed to the "professional" model of policing; he spent the better part of our first few contacts explaining the nature of their work, the details of the operation in progress (preparation for a drug "sweep" in River City), and seemed somewhat at a loss to discuss anything but the technical aspects of the unit's task structure. His initial reaction to my work was confused—I suspect he felt that I was a tourist of sorts, and his discourse contained a *mélange* of description of the terrain, explanation of the equipment being employed to maintain contact with the undercovers in the street, and an attempt to explain the relationship between the Merton County SIU and the River City Narcotics

Squad. His speech, at least in the beginning, was peppered with technical police jargon and was delivered with the deference reserved in police work for either superior officers or important members of the civilian audience such as politicians or PBA supporters.

Despite the ever-present, though in the case of SIU somewhat muted restraint of the bureaucratic hierarchy of control, Chuck and the others found ways of expressing their individuality in the social and cultural environment of their occupational existence. Hence, though Rob and Jackie were least inclined to deviate from the norms of the wider police culture—the subculture of the Special Investigations Unit was amenable to the manifestation of expressive representation in terms of mode of dress, far less judgmental characterizations of drug users, and the accommodation of individual difference so long as the individuals respected the overall negotiated group focus upon productivity and “officer safety”. Chopper was important to the identity and solidarity of SIU; much time and no little expense was devoted to his care and feeding. By his devotion to the upkeep of the group “mascot”, Chuck revealed his equal devotion to the maintenance of group solidarity.

Rob L.

Rob is the senior detective in the office, and as such had assumed some of the administrative tasks during the interregnum period when Phil had been reassigned and before Bud and Glen arrived as replacements. He's the best versed in data retrieval and departmental procedure among the officers in the unit. Rob is taciturn, though not only with me. He can be warm and accommodating one minute, and then turn incommunicative in an instant. We seem to have the most productive conversations when we discuss children, home care and the real estate market, anything really that

doesn't concern police work. Rob began police service nearly nineteen years ago, in the Metropolis PD. He moved on to a position in Hillsdale, a miniscule and affluent village only one mile square after nearly ten years in Metropolis, and then on to Merton County after only a brief period.

This is a *clean* job... after chasing those mutts in the city all that time, seeing all the shit that goes down there... You have to remember that this was in the late 80's, early nineties when crack first came out and it was really wild. I just heard, I thought that this was a *clean* job. On the highway you're mostly helping people, they appreciate it, and it felt good. Working in Hillsdale was just *too* quiet. But this place was always pretty good. Lots of overtime, good pay. Who wants to go home every day covered in black dirt from the air and take the shit you gotta take from people that hate you and wouldn't care if you turned up dead.

Rob L. 2/28/2005

Rob is divorced with a young son. He owns a home in a middle-class section of Cannondale that he shares with his mother, who lives in a basement apartment and assists with childcare. Rob is of European-American ethnicity, possibly Mediterranean or Italian-American. He has the most experience and I've noted that he has an easygoing way in his conversational delivery that, in combination with his imposing stature (Rob is lanky, well in excess of six feet in height, and muscular) seems to elicit cooperation from arrested suspects. In addition to his ability to obtain intelligence and self-incriminating statements, Rob never hesitates to volunteer to work extra hours or change his shift to accommodate the needs of an investigation. Overtime is a concern.

But his deadpan, reasonable manner in his dealings with irate and volatile persons revealed Rob's position in the group as informal leader and valued negotiator:

Rob is listening to the phone, but not speaking. After a minute or two, he puts the phone on speaker and we can hear the high-pitched rant of a West-Indian accented voice:

Angelo-“Two hundred tirty dollar!!! Ya killin me; why ya fuck me like dat!!! ‘oo gonna pay for dat??” They comin’ in and trash EVERYTHING!!! ‘oo gonna pay?! Two ‘undred tirty dollar!!! Bunch a dirty, stinking, bastards!!! Why ya gotta fuck me like dat??!!

Rob- (very calmly) “Angelo, you’re responsible for the door. It wasn’t me, now... I wasn’t even there”

Angelo- “Not you, you were nice to me!! Why ya gotta fuck me like dat??!!!

This continues for several minutes without letup. Amused at first, Rob hangs up when the rage doesn’t subside. Angelo, a crack dealer in Metropolis, had been doing business in Greenfield. He was lured to River City where his car was stopped by MCPD and River City officers and searched. When the 97 bags of cocaine were found, a combined team of MCPD and officers from the DEA Task force served a search warrant on the apartment in Metropolis. The federal officers were included to get the case into federal jurisdiction and thus eliminate the need for active involvement of the Metropolis PD. Since Metropolis is in another county, any arrest made there under state or local law would need to work its way through a time consuming and labyrinthine process that SIU was loathe taking on.

Similarly, the Metropolis PD had no interest in the case, and no interest in assuming responsibility for any additional arrests that would result from the search warrant. Federal involvement rendered the issue moot, but it was Rob’s post-arrest interview that succeeded in recruiting Angelo to confidential informant status—however Rob bore the brunt of the cathartic outrage since he was the one who developed the rapport. He bore up well; having the ability to distance himself from the emotions some officers can’t escape when confronted by recalcitrant law-beakers labeled as “assholes”

(van Maanen, 1978). Rob is very cool and non-judgmental, though his patience has limits. But generally I observed that Rob spoke to suspects in the same patient, respectful tone that he used over the telephone with his young son as he queried him about the progress of his homework and preparations for bedtime.

Rob took great pride in his status as a police officer, kept his hair trimmed shorter than most of the others, and rarely deviated from the mainstream worldview of the larger police culture. One night in River City, Rob brings up the 9/11 attacks. I comment that the smell of burning garbage on a warm Indian Summer night emanating from a huge garbage incinerator was similar to the odor at ground zero.

Yeah, you know you're right? (All nod in agreement). Smelled just like that. I went down the first day... All the SWAT guys volunteered. Didn't have much for us to do but I just felt like I wanted to do *something*. Needed to do *something*. To show those guys we were there for them (the police officers in NYC). Saw the last guy that was pulled out alive the day after...didn't really see anything- but we heard a lot of yelling and then they got him on a stretcher... You just never thought you'd see anything like that in America.

Rob L. 9/23/2005

He was capable of great emotion; the impact of nearly nineteen years in policing was clearly a powerful reinforcement to Rob's sense of police solidarity and contributory to his sense of responsibility for the younger and less experienced officers.

But on one occasion, I nearly lost him as a participant because I hadn't foreseen the seriousness of his perspective as a police detective, honest and "on the level". This occurred one Monday in the first months of the study, an "administrative" day, where there wasn't much to talk about. The group members were busy with report writing, and as was my routine I was similarly engaged in transcribing my field notes for the previous week. I brought up the building access issue, an annoying process to all

because to date the procedure had been for me to check in with the desk officer and then a member of SIU would be summoned to escort me up to the office. I'm determined to bring the guys into the study; empower them by including them in the decision-making process. So I present them with a choice:

- 1) I could request a proximity card for entry, in which case any vestige of deniability that I was among them and obtaining data would be erased.
- 2) I could continue to enter the building by calling up and having someone come get me at the back door, a bother and disruption- however brief.

Here Rob shot me a suspicious look.

RL: What do you mean by that? What do you care if anyone knows you're with us?

ML: Well, you never know if down the line I might know something that you don't want anyone to know that I know... or actually what's more possible is someone might *think* that I know something that I *don't* know. If there's no e-trail of me coming in and out, I can always stick to a story that I talked to you guys a little bit, off and on, but you weren't the main focus of my study and I don't know nuttin.

RL: (annoyed, suspicious) Well we don't *do* nothing like that! No reason for you to hide anything. I don't know what you're talking about.

ML: Yeah, OK... It's just- just a way to increase the level of confidentiality but I guess I'll get the card!

This exchange was scary and unexpected. I'd stepped on Rob's self-image without expecting to, and needed to clear the air at a later date. In any case, it was a lesson learned. Unknowingly, I'd violated one of the powerful, yet unspoken understandings of undercover/vice police culture—the truth is always the truth:

When you tell a lie, and then tell it again—it's different every time, maybe just a little different—but different. The truth is always the truth. It comes out the same every time. And once it's on paper, it's the truth, and that's forever.

Bert Lemon

Assuming the implicit understanding that whatever I participated in or observed would remain confidential required the unspoken adherence to the last part of Lemon's adage—or what goes down on paper is always the truth and immutable after the fact. By verbalizing this component of the social contract of policing, I came perilously close to its violation.

We move on, some brief discussion about house purchases (Jackie C. put a bid on a home), and I make some of the coffee I brought in. Eventually I was able to overcome the suspicion that my gaffe had engendered in Rob, but it took some time; my credibility was bolstered as I became increasingly involved in the field activities of the group. It would have been impossible, with the passing of time, to conceal questionable activity or alter their work routine in any significant way if the work expectations, which were not subject to change, were to be fulfilled. Once that became apparent and the routine went on unabashed, the old adage that "I knew; and they knew that I knew; and I knew that they knew that I knew" became the master control mechanism for any possibility of any possible confounding effect my presence in the office might present.

Ron M.

42 years old, second generation Cuban-American. Ron is married; his wife stays at home to raise their two children and recently has been instrumental in the success of Ron's side business—a home-based factory that manufactures high-quality police regalia and attire. Initially, Ron was still decompressing from a year's service in Iraq, mainly in US headquarters in Baghdad as an intelligence officer; he also spoke of several horrific experiences in the field. He spoke often and with little reservation about his wartime experiences, contact with the CIA, and is altruistic in his commitment to the “war on terrorism”. Interestingly, Ron is the only case officer to routinely wear a bulletproof vest in the field, at least initially.

Ron began his police service as an officer in River Village south of Metropolis; he spent nine and a half years in service there before transferring to MCPD several years ago, seeking increased opportunities to do more varied work and promotion. I actually met Ron fifteen years previous to this study when he was a very new police officer in River Village. He was engaged to the daughter of my partner in the burglary unit of my department and visited in our office a few times. When he asked me if I knew the guy (my ex-partner), the memory came back.

Ron was the only case officer who had worked previously as an undercover for SIU, the former career path. He had worked in an undercover sweep operation in River City for a year with the same River City officers as we had been involved with recently. Ron employed a dry sense of humor along with a clipped, military-style delivery in all verbal exchanges. Although Ron was fluent in Spanish, he rarely spoke it and there were few occasions where he spoke in Spanish with the other

Latinos in the office. He joined the military while still in high school at the age of seventeen, and had only recently submitted his retirement application. The military had been a parallel career for Ron; he had achieved senior non-commissioned officer rank at the battalion level—and had been responsible for the management of logistics, staffing, and personnel management at a scope far beyond that of most mid-level police supervisors. He often regresses to his military self, progressing from themes of absence from home and family to danger, patriotism, and hypervigilance. He doesn't seem to have been able to readjust well to civilian life; indeed whenever he speaks of his experiences in the Middle East his speech pattern and delivery revert to those of a soldier in their clarity and parsimonious construction. There is some evidence that he is experiencing symptoms of post traumatic stress disorder; over the course of the study I observed that Ron was sensitive to loud noises and prone to dwell on the subject of death.

These were my primary informants. Of course there was much useful data gleaned from contact with the others, but these six officers proved most amenable to allowing and participating in processes of depth interviewing; they were equally most enthusiastic about the goals and success of the project. The interplay and dynamic of relationships in the office were governed primarily along the lines of assignment; undercovers remained close to undercovers and case officers were closer to case officers. In the beginning, they represented two distinct lifeworlds—together on the surface yet apart in subtle but significant aspects of existential identity. This arrangement was turned on its head in December, 2004 with the reassignment of Joe T. and Rudy M. John R. also left the office at that time, transferred back to River Village following the completion of the River City operation. Until Eddie V. arrived in late January, Hector was the lone

undercover. However, when Eddie did arrive, Hector was forced into a dual role—at the same time that he felt expected to continue as the sole working undercover, he was now expected to function as Eddie’s mentor. Hector felt exploited by this circumstance; with his work identity now subject to diffusion and under attack (Hector had learned that he might be forced back into uniform for the following summer to staff a highway post during a time when many officers took vacation), he now began to experience a degree of resentment from some of the others. As noted, there were times that some of the case officers felt that Hector’s “attitude” was inimical to mainstream police cultural expectations (“talk to a boss like that- hah, he’d be out on his ass”; p. 119).

So it became evident that there were actually two subcultures produced within the milieu of drug policing in the Merton County Police Department; along with the larger commonality of the office as a group *per se*. Bound together by the need to fulfill their obligations in terms of productivity and “officer safety”, all members of SIU were stakeholders in the group effort to formulate routines and engage in the practices necessary to carry out their mandate. Narrowly focused upon the purchase of illicit drugs and the recruitment of informants, SIU’s mandate is not quite as “impossible” as Manning (1977) proposed. The final segment of the thesis will focus on these routines and practices; the dichotomous nature of the subgroups within SIU is mirrored by the dichotomous nature of the routines. In the inner city area the undercovers are more essential; the drug sweep routine would be impossible without the services of the Latino undercover officers, who are then shunted aside at the final denouement when the arrests are made. In the outlying, suburban areas the undercovers’ role is more ambiguous; there they function as observers in a surveillance role, which for the most part is a “make-

work” role that is not always essential to the success of the operation. The differing routines reflect not only the ethnic/class/social status of their settings; they also by extrapolation are reflective of the composition and alignment of the group.

CHAPTER 7- Jurisdiction, Routine and Practice

Jurisdiction

SIU can rightfully assert countywide jurisdiction over all classifications of offenses. Yet much of SIU's planning, many operational decisions, and indeed their cultural frame includes a preoccupation with the quest for standing as an agency within the patchwork of overlapping local courts and competition among the various local police departments. This results from several contingencies:

- 1) There is only loose coupling with the court system, which relies on local courts for the initial phase of prosecution. So in order to secure warrants and file charges SIU are dependent upon local judges and the local branch DA's Office. The DA's office maintains branches throughout the county that maintain close relationships with the local judges and the informal yet powerful courtroom working groups that arise in each local jurisdiction. There is little opportunity to develop the sort of long-term and personal connections that arise between local police departments and court systems. This contributes to the second issue...
- 2) There is a necessary dependency on the District Attorney's Office for the filing of misdemeanor charges at the local branch offices, but there is also a greater and more significant dependency upon the main office, located in Central City (the "county seat") once felony cases are forwarded for Grand Jury action. Local courts are superceded by the county courts in these instances, and the District Attorney himself, referred to as "the King", maintains tight control of newsworthy cases. He is regarded as extremely jealous of his own jurisdiction, and expands it at any opportunity. Recently, the DA's Office has formed their own drug unit, composed of investigators that are attached permanently to the prosecutor's office. These positions are regarded by the members of SIU, and indeed by most police officers in Merton County as political appointees that do not receive the label of "real cops".

