

RESEARCH NOTE: COPS AND 'STOOL PIGEONS'— PROFESSIONAL STRIVING AND DISCRETIONARY JUSTICE IN EUROPEAN POLICE WORK

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The interplay between professionals and clients has been examined in a number of settings (Etzioni, 1964: 87-89; Becker, 1952; Willie, 1960; Schur, 1968; Myers and Roberts, 1959) and the impact of laymen on professional behavior is well-known to the sociologists (Friedson, 1960). In this research report these insights are applied to police-citizen interaction in an effort to explain the dynamics of discretionary decisions by police officers and the role such discretion plays in their quest to attain higher professional stature. Specific attention will be paid to variations in the willingness of policemen to develop and utilize informers or "stool pigeons."

Based on research in two European settings, Davis' (1970, 1971) conclusion that no legal system can exist without a large amount of "discretionary justice" appears valid.¹ In fact, discretion on the part of police officers is one of the routines of everyday life through which policemen engage in a subtle process of negotiation with several of their clients² so as to be able to, as Hughes puts it, "cushion themselves against the hazards of their careers" (Hughes, 1945: 355). Discretionary decisions to arrest or not, or to press serious or minor charges, become one part of the negotiation between policemen and citizens, making it possible for the police to carve out a work style balancing professional rules and codes while also making sufficient concessions to client controls necessary to operate in the streets.³

This process of negotiating with clients is not, of course, limited to the police. It has been outlined in other research with groups as diverse as psychiatrists, surgical nurses and jazz musicians (Becker, 1958; Becker, 1951; Coser, 1958; Fisher, 1969; Myers and Roberts, 1959: 206-220; Strauss, 1964; Walsh and

Elling, 1968). Nor is the negotiation process a uniform property of professional-client relations. Instead, it is an earmark of segments of occupational groups whose view of their job is that it is a special form of work deserving the title and the respect of a profession. In police work, as in other professions, those who view their work as professional and who aspire to improve its stature come to develop a set of attitudes and engage in behaviors on the job which differ from those of their less-actively striving colleagues (Hughes, 1958; Hughes, 1963; Walsh, 1970; Walsh and Elling, 1968; Zola and Croog, 1968). One important area in which such differences develop is in the willingness of policemen to seek out and develop informers and stool pigeons who will help them answer the pressure both Wilson and Skolnick have outlined for the police to produce through making arrests and solving crimes (Skolnick, 1966; Wilson, 1963: 199).

HYPOTHESES

The testing of two closely-related hypotheses provide focus for this argument. These hypotheses are: (1) Highly-striving professional police officers will differ significantly from their less-actively striving colleagues in their definitions of what makes a man a good police officer. (2) Highly-striving policemen will differ significantly from their less-actively striving colleagues in their willingness to develop connections with stool pigeons or informers through the granting of "breaks" and their willingness to use discretion in the decision to arrest or not to arrest persons who are viewed as potential informers.

METHODS

To test these hypotheses, this paper examines information secured in tape-recorded personal interviews conducted during the winter of 1971 by the author in two European police departments: Dublin, Ireland; and Amsterdam, the Netherlands. The findings reported in this paper are based on the analysis of 90 of those interviews⁴ and the utilization of insights and observations recorded while walking beats or riding in squad cars.⁵

The police officers interviewed were divided into three levels of professional striving accomplished through the utilization of a nine item "professional striving score" which has proven useful in other research (Walsh, 1970; Walsh, 1969; Walsh and Elling, 1968). When initial tests indicated that the organizational identity of the respondents did not account for the phe-

nomenon under investigation in this paper, the respondents from the two departments were combined.

FINDINGS

Differences in levels of professional striving are associated with differences in descriptions of what makes a man a good police officer. The policemen interviewed in this study were asked to discuss the qualities they thought characterized their colleagues who were, in their opinions, good policemen. Generally, these qualities can be subsumed two headings. First, many of the respondents argued that a good policeman was the man who could relate well with people and serve to raise the image of police in general. In Table I this response is categorized under the heading "P-R Men." The second type of response to this question bears directly upon the first hypothesis of this study. In determining what made their respected colleagues "good police officers," the highly-striving respondents were concerned with their ability to solve crimes.

TABLE I: QUALITY MOST CHARACTERISTIC OF A GOOD POLICEMAN

Level of Professional Striving	Good P-R Man		Solves Crimes		Total
	N	%	N	%	
High	16	28	15	52	31
Medium	20	36	4	14	24
Low	20	36	10	34	30
Total	56	100	29	100	85*

$X^2 = 6.605$, 2 degrees of freedom, significant at .05.