When planning an operation, no matter how trivial, SIU seems to spend a disproportionate amount of time planning for these contingencies. Their routines depend on maintaining good relations with the DA'S Office and the many overlapping agencies

in the county. Hence, the nature of the planning and the possible is mediated by the need to accommodate the prerogatives of “the King” and the jurisdiction within which they propose to operate. Therefore, although SIU has county-wide jurisdiction, they are diminished by the need to negotiate with others before they act. They are, in effect, an agency *without* a jurisdiction in the traditional sense. In theory they exercise superordinate power, yet in practice they are subordinate. This is an anomaly that belies their group identity as the preeminent law enforcement agency in Merton County. It is a source of anomie.

“Turf maintenance” is an important theme of police work in general. And though SIU and other drug workers within the occupation seem willing to concede a modicum of their territorial prerogatives in the interest of solidarity in the “war on drugs”, it is half-hearted at best. SIU seems resigned to their fate as the “lost battalion”.

ML: You guys seem to spend a lot of time planning to keep away from stepping on other peoples’ toes... almost, like, you're offering your help and it's a lot of extra manpower, but some of the other departments seem like they'd rather do without it than lose control.

Bud M.: Uh huh, well we do spend a lot of time on it. Some departments are just no way- you're not coming in here, we'll do it ourselves. Some of these little towns even get together and form these silly little task forces... do stupid shit like follow junkies down to Metropolis or River City and then follow them back. When they get back to their town, they pull them over and collar them. The beer bottle cops... they also focus on underage drinking but not in any way that does anything... A waste of time.

It's personalities too. That bastid Kovanic in Banksville is about the worst of them.

Banksville is the largest town in the county- geographically as well as in population. It encompasses several independent villages that have their own, very small police departments. Recently, Banksville PD has taken the lead in forming a town-wide "Drug and Alcohol Task Force, which is what Bud evidently is referring to.

Him and the other one in Turner's Bridge (one of the villages). They don't want us doing anything there that they can't steal. We could do a lot of stuff, good stuff there too. But it's always a battle; always a problem. I'm trying to start out with a clean slate there.

I know Chief Kovanic also, mainly by reputation. A former PBA President who was briefly terminated by the previous chief for union activity, he landed on his feet and eventually regained his job and was promoted through the ranks. Now he's the chief, and an iconoclast.

Glen T: We're gonna go back to the Burger King in Chatham next week... always problems there, though not so bad lately. We have an agreement with the Chatham Village PD (whose jurisdiction includes the county-run homeless shelter across the street). They back us up there, but won't go in before we get there with two cars. Sometimes our guys come from a long way... When they get there they'll see the Chatham car waiting in the driveway. They won't go in until we get there no matter how serious it is. Wouldn't matter if there were shots fired, they wouldn't go in. I guess you can understand it at least a little bit; they only have the one car on the road usually. But most of the time it's just a bullshit call, and they just wait there... And they'd NEVER call Banksville (Chatham is one of the villages within Banksville town). Probably because they'd actually go!

Ron M.: I guess we're sort of like the “man without a country”... we try to help. We *can* help; we're ready to help. It's personalities that get in the way when we could do so much more if they'd just let us. What's the difference anyway- they're all the same criminals, and we're all the same cops. All politics, and that's it.

1/20/2005

The most common denominator of drug policing is the desire to “move up the ladder” and arrest the seller at the top of the distribution pyramid. This is the ideal; in order to achieve it there are many bumps in the road for an organization such as the Merton County SIU. Jurisdictional boundaries, availability of “flash money” and organizational constraints can intersect in a confluence of adverse circumstances that may effectively constrain drug cops from achieving the desired outcome. This creates strain,

because no drug cop doubts that effective investigations are in fact *discouraged* in local agencies.

You know what they pay for a felony [informant] buy? Thirty bucks, and it hasn't changed in twenty years. Think they want us to do anything worthwhile with that? Draw your own conclusions...first of all, we gotta convince the CI to do it, which they will but they're real losers to do it for that money in the first place. Then you gotta go in and make your own connections, but by then it's too expensive so they just say—call the DEA; call the DA's Office, we don't got the money! But if you do that then they just move in and take the whole thing over so we try not to, cause then we don't *get* the money [per forfeiture proceedings]...

Bert Lemon

Recurring themes impacting on all aspects of the formulation of routines in the SIU experience are jurisdictional competition and exclusivity, availability of scarce resources [cash], and equipment perceived as substandard and therefore creating a threat to “officer safety”. It is important to provide a contextual backdrop for these routines so that there will be some basis to analyze the formation of work identity in a larger social context. As noted, census data has been smoothed to preclude identification of the participant officers or their organization. Therefore, each routine's setting is described in as much detail as possible without compromising the requisite safeguards. It should be noted well that an accurate sense of a community can be conveyed without the need to quantify its components in minute detail. My contact with SIU began in the late spring of 2004; the first activity I participated in was the preparation of a drug sweep operation in River City, and the undercover drug purchases that preceded it. The drug sweep strategy is emblematic of the first of two worlds of drug enforcement in Merton County—the inner city, urbanized arena.

The Sweep

There were two drug sweep operations that took place during the period of the research—one in River City and one in Jumperson Village. Both proceeded along similar lines; the undercover officers spent several months infiltrating the area and making purchases of relatively small quantities of crack cocaine from street vendors, the vendors were identified by various means, and then the undercover officers appeared before a Grand Jury in secret proceedings that yielded indictments of the drug sellers. The necessary criteria for the investigatory phase of the operation were therefore:

- Identification of the target locations and the sellers.
- Purchases of felony amounts of crack on at least two separate occasions, preferably by the same undercover officer.
- Identification of the target through various means and the assembly of a case file by the enforcement officer.
- Redundant documentation by the host agency for administrative purposes (for the most part, the actual arresting officer of record was from the host agency- SIU submitted supplemental reports to the court system as well as for internal statistical purposes).
- A simultaneous series of raids pursuant to search and arrest warrants, as well as the sealed indictments (when available), which function as arrest warrants as well.

Once the investigation phase is concluded, the next step is to assemble the reports and documentation on all targets that have been identified and bought from at least twice (“doubled”). Then the material is presented to a Grand Jury, and secret indictments are obtained. This obviates the need to obtain arrest warrants, but search warrants are applied for, enabling the police to enter the targets' residences in the early hours of the morning without announcing their intention (“no-knock warrants”). With these in hand, the actual “sweep” takes place. This term represents the activity necessary to forcibly and simultaneously enter, search and apprehend all of the targeted and now indicted individuals in one fell swoop. It is an awesome spectacle that targets an entire

neighborhood; one of the intentional side effects is to subject the entire neighborhood to the “shock and awe” of drug dealers receiving their just dessert in a visibly aggressive manner. It epitomizes the Foucauldian (1977) analogy of the public use of the scaffold, symbolizing the power of the state.

My initial exposure to the drug sweep routine was through participation in the surveillance of the undercovers’ activities. Over the course of several months, the routine involved meeting with SIU in their office at the beginning of a 3PM-11PM shift, having coffee and killing time until six or seven o’clock, when we then made our way over to River City. On the way, we sometimes picked up take-out sandwiches, or sometimes not—depending on the time set for meeting with our counterparts in River City. This operation was jointly funded by the River City Police Department, the State, and Merton County under the rubric of a mandate provided by the state legislature. The neighborhood affected in River City was known as “Wainwright Heights” after the main commercial artery running north and south through the area. Wainwright Avenue ran the length of River City, parallel to the river from the Metropolis line to Hillsdale and Mt. Pilot, the small suburban villages immediately to the south.

The neighborhood was marked by stark contrasts. Along the waterfront, urban renewal has brought some degree of gentrification. On an old shipping pier, a well-known Hollywood personage has created a massive art and film studio complex. Across from the railroad station, the staging area where we joined up with the River City contingent each night as the undercover phase of the operation progressed is in the midst of a newly renovated satellite branch of a regional college and the renovated factory/mall. To the north and west, running for almost $\frac{3}{4}$ of a mile, there is a narrow band of steep

alley-like streets that run north and south for 4 to 5 blocks, connecting two main avenues. This residential section is now almost exclusively African-American, with some Latina(o)s, and is considered a ghetto area. It centers on a vast public housing project, the Wainwright Estates, which was built in the late 1940's. It is low-rise— each building is 4 stories tall; there are 15 of these buildings, and they interconnect through a series of cul-de-sacs that serve to render the Estates a community within a community. Along the avenues, each corner or block features either a bodega or convenience store. At various times groups of anywhere from 4 to 10 or twelve young, African-American or Latino males were seen congregating in front of these establishments, presumably engaged in some variety of illicit activity.

Continuing up the hill beyond the 4 or five blocks of the ghetto neighborhood, the homes become middle to upper middle class in appearance. The poorly maintained century-old Victorian houses that have been converted to multi-family and single room rentals give way to tidy Tudor, colonial, and raised ranches set on quarter acre lots. It is an unsettling contrast— there is no transitional zone. The busier drug locations are quickly pointed out to me by Chuck, Jackie, and Ron in the first few nights out; one building contains a warren of interconnected apartments that once was the home of a crack cocaine enterprise that became the basis for a popular movie released in the early 1990's. River City is in the midst of the area of the county that abuts Metropolis; except for the political demarcation River City is indistinguishable from some of the most economically depressed and crime-ridden areas of the larger city. It is relatively large, with a population of more than 200,000. The target area is adjacent to the city center, a formerly prosperous middle-class neighborhood that once housed workers in the freight

car factory and other industrial enterprises; all had gone to seed in the 1970's-1980's. A classic tale of the consequences of economic restructuring.

Although Wainwright Heights contained only 3% of the total population of River City, it was also home to 23% of the homicides, 12% of the rapes, and 16% of assaults reported to police in 2003. It is also heavily populated by African-Americans and Latino(a)s, almost exclusively so as one approaches the river. The local precinct commander applied for and received grant money to implement what was termed “Operation Uncrack” in the early months of 2004; early preparations included the gathering of intelligence and statistics that yielded locations, time frames, and suspects responsible for what was defined as a “gang-related” drug trade and attendant high level of street violence. When interviewed at a later time, this precinct commander explained how the operation had come about:

He explained that the operation resulted from his initial efforts to take decisive action against the rampant drug dealing within his precinct. He reports that a citizen had challenged him to “do something” about it [the drug activity] at a community meeting:

(citizen) Well you people, most of the police officers, you all live upstate-out of town. How would you like to come home from working hard all day and have to push your way past a bunch of teenagers selling drugs just to get into your own building? How would you all feel about your kids getting off the school bus and having to push through a bunch of crack heads just to go home?

Captain M.: And then even after the undercovers were in the field making buys, I still had to hear it at every community meeting! That same woman who put it in my face the last time wouldn't let it go. “So now what are you doing? Nothing, that's what! There still there, same place. Same time. You said you were doing something about it but you didn't do a damn thing!” I really had to bite the bullet because I *knew we were doing something about it*. I just couldn't tell her. Much as I wanted to.

12/14/2004

What actually occurred in practice was qualitatively different. Each night, we met at the staging area with four or five River City detectives and their sergeant, splitting up into mixed carloads of two or three officers from both departments in order to maintain radio contact with the undercovers as well as each department's central dispatch. Then two uniformed officers that were familiar with the area and on overtime began a reconnaissance for suspected drug activity to be targeted. They were streetwise and easily located the targets without revealing the presence of any additional officers or stepped-up police activity. Then Hector, John, and Joe would stroll up and down Wainwright Avenue and attempt to make purchases from the dealers.

Contact with the undercovers was tenuous at best, maintained through the use of a device referred to as a "kel". The kel appeared to be a telephone pager but was in reality a one-way voice transmitter that could be picked up on the portable radios carried by all of the Merton County officers. But it had limited range, uncertain battery life, and was subject to interference by atmospheric conditions. It was considered all but useless by the officers. The only reliable mode of communication was through the department-issued Nextel telephones. These devices, tuned to the "direct-connect" mode were favored for their dependability under most conditions. "Direct-connect" Nextels enabled fast, secure communications between all members of an operation in either "group-talk" or individual connection modes. It functioned as a sort of high-tech walkie-talkie and police jargon and codes were employed similarly as when radio transmissions were employed. But the undercovers depended exclusively upon the "kels" and their own instincts for safety.

On one occasion, a hard rain began as we trailed Hector while he strolled up and down Wainwright. He rode a bicycle as cover and it was hard to keep within range of the kel.

Ron M.: This is what you always worry about. These kels are no fuckin good. Not for more than a block, anyway.

Louie V.: Half a block, and then they go dead.

ML.: I get the same feeling... you hear those static noises, then nothing. It's dead.

Louie V.: And so could he. But we're just here to exact revenge, anyway. By the time you get there- anything were to happen... it's over- then it's just revenge.

9/16/2004

One can easily understand how the perception of danger translates to the phenomenon of hypervigilance both on the part of the undercover herself (refer to p. 119) as well as the helplessness felt by the “back-up” officers that readily acknowledge the unlikelihood of their ability to proactively protect their co-workers.

While strolling the area, at times the undercovers employed an informant named JoJo to establish their bona fides in the neighborhood. JoJo was an African-American woman in her forties who lived in Metropolis, but had had an arrest record in Merton County. Phil M. had employed her as a confidential informant for a time when he worked as a detective in SIU before he was promoted. JoJo was a gregarious woman who was quick to engage anyone in conversation who would listen—her primary function was to pose as the girlfriend of one of the undercovers, usually Joe because it was felt he needed the most support due to credibility issues. When confronted by the drug traders, all of the undercover officers employed various devices to establish their *bona fides*.

Hector would ordinarily claim to be visiting a girlfriend in the area and say that he worked in Diverseboro; Joe would play the role of a day laborer returning from a painting or carpentry job; John wore coveralls emblazoned with the patches used by employees of the county bus company, which in fact did have a repair facility in an industrial yard close to Wainwright Avenue close to the river. For a short while he actually worked there part-time to establish his cover. When Ron worked undercover in the area several years ago he wore mechanic's overalls from a local car dealership, which in fact proved quite useful on one occasion when he needed to identify a suspect for the case to proceed in the courts:

So I bought a couple of rocks off the guy and he was talking about buying a car... how he had no credit history and he couldn't get a loan. I said I could help out maybe and the next day I picked up a credit application from the dealership and gave it him. I said—just fill it out with whatever information you got and I'll get it approved. Stupid fuck put his real name, address on it and then he was ID'd- we had him good!

Ron M. 9/15/2004

After the night's operations were concluded, all returned to the River City Police Department's detective office. The undercover officers turned over the crack they had purchased to a River City detective for placement into an evidence locker. The River City detective was then responsible for having each quantity of cocaine sent for analysis and the subsequent documentation of the result. Often, the River City sergeant, Tony F., would send out for pizza and soda at his own expense because by then it was late. The River City officers that participated in this operation were there on an overtime basis: half of the squad was assigned to a day shift at any given time. The other half worked nights, and this was reversed weekly. The day shift was given the opportunity to work double

shifts during the course of the operation, and so the largesse was distributed more or less equally.

The River City operation foretold of the difficulty experienced by the Merton County officers in their search for respect among the local agencies in the county. There was an ever-present, yet subtle tension whenever the two squads engaged in social interaction. The River City officers represented themselves in a controlling, almost paternally constructed culture of machismo. There was a good working relationship between their supervisor, Tony F., and Phil M. Phil maintained equity in the between-group relationship by virtue of the respect afforded to his superior rank (lieutenant to Tony's sergeant rank) and older age. This seemed to compensate, in part, for SIU's status as "guests" in River City. Many of the departments SIU worked with— or for that matter didn't— were exceptionally territorial, and River City was no exception.

The denouement of the sweep operation occurred on a frigid morning in November. My field notes are useful here to provide a window to the perspective of the participants in the event. It should be noted that Phil M had been reassigned and not replaced prior to the sweep, and it was difficult to get permission from the MCPD detective commander, Kevin C., to participate in it.

Awake since 3:30AM, I'm waiting in the back of the visitors' parking lot of the River City Police Department for a call on my cellphone from Kevin C. There is a briefing in progress for the operation in a National Guard Armory several blocks away from which I've been specifically excluded by the River City Police Department. Kevin had called yesterday with instructions to make my own way down to River City, where he would call and have Joe T. pick me up in an undercover car after the briefing concluded. So as the sun begins to rise over the hilltops (River City is nicknamed "the city of hills and valleys-where nothing is on the level"), I am waiting for the call. I am aggravated to miss the briefing—a lost opportunity to observe a very rich sequence of events. The briefing will involve the formation of "arrest teams", dissemination of the latest

intelligence as to the possible whereabouts of the “targets”, distribution of warrant documents, and much “backstage preparation”. Officers will don their bulletproof vests, “raid jackets”, and radio communications will be synchronized and tested. From prior experience- the atmosphere is that of preparation for battle, or perhaps the pre-game breakfast of a professional football team.

My exclusion from the briefing does present an interesting anomaly. Why?? These proceedings are on face value merely preparations for a somewhat routine tactical operation. The literal and technical function of the pre-raid briefing wouldn't seem to justify the exclusion of another police officer.

Joe and I park the car around the corner from the local precinct house of the RCPD, next to a large high school. Joe is unshaven, with a scruffy goatee and mustache. I also haven't shaved for several days as preparation for this event. Joe is dressed in jeans, a dark blue hooded sweatshirt, and work boots. John R. calls on the Nextel. He has spotted one of the fugitives on the corner of Mainline and Wells; he's alerted the MCPD enforcement team. We do a quick drive-by and see the Quest minivan pulled up onto the sidewalk. Rob L. and Chuck B. are in the process of handcuffing a young African-American male, about 20 years of age. We leave the area without delay, as we are now within the “target area” that Joe has been forbidden to enter. The young man that was arrested will be transported by marked RCPD police car to their Central Booking Facility. There he will be fingerprinted, photographed, and conveyed immediately to the Merton County Jail. Because there is a sealed indictment, the judicial process is significantly expedited; there is no requirement for a preliminary hearing or arraignment. His first day in court will be before a Superior Court judge.

As Joe and I drive around the targeted neighborhood, it is readily apparent that the routine of the community has been disrupted. There is a dearth of African-American men between the ages of about fifteen to 35 on the street. Those that do emerge seem to be following our car carefully with their eyes, and give us the “look-back” if we pass to their rear. On some of the corners that had been pointed out to me as drug markets, there were small groups of 2 to 4 people, mostly older (45-60), in close conversation with one another. Periodically, sirens could be heard in the area. This was playing out to be a “high-visibility operation”, calculated to obtain the most bang for the buck. I suspect that

this is in large part politically motivated— it is apparent that some large investments of capital either have been or will be expended in the interest of gentrification and “urban renewal”. Witness the abandoned factory at Hanford and Valley where we stage.

By 1:00PM, the targets that were located were eventually rounded up and taken away. Twenty-one of 37 were caught. Joe and I receive a call from John, who reveals that there is pizza and soda at the Armory, and the operation is winding down. Joe drives over to the Armory and parks the Acura, and we go inside. The Armory itself is of early 1960's vintage, concrete block construction. We walk through the parking lot entrance into the building, find the auditorium, which has been transformed into the operations center for the sweep. There are about 20 long, collapsible tables set up in the room, with folding chairs.

At the front of the room, there is a podium next to a bulletin board that has 37 computer-generated name placards affixed to it. These were the names of the persons sought for arrest, and 21 of them have been marked with black check marks, which denote those that have been apprehended. There is a table set with a stack of yet uneaten pizzas, buckets of ice, liter size bottles of soda, napkins, and stacks of paper plates. Two partially consumed pizzas remain in open boxes; Joe and I serve ourselves and sit at a table with the MCPD officers. Rob L., Chuck B., Ron M., and Jackie C. are sitting together with Hector, who had appeared to meet with the team after his Grand Jury appearance. Significantly, Hector had sought his compatriots out “on the set” despite having no assigned role in the sweep; there appears to be a need to seek affirmation through proximity. There is a shared sense of satisfaction in learning that the operation has been largely successful, and the conversation is primarily devoted to the possible

explanations for why the remaining “targets” weren't located, where they might be, and the futility of evading the inevitable arrest.

There are approximately thirty police officers in the auditorium, all in plainclothes with the exception of two high-ranking uniformed River City officers- a lieutenant and a captain. The River City officers are arranged at tables according to unit assignment, and I see Tony C., Louie V., and Mike D. sitting together among the other detectives from the RCPD drug unit. I approach their table and we exchange greetings, which are outwardly pleasant. I am acknowledged, briefly, and then they return their attention to their conversation. Although I had made an effort not to interrupt them impolitely, again I sense a distance that didn't exist in the first weeks of our acquaintance, so I return to the MCPD table. There are two young, attractive female RCPD officers at the table as well, one African-American and one Latina. That yields a total of three female officers among approximately 25 men, counting the one female European-American detective assigned to the RCPD drug squad. Apparently, they were needed to search and escort the female “targets” on the list, and were ordinarily assigned to uniform patrol duties.

Bobby and Pat, the two streetwise uniformed cops that were part of the operation are also present in the room and stop by. They are attired in plainclothes, for the sweep, having earned a right to participate in the operation's conclusion. They are dressed in the same style as the detectives (dark hooded sweatshirts, jeans, badge necklace for identification, Glock pistol on the waist barely concealed beneath the sweatshirt).

We finish the pizza, and I walk out of the room to use the bathroom. When I return I am approached by the uniformed RCPD Captain, who introduces himself as the district commander and asks if he might have a word with me. A rhetorical question

really, in that I was within his jurisdictional control. The Captain informed me that there was a list of those persons authorized to be in the Armory, and he didn't think that I was on it. He politely demanded to know who I was, and on what authority was I present. I presented my police department credentials, and explained my status as a researcher present with authorization from the Merton County Commissioner of Public Safety. He relaxed somewhat, let me know that he held a Master's Degree in Public Administration from my own institution, and we chatted for a few moments about the grind of attending graduate school. But he held firm and explained that since he hadn't been notified, I'd have to leave. He further explained that the list of "targets" that were still at large was classified and my presence was a breach of the "integrity" and "security" of the operation. This was interesting on several accounts:

There was no doubt a breach of his *territorial* control. That may account for his initial concern. But how would he know who I was? For all intents and to all appearances I was a member of the MCPD team. I was dressed in a similar fashion, armed, and displayed a badge and identification around my neck. The Captain was no doubt reacting at some level to the perceived intrusion I represented. In effect– I was a trespasser.

The Captain, satisfied that I intended to comply with his direction, moved off in the direction of the uniformed Lieutenant (apparently his second-in-command). I made no immediate move to leave, as I depended on Joe T. for transportation, and the Captain didn't look in my direction again. This was not surprising. Having satisfied his personal concern that I was a security risk and having acknowledged his authority, he was satisfied. As the MCPD officers made ready to leave, I didn't advise them of what had

occurred; I didn't want to rush them along. But within 10 minutes, we were all out the door. They headed back to MCPD to retrieve their personal vehicles; Joe dropped me off in the River City Police Department lot.

The drug sweep is a ubiquitous strategy in urban settings for suppressing the open-air drug trade. In areas such as River City, Greenfield, Jumperson Village and the other urbanized sections of Merton County this routine accounts for the majority of arrests for drug violations. Further, the high visibility and immediate impact upon the availability of drugs on the street affords the authorities the opportunity to publicize the sweep as an effective response to citizens' complaints about violent crime. Following the drug sweep in River City, there was a press conference held at the River City Police Department. I succeeded in entering the press room by displaying my police credentials and was able to observe the District Attorney, the RCPD Commissioner, the MCPD Commissioner, representatives from the state police and the superintendent of the parole board as they presented speeches to the press. The RCPD Commissioner in particular was emotional in his pledge that no longer would the Wainwright Heights neighborhood be "plagued by the scourge of gang-related drug dealers bringing violence into your neighborhood". By the end of the sweep operation, twenty-seven of the thirty-one wanted persons had been apprehended; some were already in jail on other charges. Eleven firearms were confiscated and the press release cited over 100 drug sales made by the undercover agents of MCPD. What the release doesn't say is that most of the crack cocaine bought and sold amounted to relatively miniscule quantities that still qualified as felony sales under the state's draconian drug statutes. The largest cache of cocaine seized

in any one location weighed slightly less than four ounces; it was found in a Jaguar automobile, driven by one of the “targets”, which was also seized.

On this date, the operation ran so efficiently that the MCPD officers were not required to directly participate in the booking process, which occurred in the armory and RCPD Central Booking facility. They had been on duty since 3:00AM, but returned to MCPD to finish out their regular day shift hours. This allowed them to recoup some overtime pay for the day as well as get a jump on their paperwork. All of the arrests would count in the MCPD statistics. I never did succeed in getting a straight answer as far as whether or not MCPD included these duplicate “paper” bookings in their yearly submissions to the Uniform Crime Reports; that would be an interesting analysis in and of itself.

The drug sweep speaks eloquently to several of SIU’s audiences. The MCPD administration is satisfied to lend essential assistance to River City, thus reaping the benefits of positive exposure in the media and a photo opportunity for the Commissioner. The assistance lent and personal connections made among the officers of MCPD and RCPD are facilitative of a more congenial working relationship in the future regarding drug cases, as jurisdictional disputes loom menacingly at all times whenever MCPD investigations intrude into other departmental “turfs”. Personal connections are eagerly pursued by the MCPD officers whenever possible to avoid this; following the conclusion of the investigatory phase of the operation there was a dinner hosted and paid for by the RCPD officers for SIU at a local catering hall.

In terms of the group identity and achievement of the formal and informal goals of SIU as a group, the sweep also enabled a sense of empowerment; the undercover

expertise needed for Operation Uncrack was not available in the local department, large as it was. This seemed to bolster the self-esteem of the group and define their positional standing in the law enforcement community of Merton County, where it seemed apparent on many occasions that SIU was a police squad perpetually in a quest for jurisdiction.

Rips and “Jump Collars”

As noted (p. 105) “rips” and “jump collars” are similar strategies employed to arrest suspects that are believed to be either sellers or in some instances buyers/users. The circumstances surrounding the legality of these tactics are generally somewhat opaque, viewed through the lens of a police report. Remember, as “Bert Lemon” opines—“once it’s on paper- it’s the truth”. The sequential progression of reasonable suspicion to probable cause is not always an exact science in any event, and when a person is suspected of drug possession with the intent to sell it or is believed to have made a purchase from a suspected dealer— that person is fair game to be “ripped”.

I did not participate in “jump collars” or rips while working with SIU; Lt. M. banned me from going along on those operations. Sgt. M. and Sgt. T. (his successors) had no objection, but expected more participation than I was prepared to provide, given my dual status as principal investigator of this study as well as police officer in another jurisdiction. Simply put—I had no desire to become part of court proceedings in these matters. And at least on one occasion, Lt. Phil M. was prescient in his reluctance to involve me in these operations. Rob L. was forced to shoot a pit bulldog that had been set upon Jackie in Jumperson Village. When I returned the night after, there was a digital picture of the Pit bull in a cage with a bandaged head (the shot wasn’t fatal).

We came out of the cars, and the guy had the dog on a leash. But he wouldn’t tie it up. Jackie kept telling him—“tie it up, you’re under arrest,

we don't want to shoot the dog!" But the guy was stupid, or whatever... he just was like, ignoring us and the dog was barking and growling and shit... So I did what I had to do.

Rob L. 10/7/2004

These operations were most often carried out in Jumperson Village, where the police department was hard pressed to keep pace of crime rates that were disproportionately high in comparison with other jurisdictions in Merton County with the same approximate population total. This was due in part to the densely populated urban village center, and the political pressure to maintain tight control over a recent phenomenon—large numbers of Latino day workers congregating on corners seeking work in the early morning hours. Jumperson Village is a gritty, post-industrial municipality. Though labeled a village due to the vagaries of the political nomenclature of this state, Jumperson had the flavor and appearance of a densely populated inner city area.

With a population of 27,000 concentrated in an area scarcely 2 miles square- the downtown area was plagued by the presence of flagrant open-air crack cocaine marketing throughout an eight or nine square block area. This activity took place directly adjacent to a transitional zone that included, in addition to the brand-new Costco store, a nascent “restaurant row” and preparations for the construction of more “big box” stores and high-rise residential development. Twenty-five years ago, the village was solidly blue-collar European-American in population; it was now 43% white, 7% African-American, and 46% Latino.

Much like River City, there are several abandoned factories that have been transformed into upscale mini-malls. The sturdy, early 20th Century brick construction has become trendy; landmark status is preserved, and profitable retail enterprise zones

rise from the ashes of blighted districts that once supported long-departed industrial activity. What had once been an area that contained the original plants for national corporations manufacturing candy, bread, and toiletries now were the sites of ToysRUs, NineWest, and Applebee's Restaurant. The tiny Jumperson Village PD is overwhelmed and unable to mount an effective drug interdiction operation.

Here the group was able to boast of a good working relationship with the host agency. This stemmed partly from a sweep operation that had been carried out in Jumperson prior to my involvement with MCPD. I did manage to accompany Joe T. on the day the raids were carried out, but didn't have the opportunity to meet any of the Jumperson officers. This sweep was smaller than that which occurred in River City, though it proceeded along similar lines. The arrests were processed by the Jumperson PD, which had mobilized the entire department in order to have the resources to carry out the raids; the arrests were also documented by the MCPD. Jump collars were made on Thursday and/or Friday evenings, and were a welcome source of both excitement as well as overtime.

Rips and jump collars are employed exclusively in urban areas, where drug activity is visible and blatant. Although officers engage in the careful construction of *post hoc* police reports that provide the veil of legality for these activities, the fact of the matter is that rips are based in large part upon intuition and profiling. Reasonable suspicion provides the legal basis to stop and question anyone the police suspect is engaging in, or is about to engage in criminal activity as per the Terry v. Ohio decision of the United States Supreme Court. But to move beyond a cursory pat-down to check for weapons in the interest of "officer safety" requires more; here an experienced drug cop

will be able to employ field interrogation, intimidation, and/or deception to obtain permission to search a suspected drug offender.

(to a detained drug suspect) Well we can wait until the dog comes, or you can let us search you... if you got nothing then you got nothing to hide, right? You speak English?

Sgt. Bud M. 1/2/2005

The point here is that intuition is quite often borne out by results. The district attorney's insistence on observation of at least three "hand-to-hand" exchanges provides a further layer of reasonable protection to citizens in their right to socialize and congregate on street corners in urban areas. It is assumed that the methodologies of criminal profiling (as opposed to *racial* profiling) bolster the legal standing of a "rip" or jump collar by virtue of the "scientifically proven" success of their application—but it is largely the intuition and experience of the officer that determines who will be ripped and when. Sometimes, they can be wrong.

What they do is... they do "a-b" sales, where one of them holds the money and someone else holds the drugs. If we can get both of them then we keep the drugs *and* the money, but if we only get one that's OK too. Even if we just get the money- so what? The guy's out the night's take, and now he's gotta look over his shoulder or come up with the money for his guy.

Chuck B. 9/15/2004

But there are no "innocents" in an identified drug location. Because officers place the area under close observation and scrutiny, it is unlikely that a person that has been "ripped" is simply a citizen passing by with no interest in either buying or selling crack. The routine of the targeted area and persons undoubtedly includes some degree of involvement in the drug trade, and the "jump-collar/rip" routine is a relatively productive method of enhancing arrest statistics in a defined target area.

Yeah it happens... sometimes they didn't do it. But if he didn't do it this time—he did it a hundred times before and didn't get caught. So now he's gonna pay an old one...

Bert Lemon

Informant Buys

While the drug sweep and jump collars are emblematic of SIU's routine in the inner city areas, other routines are either generic to all areas or applied more or less exclusively to the more suburban areas. On the one hand, the "informant buy" and "search warrant" routines are applied with some uniformity; these tactics are universally employed in undercover investigations across the board. On the other hand, the "interdiction patrol" routine was never employed in areas such as River City, Greenfield, Central City or Diverseboro. Informant buys are essential to drug policing, and are used throughout the United States to facilitate drug investigations. In Merton County, informant buys are employed to:

- Establish the veracity of intelligence regarding the illicit activities of potential targets.
- Once several buys are made, and trust is developed between the informant and the target, the informant will introduce an undercover police officer, who will assume the role of the customer in future transactions.

In Merton County, the District Attorney's Office had a policy that transactions which involve only an informant as the agent are not prosecuted in order to protect the identity of the informant and because it is believed that juries typically regard informants as unreliable witnesses by virtue of either what is perceived as their coerced or "for-hire" motivation. Also termed as "NFP (not for prosecution) buys" are those instances where the informant buys drugs in the presence of the undercover, or even when the undercover

makes the purchase in the presence of the informant. Again, this is ostensibly for the protection of the informant's identity. These strictures also allow prosecutors to avoid the need to produce informants in court as witnesses; the testimony of a police officer is far more powerful evidence.

The account of Eddie V.'s first undercover assignment (pp. 109–14) provides a detailed portrayal of the “informant buy” routine. But SIU spent long hours of activity in the attempt to achieve success in this task; it was only successful in about half of the attempts, and not often when I was personally involved. Much time was devoted to waiting for informants to show up, coordinating the surveillance necessary to document the activity to judicial standards, and logging the proceeds into evidence. Much time is spent observing a doorway, parking lot, or convenience store where the informant has arranged to meet with the seller. A typical conversation while on surveillance in these activities includes topics having nothing to do with the task at hand:

An informant buy in Cannondale is scheduled. It's Chuck's case and his informant. The plan is to have the informant attempt to buy cocaine directly from the seller at the seller's apartment, therefore obtaining enough direct information to provide grounds for a search warrant. We pass by the dealer's address; Ron indicates a dingy white door next to a pizzeria that leads to a three story apartment building. Then we park the Passport on a steep hill across from the white door on the diagonal. We wait about twenty minutes... the reception for the kel is non-existent and we have absolutely no idea what might be occurring. Ron keeps an eye out for the informant, an African-American man who I've never met. Ron is much calmer now than he was in the beginning of our acquaintance, less on edge. His clipped military mode of speech has become less pronounced. In the beginning, when we rode together during the run up to the sweep in River City, Ron's conversation was almost exclusively devoted to tales of his military service in Iraq. Now he is as likely to discuss the inevitable issues of retirement (he's 42 and approaching eligibility) and his side business of manufacturing high-quality police apparel. Ron has a factory in his home basement that contains a high-tech digitized assembly line which turns out sweatshirts, t and golf shirts, and caps that have police patches emblazoned upon them through the use of

computer-generated graphical technology. Ron's wife is the artist who is responsible for creating the facsimiles of whatever patches are to be used, and Ron claims that there is a potential in this enterprise to double the take-home salary he receives from the police department. We talk a bit more; the CI never shows up. So we all return to MCPD at 2015, have a cup of coffee, and then go out together at 2100.

Field note, 2/25/2005

Or when the buy is actually made—it is over in an instant. On several occasions I hadn't even realized that the deal had occurred before the surveillance was over and we headed back to the next task for the evening or in for the night. And at times, they occurred in unexpected locations where the exchange was discreet and swift:

We were operating in Chatterton, a fairly densely populated village in the midst of the hunt country of northern Merton County. It's traditionally been the bedroom community for a core population of servants, farm hands and other subproletarian workers that service the many large estates in the area. In the latter part of the twentieth century, African-Americans and Latina/os began to compete for this work; the housing stock in the traditionally working class and working poor neighborhood adjacent to the railroad tracks are now evenly divided between African-American and Latino residents. There is also the Oakley Manor, which is a four story, 130-unit complex that contains a mixture of low-income, "affordable", and market-value units. The residents are predominantly African-American, with some European-American, Latino/a, and others.

The village itself spreads out from a grid that is bounded by two main commercial roads, the railroad tracks, and a secondary highway route. Oakley Manor is bounded by the highway one side and the railroad tracks on another. It is not contiguous to the

village center. Interspersed among the predominantly upscale commercial enterprises in downtown Chatterton, Starbucks, Borders, Victoria's Secret, a Korean-owned specialty grocery store and a TD Waterhouse branch one can find the occasional bodega, Latin restaurant that caters to the immigrant population, and one *botanica*. The main commercial avenue is secured by a Chatterton police officer, who stands in the middle of a broad, marked crosswalk to enforce the pedestrian right-of-way during rush hours. The commuter rail line stop lies behind a handsome strip of buildings; day laborers assemble in the large parking lot there each morning in a "shape-up" that overflows the officially sanctioned assembly point created for the purpose up the road.

This area of Merton County is predominantly European-American, with a strong minority of the descendants of the Italian-American laborers that built the reservoirs and golf courses in the first years of the 20th century, and now have moved solidly into the middle class. There is a core population of WASP's and the hyperaffluent; large estates proliferate, developers are controlled through the application of restrictive land-use and conservation codes, and historical preservation is afforded the highest priority in most cases. Many members of the upper economic strata from Metropolis have traditionally maintained summer estates in this district. A heavily developed commercial strip flows along a county route leading out of Chatterton, where one can find several big box stores such as Staples, Stop and Shop, and Target outlets. The Chatterton police had recently requested SIU's assistance in surveillance of a suspected drug location in the Oakley Manor, a nascent operation that had yielded little so far. So when Chuck developed an informant who had information that a Staples employee was selling crack from the parking lot, there was a good working relationship with the Chatterton PD; the Chatterton

police were included in the planning and provided their detective office as a base. Again, the arrangement was for the host agency to actually process the arrest into their local court, and SIU would document the activity through a “paper booking”.

The informant buy in Chatterton occurred at 7:00PM. I drove up to Chatterton with Ron in the old Passport; Chuck and Rob were in the pickup truck. Glen T. drove his white unmarked Crown Victoria and had Donut in the car with him.

We met up with the informant at a park near the Oakley Manor, and then Rob got into the Crown Victoria with Glen- the informant got into the pickup. We followed them to the strip mall where the Staples was located and parked in front of a Blockbuster Video as the informant called the target from his cellphone. Several minutes later, a large African-American male about 35 years of age came out of the Staples store and approached the pickup carrying a clipboard. He leaned into the car and we could hear the informant, a European-American in his late twenties with shoulder-length hair, over the kel talking quickly and introducing Chuck as his trusted friend. Then the target walked away, reentering the store. I wasn't even sure the deal had gone down until later, when Chuck logged in the \$50.00 bag of crack.

Field note 2/23/05

The transaction itself had only taken seconds, but it had taken almost three hours to plan the operation, make the requisite telephone calls to the Chatterton and the informant, and then set up the exchange. The intelligence itself had been provided by an informant who had been arrested as the fruit of a drug interdiction patrol, where he had been found with marijuana. SIU had arranged for the charge to be dropped if the informant cooperated in locating the next rung on the “ladder”, or a *bona fide* drug dealer.

The Search Warrant

Once there was enough evidence gathered to support the application to a judge for a search warrant, the group raided a targeted location in order to arrest the wanted person(s) and seize evidence. Late in the study, I accompanied the group on a raid in

Tyne, an affluent suburb that stands adjacent to Jumperson Village. The raid took place in the one area of Tyne that seemed to be a working class enclave.

Tyne is one of the most affluent communities in the United States. Its population of 15,000 enjoys a small-town ambience akin to that which can be found in Greenwich, Connecticut. The median price for a single-family residence is \$637,000, and median family income is \$133,000. The small downtown commercial district is replete with upscale national outlets as well as several fine dining establishments, two gourmet delicatessens, and a number of independently owned boutiques. Merton County is bounded on the east by an arm of the Atlantic Ocean, with a picturesque shoreline that runs for twenty miles, south from Metropolis to the next state line. As one proceeds in a southerly direction, the quality, size, and worth of the homes increases exponentially. Tyne lies at the southern reach of the county except for a sliver of Jumperson Village, which separates Tyne from the state line.

At the periphery of the town, hard by the railroad tracks and the parallel interstate, there is a neighborhood that doesn't conform to the common pattern of stately colonial, Victorian, and contemporary homes set amid expansive lawns that have somehow remained green despite the snows of winter. The neighborhood where we will operate is conspicuous for its differences; wood-frame two and three story row houses that are set closely together, or attached. Some share driveways or attached porches. There is a lively bar set on the diagonal across the street from the target house, where a large-scale marijuana seller resides and does business.

Tyne PD was involved, but in a supporting role only; MCPD had the resources to conduct this operation without assistance, but that would have been considered bad form-

the local agency was always entitled to participation, however minor. The press release then labels the operation as a “joint investigation”, and there is ample thunder to share. Tyne PD would provide two marked police cruisers, five officers, and a sergeant for crowd control should it become necessary. The marked police cars would also be useful if the “target” attempted to leave the “set”.

Glen goes over the tactical plan for the operation for a final time. His briefing includes:

- **Admonitions that bulletproof vests and “raid jackets” be worn**
- **Hector and Dave wear balaclava masks when entering the apartment to safeguard their cover**
- **Radio frequencies to be coordinated with Tyne PD**
- **SWAT Team to enter and secure the apartment first, with the rest of us assigned to security positions on the close perimeter.**

We go over the possible scenarios; there is a pit bulldog on the premises. A second, less threatening dog as well. Glen proposes that if one of the dogs is taken for a walk by the target’s girlfriend, then we can have her picked up by a marked Tyne police car and “secured”. That would halve the potential for issues; they are concerned with the possibility of having to shoot a dog. Glen is clearly an animal lover, his affection for Donut is obvious and no doubt extends to other dogs as well. There’s some discussion about pit bulls in general. Options such as massive doses of Oleoresin Capsaicin (pepper spray) or use of a Taser are considered, and quickly rejected:

Tim B.: Nope, it won’t work. There’s nothing that stops them, a pit bull. Not even if you jump over a fence... they’re right there behind you. I know because I had one. Better off just to blast the fuckin little bastard if it jumps in your face.

Glen T.: Yeah we sprayed a dog with OC one time- I unloaded an entire can right in his face and then, yeah, he ran away... so then we had to deal with him later, somewhere else. Not a good thing- we don’t want to worry

about where it'll go, what it'll do when it gets there and the stuff wears off.

So it is agreed that the entry would incorporate a contingency plan to confine the dogs in a rear bedroom at first, then have the owners remove and secure them in the cages we knew were in the apartment after the initial rush. This discussion takes on the form of an easy and collegial discourse among equals, with Glen having the final say. This is Glen's first "production"; Bud will lead the entry team, Bart and Tim will also participate with the SWAT Team in the entry. In MCPD, the SWAT Team trains together but assembles only on an on-call basis. Bud, Glen, Tim, Bart, Jackie, and Rob are all members.

My assignment is to ride with Hector, and initially conduct surveillance of the corner that is adjacent to two one-way streets that lead from the targeted house. After the initial entry by the SWAT equipped officers, we will assume a position at the "2 corner" of the house, and then enter to assist with the search. As Hector and I go out the back door to find the black Maxima, we feel the intense cold; it has become frigid again on this clear winter evening after a brief thaw that had lasted most of the previous week.

We drive by the targeted house, observe that the garage is open and empty, and then drive around the corner and into the parking lot of a light industrial enterprise. Hector backs the Maxima into a space in the back of the lot where we can see the streets in both directions, and shuts the car off. He lowers his seat back to an almost horizontal position, and I follow along with this action. Now we are virtually invisible; the Maxima's windows are heavily tinted. This lot is apparently used by both the patrons of the lively bar around the corner as well as the target's customers if he is not home. They wait for him here, call on cell phones, and then he either delivers his wares on foot or the customers go to his door.

At eleven-thirty, Rob announces that the target is once again on the move. This time we quickly move to follow. Hector puts the Maxima in gear and we take off at a high rate of speed to follow him. Calling out the direction of travel, Glen and Chuck join the pursuit in Glen's unmarked Crown Victoria. He nearly t-bones us at an intersection; they are intent on following the contingency plan, which calls for the target to be stopped, secured, and then entry made to the apartment. Glen pulls in front, and we follow at a distance; Hector is ever-mindful of the imperative of maintaining "cover" both for himself as well as the car. We use the radio to notify the marked Tyne units of the location, so that they can pick up the target and his passenger. The target appears to be a Latino in his mid-thirties; the passenger is also Latino of similar age. Hector backs off as soon as the Tyne cars arrive, and we hurry back to the set to carry out our assignment.

By the time we get back, the Tyne police have the street blocked at both ends with marked police cruisers, lights ablaze. Hector and I get out of the car and don our "raid jackets". He puts on his balaclava to mask his identity, and I wish I had one as well. I will get one- it will help to allow me to blend in more anonymously and avoid identifying myself to any high-ranking officials, either within MCPD or from other agencies. The helicopter has swooped down on a steep trajectory and is painting the target house with its searchlight; a small bus painted in white and blue and labeled "Merton County PD Mobile Command Post" has been pulled in front of the house next to the targeted house. The SWAT Team enters the front door in a line of about ten; attired in military style "BDU's" (battle-dress uniform), carrying heavy weaponry that includes shotguns and MP-5 submachine guns. They are encased in military hard-shell body armor that can stop a 7.62mm NATO issue rifle bullet. There are at least 2 snipers that I can see placed

behind cover with assault rifles across the street to provide high cover in case anyone inside the house attempted to fire down from an upper-floor window. “Flash-bang” concussion grenades have been authorized to stun the occupants; I don’t hear them detonate but later I’m told one was used. The SWAT Team methodically and efficiently secures the house as Hector and I shiver in the cold at our position. I see several high-ranking officials of MCPD who I’d rather not encounter enter the house. But it is too cold to stay outside; Hector and I go in as soon as it’s announced secure. The captain in overall tactical command shoots me a brief questioning glance, but he’s busy and doesn’t repeat it before his job is over and he leaves.

The target’s mother and girlfriend are being held in the living room, which has a bare wooden floor and is cluttered with boxes that contain various household items and papers. The house appears as if the occupants may be either preparing to move or have recently moved in but not unpacked. The mother, a Latina woman in her late fifties with dyed black hair, is sitting on a couch, crying softly and protesting her innocence. The target’s girlfriend, a blond petite European-American woman in her twenties, is holding a year-old baby that’s crying, rocking and trying to console the infant. Chuck has tried to politely ask the girlfriend, who has been implicated in the drug sales by an informant, where the cache might be found, without success. She wants a lawyer. Rich Williams, a MCPD detective from another unit and a nice guy, is on overtime is assisting with the search. He’s emptying every food container in the refrigerator and kitchen cabinets, neatly onto a counter or the floor, and then returning them to their locations.

Bart T. and Tim B. remained with Bud when the SWAT Team stands down and withdraws. The search quickly reveals 13.5 ounces of marijuana in a large plastic ziplock

bag, scales for weighing it, and smaller bags for packaging. But the process rather than the results was the reward, in this instance; this is a felony charge, but barely. But the group is energized by the charged atmosphere of the raid and the successful apprehension of the “target”. The marijuana is weighed using the scale found next to it. There is some discussion about whether the women will also be arrested. Bud M. says “She wants a lawyer now... OK- she wouldn’t need it but now it’ll cost her \$3000.00 and probation... would have cut her [loose] if she’d just admitted the guy lived here”. Apparently, the target denied any connection with this address when apprehended, a feeble attempt to avoid arrest. The postal inspector had already confirmed that he receives mail here and bills with his name had been found inside of the apartment. The girlfriend had also attempted to “play stupid”, so now she too would be arrested and charged with both possession of the marijuana as well as child endangerment. As we prepared to leave the apartment, I saw Bart writing something on a calendar that was attached to the refrigerator door. In the designated box for this date, February 11th, he had written: “Merton County Police”. “So maybe I’ll get yelled at”, he said when he saw me looking at what he had written. I answered, “only if they complain”.

As Hector and I walk back to our car, we pass beneath Rudy M.’s window. I look up and see Rudy’s head sticking out... “Yo, stay out the hood, man”!!! It was nearly 2:00AM when we returned to MCPD. Rob and Chuck went to the holding area to process the arrests. Hector and Eddie began to inventory and log the seized marijuana, scales, and the other evidence. These were lengthy tasks that would take at least another hour, and the group dispersed to their various tasks.

Transition and Reinvention

As previously noted, several months into the study there was a change in the command structure of SIU. Phil M. was reassigned following the completion of the preparation for the sweep in River City. Symbolically, the transition marked a reinvention of the unit as well. There were two new supervisors assigned, Bud M. and Glen T. Both were sergeants, though Bud had recently taken the promotional exam for lieutenant; it was assumed he would score high enough to be promoted and would exercise authority as commander. Bud had spent the previous seven years as commander of the DEA Task Force, and was giving up a considerable supplement to his salary by returning to Merton County duty. This he quickly addressed by changing SIU's working hours from 3–11PM to 1–9PM. He explained that afternoons were important in terms of keeping up with administrative tasks and that little activity was initiated after 9:00PM. But I suspect that the real reason was more complex; if he was right and most activity concluded before 9PM most of the time, then when anything actually did happen after hours would require overtime to pursue.

Bud never made lieutenant, but retained overall command of the unit by virtue of his seniority within rank and experience in the DEA assignment. Glen T. was relatively new as a supervisor. He had been previously assigned as a dog handler, and his police dog, Donut was a female yellow Labrador Retriever trained to locate drugs and other hidden evidence. Much of Bud's time was initially expended in the revision of the unit's record-keeping procedures, some of which had not been regularly attended to under Mike's command. There was apprehension and fear among the group prior to Mike's

departure, the fear of the unknown because the grapevine had it that at least two members of the group would be reassigned.

One night in November when I came in to work Phil's office is barren. The flag has been taken down and removed, the desk is bare, there is no Beethoven playing on the Bose CD player, which is also gone. John R.'s desk is also cleaned out; he's returned to River Village. So that's where I settle in for the night. There is untidiness in the office that I hadn't earlier observed. Neglect perhaps, due to the inconsistent occupation of the office as the unit has been occasionally dispersed to other duty. There is also no leader present to focus their attention to any collective purpose, though they will defer in a pinch to Rob L., who is the "senior officer" and therefore technically in command according to the militaristic chain of command.

The group has been uncertain of their standing, though Jackie and Chuck were promoted to detective status the previous week. They are relatively subdued; there is little of the usual banter about cases, personalities, home purchases, motorcycles, etc. Jackie tells me that he's abandoned his plan to move up the line into "Copland", and has gone to contract on a home in River City in his old neighborhood. Hector is closing on a house Diverseboro, his hometown. Rob is repetitively snapping an ASP baton open, then slamming it closed on a desktop. There is no internet access- the server is down for some reason.

SIU is in the throes of an anomic crisis. Kevin C., the overall detective commander, became aware of this and addressed them as a group the previous day. They were all promised that they would continue in some capacity within the detective

division; their status within the organization was not in jeopardy. But he could not guarantee that their status as a *group* would be sustained.

The first week in December, Bud and Glen arrived. Joe T. and Rudy M. were assigned out of the office to other units; Bart T. and Tim B. were their replacements as additional case officers. Hector was the sole undercover until Eddie's arrival several weeks later. Rudy was resentful, Joe was not.

Well it didn't bother me that I was moved... but they should have put in an undercover. It was like they were kicking me out and I never did nothing. Like it didn't matter if I wasn't replaced... Like they put in a new enforcement officer instead of an undercover guy, which isn't fair to Hector either.

Rudy M. 11/19/04

Rudy was loyal to the group within the group. The undercover component of SIU had been decimated and that seemed to bother him. He was assigned to General Crime Investigations, the "suits" that investigated major cases such as homicides, rape, fraud, and serious assaults. But he retained loyalty to the group, especially to Hector. Joe didn't express much preference. He was reassigned to Criminal Intelligence Unit, which was a day job involving the dissemination of analytical updates to departments throughout the county. Both were considered high-prestige assignments, yet by their removal, the comfortable, even predictable routine of the group has been compromised by the unwelcome prospect of change. That which has already occurred and that which is yet to come. There had been some bickering again between the U/C guys and the ENF people, and now there was only one undercover left. Hector would have to fend for himself now in some respects, and in fact I did observe some evidence that he was spending more office time in other locations within the headquarters building.

When Eddie arrived, Hector was given the task of tutoring him. Hector seemed reluctant at first; he was not enthusiastic about it and seemed resentful of the extra work. When Eddie proved not to be a quick study at first, Hector occasionally complained about it.

On the other hand, Bart T. and Tim B. had previously worked in the drug unit before moving on to other assignments. They were enthusiastic about their return, Bart having spent time in GCI and Tim having languished in CIU for several years. Bud described both as “aggressive”, a compliment when used in the evaluative sense by a police supervisor.

Literally overnight, the dynamic of the unit was transformed. It must be understood that everyone in the Merton County Police Department was a known quantity, either personally or by reputation. In a department of fewer than 300 officers, there is little mystery and few surprises regarding the personalities within it. There was a new aura of energy and “aggressiveness” in the unit following the transition. Bud and Glen were enthusiastic about moving along with any possible line of investigation, and instituted two new routines, interdiction patrols and package interception. Interdiction patrols are discussed next.

Interdiction Patrols

Interdiction patrols are the routine of last resort, and weren’t employed when Phil M. was the supervisor. Phil was of a mind that if there wasn’t any “real” work to be done, then there was no sense in looking for trouble. Real work under Phil’s command was defined as active operations; the focused routines such as informant buys, sweep preparation, search warrants, and the attendant administrative activity. Interdiction patrol

was a proactive strategy to locate and arrest just about anyone engaging in drug activity, no matter how trivial. Bud M. and Glen T. were given a mandate to jump start what had been perceived by the administration as a moribund enterprise. Given adequate staffing, Bud's ideal configuration for these interdiction operations would be:

- 2 “funny cars” with two or three officers each inside
- An unmarked police cruiser with 2 officers for back/up

But often it was only one “funny” (undercover) car and one unmarked police car. The hours were punctuated by dinner breaks and the occasional success. Most of the arrests were for possession of marijuana, a petty offense for which there was no need to actually bring the suspect in to headquarters to be formally booked; they were given field appearance tickets with a court date. Interdiction patrols concentrated on county-administered parklands, the Community College campus, and one unincorporated polity entity, Braeburn, that had disbanded its small police department and now contracted with the Merton County Police for police services. The Braeburn routine involves:

- A twenty minute car trip from MCPD Headquarters with a stop for dinner
- Meeting up again at the Braeburn substation, the former Braeburn Police department facility—a small complex of three offices in a larger county building
- Breaking up into undercover (funny) cars and the unmarked Crown Victorias
- The search for drug activity

A good example of interdiction patrol occurred on January 31, in Braeburn.

Jackie and Chuck are already on the road, so Glen and I go to meet up with them in Glen's Crown Victoria. Donut is walked and fed first, then placed into the back of the car. Jackie and Chuck had planned to meet with the 17 year old they'd busted for the marijuana charge the previous week. He'd expressed interest in providing information in order to avoid prosecution on the minor charge.

We plan to stop for pizza as soon as we get to Braeburn, but Glen identifies a “suspicious vehicle” as soon as we exit the highway and approach the strip mall. It is a small, older model gray Mazda with out-of-state license plates. The operator made a turn without stopping at a stop sign. Acting in a back-up role, I am wearing my bulletproof vest outside of my shirt and have my badge displayed around my neck in a necklace case. I carry a small but powerful flashlight and am armed with my own 9mm pistol that is contained in a fanny pack. Glen questions the driver, politely advising him of the reason he was stopped. The driver, a male Latino in his thirties, is a laborer on his way to a friend's house. He doesn't own the car, has no license, and no documentation for the vehicle. Glen asks him politely if he is carrying any drugs in the car, and we call in the plate and the driver, who's from Ecuador and carries a national identification card from that country. There are no alarms on either the car or the driver. Glen declines to do any type of search; he's clearly decided that this guy isn't a likely drug user or dealer. I agree, and he's released.

We return to the strip mall and get two slices of designer pizza to go. We intend to stop in a parking lot to eat, but Jackie and Chuck let us know by Nextel that they've made an arrest at the Connecticut Rd. Exxon. So we manage to eat in the car as Glen drives over. Jackie and Chuck have made an arrest in the lot again, but this time for a more substantial offense that requires the suspect to be transported back to MCPD for processing. He's in the back of the Passport, a male white European-American in his late thirties or early forties. He's bearded, with shoulder length hair, dressed in jeans, work boots, and a blue jean jacket lined with fleece. He looks like we do- with the exception of the hair length.

The offense is possession of marijuana, but an amount that constitutes a serious misdemeanor. Glen calls HQ to notify the commanding officer that we've made an arrest and the nature of the offense. He's a bit apprehensive because the shift commander in charge of bookings and prisoner housing is Phil M., and the consensus is that Phil would be dismissive of such a relatively minor charge and annoyed at the prospect of housing the suspect in the cellblock in the event he couldn't make the bail. In Merton County, persons that are arrested cannot be transported and housed in the County Jail before arraignment. Local agencies have holding facilities, of varying capacities. Merton County PD's cellblock was large enough to hold a dozen prisoners, but there were other concerns, such as suicide prevention screening and prisoner processing. Glen opines that Phil M. may deride their efforts in Braeburn by virtue of the fairly minor offenses that were being uncovered; however, he also says that the courtesy of advance notice should satisfy Phil's expectations of deference and avoid an unpleasant scene.

Glen T.: Might be one reason for the change. We have to do this... the Commissioner's getting heat about Braeburn since we took over from the Braeburn department when they were disbanded. The citizens think everything's out of control, a lot of stuff coming in from Cannondale, you know... So every time we make an arrest here it's good- shows we're out here, responding to the community. I think Bart and Tim were in the unit before... They were real aggressive and I think someone figured they were more trouble than they're worth. But they're good- real good. You need guys like that who're enthusiastic and aggressive and don't have a problem with making the small arrests along with the big stuff.

ML: It's always been a numbers game in my department. No matter what else someone does, what a unit does, you're always evaluated on how many numbers you can produce.

Glen T.: Same everywhere, I guess.

We pull into a parking lot behind a bank on a hill that overlooks the Connecticut Road Exxon. The arrested man's Chevy pick-up truck remains in the lot after he's

removed to HQ, and Glen wants to see if anyone comes to get it. It has a suspended registration, and if it's driven on a public road the operator can be stopped and searched for that offense, the logic being that a marijuana user's associates are also likely to be marijuana or other drug users. We spend an hour, but no one comes.

Sometimes, interdiction patrols led in other directions. SIU was always interested in “productivity” and any hint of criminal activity of any stripe was fair game. In January, the group had unsuccessfully watched a suspected drug location in Cannondale for several hours. When there was no activity, we rendezvous with the others in Braeburn, at the MCPD substation. This is a fairly substantial office, located in a county building that also houses offices of the social services department. The office itself consists of an all-purpose room that contains a large conference table and is adjacent to three holding cells with massive, rusty doors that are secured by massive black locking mechanisms: evocative of de Toqueville's account of the construction of Sing Sing Prison in the 1830's. There is another room that houses a communications dispatch console, a relatively new PC on a low table, and assorted binders, departmental forms, and equipment. Although it would seem to have the capacity to support a number of officers, the substation in fact is home to a lone officer per shift. This district had traditionally been policed by its own independent force, which had been abolished in a taxpayer revolt several years previously.

There's not much planned for the remainder of the evening. We sit around the conference table, discussing dinner possibilities, while Jackie assembles a new and brighter strobe he's purchased for the dashboard of the Quest with his own money. Two citizens, a man and his wife, come in to lodge a domestic complaint against the woman's

brother. The only uniformed officer is in the communications alcove, and the citizens assume I am a police officer. They look doubtfully at Hector, attired in his undercover uniform of khaki industrial pants, black doo-rag on his head, cholo hat and leather jacket. "You're not a cop?" Hector subtly implies the negative... "Nope, talk to *them*".

We walk as a group into the communications alcove to allow the uniformed officer to interview the couple. The man is a Latino in his fifties, unshaven, dressed in jeans, plaid work shirt, boots. He has a prison tattoo on his right hand. Not unlike the standard SIU attire. The woman is late forty- early fiftyish and dressed in a faded green sweater, jeans, and a woolen hat against the weather. They'd walked from their townhouse, several blocks distant. Hector relents and agrees to reveal himself and assist the uniformed officer. Although the citizens speak good English, they appear more at ease with Hector, who records their statements.

The request for assistance involves accusations that the woman's brother is a habitual drug user (which piques our interest), has stolen from them to obtain money to buy drugs, and has become a malevolent presence in their home. The brother was given shelter almost a year ago, but the complainants now want him out- he doesn't pay rent on a regular basis and they are also afraid that his increasingly erratic behavior presents a threat to their seven-year old foster son. The uniformed officer agrees to go over to the house and attempt to persuade the brother to seek alternative housing immediately. SIU will provide back-up for the officer, and avail themselves of the opportunity to interview a suspected drug user regarding any information he might be willing to provide.

Light snow falls as we pull into the townhouse complex. The marked MCPD cruiser parks in front of the complainants' unit, and we park the Quest and the Passport

behind. Bud parks his unmarked Crown Victoria across the central parking lot, running. Hector and I remain outside, talking as the others go in. The development consists of about 25 attached two story townhouses, two and three bedroom units. The complex was built as “affordable housing” with federal subsidies about eleven years ago. The owners were obligated to retain ownership for a ten-year period in exchange for a very favorable mortgage rate and a subsidized down payment.

A young woman emerges from the corner unit and approaches Hector and I. We're reluctant to identify ourselves as police officers... Hector to protect his undercover identity and I for much the same reason. But the woman challenges us- “What's going on?” She sees the marked police car and Bud's unmarked Crown Victoria and must assume we are either police or the reason why the police are here. I display my badge necklace and reassure her that there is no reason for concern. I advise her that there is a family dispute in one of the homes and we are there to back up the responding officers. She seems relieved, and tells us of a concern in the neighborhood with a teenage male resident who has been peering into windows at night lately- a “peeping tom”. I tell her that we're here for another reason but we'd look into it. Now she asks us if there is anything she can get for us; it occurs to me that she is flirting with us- with Hector anyway. Hector jokingly mentions hot chocolate, and the woman disappears inside her house. Five minutes later she re-appears with two mugs of hot chocolate!

After we finish the chocolate, it is still quite frigid, and we go inside the house where the others are to escape it. The drug addict brother has agreed to leave the house, at least for the night. But there is a new angle; the brother has told Rob that there's an illegal handgun in a closet. The complainant claims no knowledge of any illegal pistol,

and Bud persuades him to sign a “consent to search” document for the upper floor of the house. Glen brings Donut upstairs to assist in the search; Hector and I remain in the living room with the original complainant and his wife, their 7-year-old foster son, and their two Shih-tzu dogs. Wet shoes are arranged on a towel that has been placed on the fraying mauve carpet, which makes me a bit uncomfortable about the way we have tramped through the house unimpeded in our own wet shoes.

Several rounds of .380 calibre pistol ammunition are quickly located in a closet in the upstairs of the house. Soon after, Donut locates a 9mm pistol in a closet as well. The homeowner/complainant accuses his brother-in-law of bringing the gun into the house, though he claims never to have seen it. We're skeptical, but there really is not much probable cause to arrest the homeowner, his wife, or the now-evicted brother. The gun will be sent to forensics for fingerprinting. All three parties have police records, it is assumed, and so if any prints are lifted there might well be a case later on. But the relevant issue here is that all of these people have been identified as involved in some aspect of the world of drugs. The brother also accused his sister of prostitution and active involvement in using and selling heroin and cocaine. So the gun is actually a fortuitous development that may provide SIU with the means to coerce the owner to provide intelligence in exchange for overlooking the gun charge. This makes the night a success.

Interdiction patrols do yield bigger “collars”. But for the most part the result is either nil or minimal for the number of vehicle stops made- upwards of three or four per car per night. Further, the group is often called to the scene of highway car stops made by the uniformed members of MCPD; Glen T.’s police Labrador Retriever, Donut, is particularly useful in these circumstances. However, through some quirk in

administrative procedure, any drug investigation resulting from a uniformed car stop is technically assigned to the General Crime Investigations Unit. But this was often impractical and it was informally conceded that SIU had considerably more expertise in these matters. On one occasion Donut uncovered the presence of several kilograms of cocaine secreted within an elaborately constructed door-panel cache that was operated by means of a hydraulic system.

Despite the paucity of results, the institution of the drug interdiction patrols gave meaning and purpose to the group in some important ways. Most significantly, their sense of agency was enhanced because regardless of the location of the car stop or whichever jurisdiction they occurred—these arrests were theirs and theirs alone. Interdiction patrols serve as an outlet for the lemming-like pursuit of criminal activity that compels every cop over the cliff toward the sea of boredom, ambiguity, and the search for identity.

Package Interception

By the latter stage of the study, the package interception routine had assumed a position of importance in the group's day-to-day operations. From his previous assignment as one of the department's dog handlers, Sgt. Glen T. had developed contacts in the local FedEx office and beyond. At some point, Glen established a working relationship as well with a sergeant in a Sheriff's office in a rural California county where marijuana was being shipped to various locations within Merton County; whenever a "suspicious package" was identified in California, bound for Merton County- that sergeant would notify Glen, who would notify the FedEx office manager of its imminent arrival. From there, the group would plan to follow the delivery truck to its destination

and arrest the acceptor of the package. With time, packages were also found routed through UPS and the Postal Service; Glen made contact with the managers of those facilities as well.

This routine yielded some large scale seizures of marijuana; it also at times was quite frustrating because the packages might be sent to phony addresses where the residents had no idea that the drugs were coming. Or the package might be addressed to a large business, where the person signing for it merely was a clerk doing her job and had no conception of its contents or ultimate destination. Unless the recipient actually signed for the package and/or resided at the ultimate address, there was little that SIU could do other than recover the contraband.

I touch on this routine because as time progressed it occupied an increasing amount of SIU's time. But these operations most often occurred early in the morning when it wasn't possible for me to participate. Their hours were altered or overtime pay was requested in order to engage in this activity; it was always secondary to the main tasks of the group because the shipments always consisted of marijuana—a low priority. My participation was limited to surveillances, and none of the operations wherein I actively participated were successful. Other than the provenance of the intelligence, this routine was ordinarily subsumed within the working strategies of the search warrant or the “rip” (when a package was actually intended for the driver of the delivery truck; this was suspected when the drugs were sent to a totally fictitious address).

PART 4- Analysis and Conclusions

Chapter 8- Analysis

So what is to be done with this data; where does it fit with my research aims and how have the methodological templates been applied? It should by now be quite apparent that there do seem to be two realms of drug enforcement that the Merton County Special Investigations Unit lives in; urban and suburban. There is an almost desperate compulsion toward the successful maintenance of turf, and this theme can be found again and again throughout the study. SIU is “in search of respect” from other police agencies in much the same way as Bourgois’ crack dealers in his book of the same name. The difference here is that the sought-after capital is standing within the Merton County law enforcement community in the “war on drugs”. Therefore, much energy in the process of identity construction, both on the individual as well as the group level is expended in the quest for the freedom to operate in the areas of the county that are most typified by a heavier level of street drug activity. Drug sweeps and “rips” provide the most immediate opportunity for the gratification of this desire, and are concomitantly possible only in the arena of the most urbanized inner city areas of the county. Unsurprisingly, these areas also contain the most heavily minority and lower-class populations.

Even when engaging in the search for drug activity in suburban areas, one can discern a class-dominant perspective. Deconstructing the semiotic manifestations of the group, it is not a stretch of the imagination to see where the focus of the effort lies. When the group dresses for action, undercover or not, the targeted population can be identified by the modes of dress of SIU. Work boots, mechanic’s coveralls, paint splattered jeans and athletic jerseys are worn by the case officers. “Bar cases” target bars patronized by

the working class and working poor. Though I did not participate in a “bar case” scenario, accounts of past cases and the names of the establishments pointed to an emphasis upon infiltration of clubs and bars that conform to definitions of either working class or ethnic (usually Latino[a]).

Certainly, and members of SIU wouldn’t deny it, there is drug activity in the more elegant surroundings of those clubs and bars patronized by the power elite, but SIU wouldn’t be requested to conduct operations in those locales patronized by professionals and politicians. Most of the investigations focused upon public, visible drug activity and were prompted by complaints. As noted, economic status has little impact on a person’s likelihood to consume drugs; but along with race and ethnicity, it has everything to do with the likelihood of detection, apprehension, conviction, and incarceration. On many occasions, the officers of SIU expressed frustration and indignation at their inability to conduct operations at certain locations such as the Community College or in public high schools. But in all honesty, I’m not quite sure that their own life histories and statuses could be overcome to the extent necessary to infiltrate the ranks of social networks comprised of doctors, lawyers, and investment bankers. This fact alone speaks volumes of the institutional slant toward the selective enforcement of drug statutes along economic/racial lines.

Hebdige (1979) and Giddens (1991) tell us that the permutations of style on the micro level, placed within the larger context, points the way to defining and comprehending the structural influences that represent powerful ingredients in the Petri dish of cultural production. This is certainly apparent here. Chuck’s work shirt, jeans, and high-top leather work boots make him virtually indistinguishable from the patrons of

a bowling alley or working-class bar; he would not fit in other settings where the mode of dress tends to Armani suits or cashmere t-shirts.

I am not arguing that violent crime often accompanies high levels of street drug activity and trafficking. The residents of inner city neighborhoods are vocal in crying out for more police enforcement efforts, and certainly deserve to live free from violence. I will, however conclude this thesis with a call for alternatives to policies that represent an almost exclusive emphasis upon enforcement. In any event, let's concede for a moment that enforcement *does represent* the most effective remedial option to ameliorate the potentially destructive effects of addictive drugs. If this is correct, then the residents of the second realm of drug enforcement in Merton County, the Tynes, the Chattertons and other middle to upper class areas are being shortchanged. Are the *upper* class addicts, at least in Merton County largely untouched by law enforcement, therefore the biggest losers in society's "war on drugs"?

Foremost among the research goals was to arrive at some understanding of the ways which the culture of undercover policing reproduces the class and ethnic relationships within society at large. Here there is no question that the ascendant power relationships of the wider society are glaringly reflected in the group dynamics and division of labor observed in the Special Investigations Unit of the Merton County Police Department. The task organization was differentiated in the two realms of drug enforcement (figure 4).

Inner-City**'Burbs**

<u>Case Officers</u>	Surveillance (perception of powerlessness to prevent harm to undercovers; hypervigilance) Case management Report Preparation	Drug buys Informant management Surveillance Raids/Warrant Execution Case management
<u>Undercovers</u>	Drug buys (perception of risk/hypervigilance/isolation) Grand Jury testimony	Surveillance (occasional) drug buys in urbanized sections; perception of estrangement from the case officers.

Figure 4

My fieldwork concluded with a combined focus group and party held at my house for the members of SIU. This event had the dual objectives of eliciting discussion and responses in an informal setting to the four weighted questions I employed throughout the study to evaluate the attitudes and cultural adaptations of the group, as individuals, to their working experience. To restate these questions as noted in the methodology section (p. 105):

What prompted you to enter this type of work? Do you have strong feelings about drugs? What are your career ambitions in the department?

Do you believe that the work you do has an effect on the availability of drugs on the streets of Merton County?

Do you know any officer that has had such negative experiences as a result of undercover work that his/her life has been significantly and negatively affected?

If you had to, do you think that you could return to a standard assignment in uniform?

Though there was nothing learned about the group as individuals that hadn't already come to light during the course of the study as far as those officers who had

chosen to speak to me in detail; there was a group dynamic that in some instances differed. But the important issue at the conclusion of the fieldwork was to provide an opportunity for the members of SIU to speak authoritatively with one voice and provide commentary from their perspective on some of the more important areas it was hoped that this research would explore.

None of the participant/officers voiced any particular vehemence on the subject of drugs or drug enforcement. In fact, as noted at the very beginning of this thesis with the opening quote, most expressed an ambivalent attitude regarding criminalization of drugs and the utility of their efforts as a harm-reduction strategy. They further noted the availability of drugs was impacted only superficially even when tactics such as the sweep were applied. This belief is consistent with that which has been observed and experienced throughout the author's twenty-three years of life within the police milieu. There is, however a sense of ideological commitment to the belief that their efforts do maintain a balance, "flying the flag" if you will and defending the outposts of social control in the face of potential chaos. On the one hand, this conforms with the larger police perspective, which has been well-portrayed in popular culture and borne out in previous research. A police supervisor with 18 years experience, 10 of which were spent in drug enforcement perhaps expresses this attitude most concisely:

The most important thing is... don't get hurt out there. I don't care if the dude walks or you lose the collar, or what. Because there ain't no sense to putting my ass on the line for this shit.... For what? Every one we take off means there's five more waiting to take over their corner- their little brother or cousin or some young up and coming little wiseass. They're gonna smoke their shit no matter what we do. But I'm going home.

Derrick P., an African-American, 38 year old police sergeant in Central City.

But on the other hand, the police culture also abhors drugs and those involved in their use and trade. This perhaps represents an anomaly in the sense that Burawoy (1998; 2003) introduces in his discussion of the need to “extend out” from rigid theoretical assumptions.

But here it is important to note that the wider police culture and the subculture of undercover policing share the theme of safety, expressed as “officer safety”, which is always a foremost consideration in the planning and execution of operations. The undercover culture diverges in its construction of the safeguards against the potential danger. While police culture and accepted tactical solutions generally call for the availability and (as needed) application of overwhelming force, the undercover culture concedes that this option is not readily available under most circumstances. Instead, innovation, deception, and stealth assume paramount importance. The ability to maintain “cover” and one’s composure under pressure substitute for the reliance on the mandated sanction of force.

Negative experiences of other officers were alluded to, yet never specifically discussed, even at the focus session. I did upon occasion press the issue because I was personally acquainted with two officers that had had abbreviated careers following

service in an undercover capacity (Librett, 1999). One officer had become romantically involved with a female informant; the other had been physically injured, forced to retire on a disability; and eventually developed an alcohol dependency for several years before becoming involved in Alcoholics Anonymous. But both attributed their careers' demise to the uncaring attitudes of their organizational superiors. However, no officer in SIU would divulge any knowledge of a situation where an undercover officer either became involved with drugs herself (either as a user or a seller) or had some other adverse consequence that could be connected with undercover service. Perhaps this too is an artifact of the mainstream police cultural phenomenon of the "the thin blue line", or, never give anyone up. The two officers I interviewed in the noted preliminary research revealed their personal histories only under strict conditions of anonymity and confidentiality, discussion of the circumstances of others was quite a different matter.

Returning to work in a uniformed capacity was anathema to the officers of SIU, which was consistent both with previous research as well as anecdotal evidence gleaned from my personal experience. It was considered a humiliation. As Hector stated (p. 123) quite eloquently, the identity and lived experience of the *successful* undercover officer with time becomes estranged from the mainstream in policing. When faced with the possibility of a temporary reassignment back to the road, Hector denigrates the duties of highway patrol officers ("but *anyone* can write tickets"). There were few examples of officers that were assigned back to road duty involuntarily—the traditional path was undercover, then on to specialized duty elsewhere, then back to the unit as a case officer. Neither of the MCPD officers that were reassigned during the period of the study was sent back to highway patrol; John did return to the River Village PD, and never

responded to my requests to meet for a follow-up interview. But through the “grapevine”, the evidence indicates that the transition has been uneventful thus far; further contact will be attempted as part of a longitudinal continuation of this research in the future.

Identity

One night... I was in a stairwell in the projects waiting for some people to come by with some product. You know how the _____ Houses are laid out—the elevator when it opens, you can see in the stairwell door? Well this old grandmother looking lady steps out of the elevator... Now I was dressed street, I let my clothes get really dirty- didn’t wash them or nothing for a long time. And I stank too, I never would take a shower for a few days or shave or nothing when I had to go in that place. So anyway this old grandmother, could have been *my* grandmother comes up in my face and she’s like... yelling and scolding me like “why do come up in here and bring that stuff up here; I been living here for thirty years and it used to be a nice place, and now you young punks make it hell on earth” and like that. She even got to swatting me around with her pocketbook, she was so upset. And then I felt so bad... I became a cop to do good, to help people out- do something about crime. *I* felt dirty, *I* felt like a crackhead—not like when I’m in my uniform, when I look good and I feel good. *That’s* when I knew I should get out for a while, but I stayed for another year.

Derrick P.

In the final analysis, the formation of an undercover’s identity is significantly impacted by the ideational fixation with role-playing and the need to *become* the Other. What may be written off as “going native” in field research can have consequential outcomes for undercover officers that may become ever present and inimical to their ability to successfully adhere to a standard police career path. If one refers to the existentialist school of thought as applied to sociology (Smith, 1984:100–118), the bureaucratic model of organization is especially fertile ground for the condemnation of its members to “be free”. Therefore, it follows that members of a bureaucracy forming

subgroups on the periphery both are condemned to be free at the same time as they are estranged from the mainstream. It is a position inherently fraught with angst. Smith's analysis is quite relevant to the dilemma of an undercover agent in a militaristic organization, where there is an intrinsic disconnect between organizational norms and individual adaptations and formation of identities. He argues that the member of the organization is both situated as well as free, an "actor that draws on personal interests and feelings as problematic issues arise" (p. 116). Smith concludes that if management is to succeed in achieving organizational aims, there must also be empathy and concern for the subordinate members. And this is vehemently *not* the perception held by the officers; those that strip the outward trappings of the symbols of state, yet continue to profess at least an outward sense of loyalty to the institution, run the risk of losing face with both their co-workers as well as the muses of the media in the event that they transgress. The police officer "gone bad" is subject to powerful stigmatization; the role strain experienced by undercover drug cops can clear the way for officers to internalize a master status, which creates estrangement from the mainstream of policing. Indeed, as we have seen in this study, there is estrangement between undercovers and their back-ups as well.

When a police officer changes stripes and takes to the streets, the dramaturgical routine begins in the office. The undercovers begin their self-transformation by changing to their "street uniform", strapping on the "kels", and putting their faces on.

You know how I go off by myself before we go out... that's when I'm not thinking about Hector anymore. I'm thinking about Chino. That's what I have to do to; I go on the internet, look at some clothes, you know the hip hop stuff; listen to the music, get my head into the street like Chino would do. Put my stuff on. I can't think anything cop for a while, stay by myself, and then I'm ready to go.

Hector B. 4/17/2005

I observed Joe, John, Rudy, and eventually Eddie to engage in much the same routine. As the others are bantering about sports, the news, and the departmental grapevine—the undercovers begin their self-transformation apart from the larger office mainstream. The symbolism of their self-estrangement can be seen to be conflated with the affinity they sometimes express for their target population, considering the enduring and powerful effects of role playing across the long term of their careers.

The positionality of the undercover officer within the larger police culture as well and within the group itself is graphically illustrated by this parable, as told by the uniformed River City Captain that had had me ejected from the sweep debriefing. In a subsequent interview, I noticed that he had a stuffed green frog on a shelf in his office, and asked if it had any significance:

There are green frogs and brown frogs. Brown frogs live in swamps, and have to swim through muddy water that stinks. They have to catch food to eat, and there isn't much to catch. So they get good at catching what there is, and sometimes are sort of vicious. But green frogs live up in the meadows where there are plenty of big juicy bugs to eat, and the bugs are slow and easy to catch. The sun shines a lot in the meadow, and life is good.

I was given the frog as sort of a joke... I guess in a way I'm a green frog. Always have been, just the way my career's gone. One guy I know, he got promoted recently. He was a drug cop, an anti-crime cop, a real street guy. Now he's in the administration. So they call him a brown frog in a green skin!

12/14/2004

The intra-agency dichotomy is reproduced within the group in microcosm; for while the case officers appreciate and admire the ability of a successful undercover officer such as Hector to engage in role playing and the consistency with which he succeeds in his tasks- the benchmark in the unit for long-term success is to return as a

case officer. Undercover work is considered “paying one’s dues”; it is somewhat less “cop-like”. The case officers at times look askance at Hector’s reluctance to opt out of undercover work; in this sense he succeeds in “rattling the iron cage”, and that is disturbing—after all, who would truly prefer to “live in a swamp” and scrounge for food?

It did seem at times that the Latino undercover officers took pleasure and even pride in the ability to adopt modes of dress and lifestyle symbols that brought them a bit closer to their cultural roots. Along with the two realms of drug policing from an economic/geographical perspective, there exist as well two worlds of policing within the office. The subgroups are distinguished by their respective frames of reference, which influence their formation of identity as differentiated by their position as either case officers or undercovers. Following Goffman’s (1974) frame analytical model, as also employed by Manning (2003) to explain the process of decision-making by patrol officers in the age of high technology, this is a useful template to apply in this case as well. The case officers are primarily concerned with:

- The success of the operation (“operational integrity”)
- Liaison issues with other departments
- Liaison issues with the District Attorney’s Office
- The chatter of radio transmissions
- The Nextel communication modality
- Penetration of ethnically foreign neighborhood cultures
- Officer safety; responsibility for the safety of the undercover officers
- Relationship with the supervisor(s) and career path
- Report writing responsibility; when to find the time to do it
- Possibility of overtime pay
- Closure obtained through participation in arrest sweeps

The undercovers, on the other hand are occupied while working in that role with concerns that are more immediate:

- Their personal well-being
- The need to stay within their roles, at the same time maintaining vigilance and abstinence from drug use
- Formulate an ever evolving contingency plan for unforeseen events
- Superficial integration to the culture of ethnically familiar neighborhoods
- Secrecy extending to off-duty exposure/maintenance of cover at all times
- Exclusion from the Nextel communication network while in the field
- Performance anxiety during the “front stage” appearances before the Grand Jury and at trial.
- Potential status inconsistencies in off-duty personal interactions with family and friends

Two separate frames of reference, then, impacting the components of one aggregated group that is itself similarly estranged from the mainstream of policing. It is evident that the formation of identity among the members of SIU was in large part the result of the impact of two different sets of influences, resulting in the two different perspectives illustrated above. Case officers tended to adhere more closely to the mainstream in terms of ethnicity, vulnerability to the pressure represented by the compulsion to increase productivity, and the desire for overtime pay opportunities. Undercover officers were strongly committed to the task at hand, whether successful or not, largely due to the perception of danger at every turn. The greater part of an undercover officer's efforts are devoted to secrecy, deception and the maintenance of cover.

Extending Out

There is no doubt that the research was affected in many ways by what Burawoy (1998) terms “context effects”. The intervention itself likely did initially alter the working routine of the SIU office, especially in the beginning of the project when I was moving through the *pro forma*, yet in their eyes legalistic and unsettling process of intake interviewing and obtaining the necessary informed consent agreements. But as the process of their routines and experience is explicated and contrasted with the mainstream structure of uniformed policing as well as popular assumptions of the effects of drug policing upon society as well as the practitioners, the conclusions of the study will argue that any unsettling context effects should be viewed within the opportunity to gain insight to the lived experience of a drug cop.

Burawoy also cautions against some corresponding and potentially harmful “power effects” of the reflexive model of research, and here again I argue that the benefit outweighs the risk. However, it cannot be denied that of these effects (Burawoy, 1998:22–25) “domination” was an issue from the outset. The impact of the rank difference placed me among the administrative class within policing, and the study suffered for it throughout. To many of the participants, I was always the “L.T.” But far from engaging in a methodology that bore the potential for silencing them, the SIU members herein loudly proclaim their experiential perspectives and thus become transformed from mere functionaries in the apparatus of oppression to examples of where these strategies are taking us as a society. To the issue of objectification, it can be argued that this study’s agenda is political and therefore the participants have been unwittingly objectified as “foot soldiers”; victims blamed for their own exploitation, or used to make

a point. But this is a real window on the lived experience of real people; I lived it alongside of them and add my own life historical perspectives to their own. The result is not objectification, but empowerment. Finally, does this research tend toward normalization of the process of drug policing? I believe that the personal revelations and enthusiastic participation of the members of SIU provide the sort of data that invite a return to the questions of whether or not contemporary drug policing fulfills its expectations and is an effective strategy in reducing the harmful effects of drugs on the public health. The harm wrought by the use of drugs is not in dispute here, but the political and social impact of the culture of harsh criminalization certainly is. If it is futile—why do it? If it harms its practitioners without producing a concomitant benefit in the availability of street drugs or improvement of the quality of public health—why not explore other alternatives?

In any event, the jurisdictional competition and incessant need to engage in turf protection are reminiscent of the recent debate over the lack of cooperation between the FBI and the CIA and the conjecture that the 9/11 attacks might have been protected if there had been more transparency. The feeling among SIU is that there are many opportunities for drug investigations that slip away for that reason, so even from a law and order perspective—drug policing in the ‘burbs is problematic. But the real reason is that the patchwork quilt of jurisdictional confusion serves to afford the elected authorities the prerogative to either impose the law or overlook it. A recent article in the local newspaper widely read in Merton County covered a police scandal in a small town that included a “whistle-blower” who had made accusations to Federal authorities that a prominent citizen had been allowed to escape arrest for driving while intoxicated. The

article quoted a newly elected local official, apparently naïve, who stated that “there is nobody on the Town Police Department who doesn’t owe their position to acquaintance with a politically connected sponsor”.

Essentially, this study provides but a brief snapshot of the workings of the bureaucracy of social control through the commodification, valorization, and selective repression of pleasure-seeking behaviors along class and ethnic lines. Peter Manning’s The Narcs’ Game (1980 2004) has unfortunately been largely ignored in recent scholarly inquiry, even in its updated second edition. While it gathers dust in university libraries, the issue of urban/suburban differences in drug enforcement similarly receives little attention. One of Manning’s main concerns is the impact of innovation and technology in the evolution of law enforcement, and as the federal government continues to channel prodigious funding to law enforcement (now under the rubric of “homeland security”, but put to the whatever use police agencies can find for it), the differences between enforcement in large urban areas and the ‘burbs become less apparent. The helicopter surveillance, high-tech night vision equipment and paramilitary tactics are now ever bit as ubiquitous in the hinterlands as they were once restricted to large urban police agencies.

Manning’s (p. 140) discussion of meanings attached to terms in use by the members of SIU such as “target” show that the “suburban” cops of his study have much in common with the members of SIU (Manning posits that “target” is merely an ambiguous term that allows any offender to be labeled as such without regard to the seriousness of the offense; conversely Manning’s “urban” cops emphasized the definition of “major violator” and were often unconcerned with the minor traffickers). But this data

is dated in the sense that with the ascendancy of the zero-tolerance mentality, and in SIU's particular case the search for crime and respect—there is no such thing as a minor drug offender in the 21st century. The “pay-off”, in Manning's definition, to the members of SIU on the Tyne Raid wasn't the relatively small quantity of marijuana seized, but the process of the operation itself and its successful conclusion.

I observed two realms of drug policing, and two subcultures within the subculture produced within the SIU office. Urban versus suburban; European-American versus Latino. The classical music heard playing in Phil M.'s office contrasted with the rap and salsa CD's that Hector and Rudy played, as well with the rock and country rock played on Chuck's desk radio. In microcosm, one can discern many of the same divisions, misunderstandings, resentments and structural inequities that characterize the United States in late modernity writ large in the routines and practice of this small group of drug workers. In the final analysis, they are ideologues without an ideology; politicians with no constituency; true Weberian rational/legal functionaries with few tasks to fulfill their lust for jurisdiction. It is a culture of deprivation, compromise, and accommodation.

CHAPTER 9

Conclusions

Are you kidding me? Threaten me? Make me smoke with them? No fuckin way—never happen...I would never even need to pretend. There were so many of those mopes out there, every day, on every corner you'd have to fight them off to get to the one you wanted to buy off of. I did that for 6...8 hours a day for months in the late eighties. Yo—that was the wild west out there...nobody asked, and I don't think anyone cared because there were so many crews out there at the time. But we'd take them off right then and there, no second buys. Buy/bust, we didn't wait more than a few minutes and then the back-ups would scoop them up. Then we moved a few blocks over and did it again. Didn't think nothing of it, either. Go home, take a shower. Do it again the next day... So what?

Det. Paul J., former
undercover officer in NYC
drug enforcement

Many scholars will no doubt voice strident objections and criticisms when evaluating this research. After all, the issues of validity, generalizability, and reliability are largely irrelevant to this type of research in the first place; this is not a positivistic or postpositivistic study. I cannot *prove* that the arguments made and findings claimed apply reliably to any other police officers or unit other than the Special Investigations Unit of the Merton County Police Department. Indeed, one of the central claims is that this type of policing *is* in fact different from that which has been researched in the past, i.e. larger departments in more densely populated areas. The officer cited above worked as an undercover in Alphabet City in lower Manhattan in the late 1980's—there is no area in Merton County, even in River City where one can find the rampant, blatant, and voluminous presence of street drug trade activity such as existed at the time in New York City. What I do claim is that there are different pressures and influences on drug cops in the 'burbs. There is more pressure to produce, and fewer opportunities to generate

newsworthy and spectacular success. That is one reason why the “drug sweep” routine has become so ubiquitous—it yields the most bang for the buck. Rather than producing a continuously rising trajectory of arrest statistics that are often dismissed for lack of timeliness or evidence in a clogged court system, the Merton County sweeps employed more careful preparation and investigation in conjunction with a politically savvy District Attorney (“the King”), who had an equal interest in prosecution to the limit of the law; these cases, “doubled” buys from identified sellers in most instances, resulted in serious prosecution and presumably jail time for those arrested.

In order to provide a multi-faceted approach to this subject matter, I employed several different discursive analytical voices. The legal discourse traced the evolution of the contextual backdrop within which drug policing proceeds in the twenty-first century; the sociological discourse explains the methodology and processes of identity formation among the officers of SIU. I have also attempted to include enough philosophical discourse to bolster the use of an unconventional research design. This approach provides some degree of triangulation to the analysis, and it is hoped that future research may be possible in other police agencies that will provide some basis for comparison.

Merton County is not representative of an urban area, but it provides fertile ground for gaining an alternative perspective on policing in general as well as, in this analysis, drug policing. The many layers of overlapping jurisdictional boundaries and political intrigue proved to be the overriding influence on how SIU constructed their work routines and responded to the administrative pressure to produce activity. In a society obsessed with the regulation of pleasure, Merton County can provide a window on how many police agencies throughout the United States respond to expectation that it

will be aggressively rooted out. The belief that drug use correlates with violent crime continues to fuel the strongly held cultural belief in policing that violence is inherent to the street drug trade; the two or three dealers on the corner, engaged in competition for success in the unofficial economy, may indeed resort to violence to maintain their position. But the issue, then, can be reduced to the lowest common denominators— inadequate social services, job opportunities, and intervention for those with a substance abuse problem. The police intuitively know this, and that is another reason why the use and trade of drugs in more affluent areas doesn't receive the urgent attention that it does in the urban areas. What they don't realize is that this perception fuels the unequal application of laws that can be traced, as noted in Chapter 2, to the fear of “the other” and the quest of the power elite to obtain an effective toolkit to maintain the engines of exclusion.

By labeling the urban drug traffickers as somehow more blameworthy, the members of SIU easily overlook the real motivation for going after them—visibility and accessibility. The urban environment is much more user-friendly to drug police. The dangerousness of drugs is conflated with the ease of access to the offender; the difficulty of overcoming the barriers to effective enforcement of the drug laws in the more affluent, suburban areas militates against the desire to do so. But at the end of the day, the production of culture among the group as a whole was most significantly impacted by the struggle for respect and jurisdiction. The District Attorney (the “King”) was the symbolic *bete noir* of the strain this fight engendered, personified in the popular book written by “the King” that was prominently displayed as a talisman on Jackie C.'s desk. This issue was the most influential in the field of their search for identity.

In many ways, the Merton County Police Department itself is an agency in search of jurisdiction, and this influences the attitudes and beliefs of the members of SIU. Created in the 1930's, the merger with the Sheriff's Office in 1980 was traumatic in some ways to the former Deputy Sheriff's officers; they lost their distinctive uniforms and were integrated to the new, expanded police department. It is significant that the investigative units, including SIU, were originally included in the old Sheriff's Office—not the uniformed "Parkway Police". It is fair to assume that the resentment as noted continues to be retained in the collective memory of the Detective Division of MCPD. But the structure was then put into place for a superordinate department that would become the pre-eminent law enforcement agency in the county. This never happened, and the smoldering resentment became embedded in the collective memory and lore of the department. This deficit, in the smaller field of the SIU office became distilled to a further degree; to the extent that the group itself was divided by the designations of case officers and the undercovers—both subgroups were united in their resentment of the status inconsistency of policing a county where their jurisdiction was limited by political considerations.

What implications for policy can a study of this sort possibly have? I would argue that there are many inferences that can be drawn from this rather limited project conducted with few resources and zero funding. First—there is the issue of the drug war itself. In a year of contact with the Merton County Police Department, one of the most striking impressions that should resonate among policy makers is the low rate of production in the area of policing the drug trade.

For example, SIU's quarterly output from January 2005 up until April consisted of:

- 4 residence search warrants
- 3 "box" (FedEx) search warrants
- 41 arrests
- 28 drug seizures

This represented an average of 12–13 arrests monthly. Of course the missing variable would be the arrest activity of the other departments in the county, but the point here is that the well available for drinking is relatively desiccated in the first place in SIU's regard, and yet they still produced about 4% of the total for the county in aggregate. And when one considers that the MCPD's tally is duplicated within the statistics generated by the agencies with which they conducted joint operations (by virtue of the dual accounting system for arrest statistics), then the numbers a bit higher. In any event, as previously noted Merton County bucks the trends in large metropolitan areas such as New York City in terms of both crime rates as well as arrests. Both continue to rise a bit. So the most significant policy issue, from the law enforcement perspective, is this—the eclectic mix of law enforcement agencies and jurisdictions in Merton County restricts the ability of law enforcement to mount a concerted, efficient, and more effective effort in the “war on drugs”. And so therefore, if one accepts that the “war on drugs” as it proceeds in contemporary America is a misguided effort, then perhaps at first glance this is not altogether a bad thing. But viewed through the dark glass of social constructions of oppression and domination, the relatively few successes of SIU's efforts are disproportionately slanted to the arrests of minorities. That is a worse thing.

Most scholarly treatments of the drug issue in the United States conclude by arguing that a public health approach would be preferable to the overwhelming emphasis

placed upon enforcement, incarceration, and stigmatization that is the circumstance in the United States today. This will be no exception; the not inconsiderable harm caused by the addictive and debilitating properties of street drugs must be addressed. But one of the most consistent and telling observations made during not only this past year of field work among drug cops but also across twenty-three years of personal experience in policing harkens back to the opening quotation: “nothing we do will ever stop people from doing drugs”. If this is right, then a just society must find alternatives to the mass incarceration of its citizens in the interest of the public health. The larger issues of urban poverty and deprivation due to ethnicity and race must be seriously addressed and the consequences of the post-industrial era confronted and overcome. If drugs are more of a problem in the cities than the ‘burbs, then it is not the drugs but the cities that need to be fixed. The foot soldiers in the “war on drugs” will soldier on, subjected to the effects of racism and exploitation in their own right, yet nothing will impede the process of drug enforcement in a department such as Merton County despite the impediments of jurisdictional competition and internal divisions. As popular culture continues to lionize drug cops through the mass media’s presentation of police dramas and the recent association of drugs with the “war on terror”, the pressure to join in the drug war and thus attain a high-status position in the hierarchy of policing will continue unabated.

And where does this leave the members of SIU and cops like them all over America? Where does it leave Officer X (who alluded to drug use) and those officers who are less able to maintain a balance between their undercover personae and pre/post undercover identities? Even during the brief time I spent with them in the field, it was evident that policing in the absence of the constraints and beyond the boundaries of the

mainstream carries the additional risk of estrangement from that mainstream. It can be reasonably inferred, then, that return to the fold of the militaristic structure is never an easy prospect and can be devastating in terms of role strain and issues of self-esteem. Once the iron cage is shattered—it is difficult to reconstruct.

In the final analysis, I agree wholeheartedly with Gary Marx. In his concluding paragraphs to his comprehensive and seminal (1988:233) treatment of undercover surveillance, Marx argues that technological advances and the pervasive influence of popular culture have advanced the acceptance of the relatively unobtrusive methodologies of surveillance and undercover tactics. His prescient analysis foresaw the day where Americans might be willing to allow the erosion of personal freedoms in the face of disastrous circumstances such as the 9/11 attacks (p. 229), yet was optimistic in his belief that we were not yet a “maximum security society”. Yet Marx did posit that we were headed in that direction (p. 221), and this trend has become more apparent with the passing of time. The backstage behavior of SIU seems to reflect the frontstage of the drama of class relations and the dilemma of the employment of covert tactics in a purportedly open and democratic society. Marx concludes, somewhat reluctantly that undercover tactics may indeed be necessary under certain restricted and exigent circumstances, but should be used only in the event that they represent the “least bad” alternative (p. 233). In the battle to protect the health of our citizens and safety of our neighborhoods, there are other alternatives. Whether or not they are worse alternatives is open to debate, many but logical analyses have concluded that even if the struggle to counter the destructive effects of the widespread availability of drugs can, or should be

characterized as a “war”—we are not winning it. It is destructive to its practitioners and the cohesion of many inner city neighborhoods. It is time to try something else.

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