* Five responses were unclassifiable.

To the professionally-striving police officer, a major quality earmarking "the good policeman" is his ability to solve crime. His concept of the police role is that of dealing effectively and efficiently with the difficulties facing the force and the community, and he thinks highly of those colleagues who are able to handle this job well and to produce results.

Similar findings can be seen in an examination of Table II. When asked, "What has been your most pleasant experience as a police officer?" the highly-striving policemen indicate that solving crimes ranks highest on their list of pleasant experiences. But, as one moves down the striving level, fewer and fewer police officers cite the solution of crime and more and more are likely to respond that none of their activities as policemen has been particularly pleasant.

TABLE II: WHAT HAS BEEN YOUR MOST PLEASANT EXPERIENCE AS A POLICE OFFICER?

Level of Professional Striving	Solving Crime		Receiving Thanks		None of the Experiences Have Been Pleasant		Total	Other
	N	%	N	%	N	%		
High	18	50	8	35	3	13	29	3
Medium	7	19	7	30	11	45	25	2
Low	11	31	8	35	10	42	29	2
Total	36	100	23	100	24	100	83	7

$X^2 = 9.641$, 4 degrees of freedom, significant at .05.

The highly-striving police officer considers the solution of crime an important criterion in the evaluation of his colleagues. Furthermore, he considers the same kind of behavior central to the achievement of satisfaction in his own work.

The consequences of this are important to an understanding of the structural properties of police work which may be operative in the production of police discretion. That the highly-striving police officer considers the solution of crime to be an important consideration in the evaluation of his colleagues and in determining his own work satisfaction leads neatly into a less-than-well understood feature of the relationship between the police and the community.

Faced with the belief that a good policeman solves crimes, the highly-professional police officer encounters many of the dilemmas outlined by Wilson. He has noted that the police are expected to be efficient and, at the same time, refrain from extensive contact with undesirables (Wilson, 1963). Most of the policemen interviewed in this study believed that a police officer cannot do his work without help from the community itself. One stated, "A police force cannot do its job efficiently without informers. It can't be done without them."

The highly-striving police officer, then, is in a position similar to that Merton describes in his typology of deviant behavior (Merton, 1938). The professionally-striving policeman finds the means to attain a culturally and individually supported goal of solving crime vague and he seeks alternatives. The development of the stool pigeon, called a "tout" in Ireland and a "traitor" in Holland, is the innovation he makes.⁶

The "tout" or "traitor" developed by the European policemen shares many similarities with his American counterpart. He is likely to be perceived to be a member of the criminal subculture, having access to inside information concerning the

goings on of the criminal and trouble-making elements of the society. In addition, the policeman's stool pigeon is similar in several ways to the priest's penitent. None of the policemen interviewed would disclose the identity of a stool pigeon to a superior or in court. In fact, only two said they would share the identity of a stool pigeon with fellow officers. Many pointed out that the relationship between a policeman and his stool pigeon involved such trust that they saw an analogy between it and the seal of the confessional surrounding priest and penitent.

Some informers are actually paid for the information they pass on to the police, and both of the departments in which I interviewed maintained funds from which police officers could gain some repayment for the money they gave to touts and traitors.⁷ Payment, however, was not the technique most aggressively pursued. In fact, none of the respondents listed payment as a technique for developing "stool pigeons" until specifically asked. Instead, discretionary justice — decisions to arrest or not to arrest or to press serious or minor charges — was listed as the most acceptable and workable tactic to utilize in developing stool pigeons. This was specifically the case in situations involving minor offenses. In such situations the highly-striving policemen insisted that it was necessary and wise for the police to refrain from arresting or prosecuting and instead to say, in effect, "You are free to go but remember that you now owe me something at some future time." The "something," of course, refers to information needed for solving more serious crimes.

The police-stool pigeon relationship develops informally and over a period of time. Few young policemen know the route to follow in the development of such information sources, and it seems that one of the vaguely-recognized qualities utilized in the evaluation of the career success of a policeman and the achievement of the nebulous status of "good cop" is developing the ability to assume an innovative posture toward police work. This may involve readiness to negotiate with sections of the community with which formal police codes frequently state negotiations are not to occur under any circumstances. It becomes one of the almost instinctive attempts Hughes referred to in his analysis of work careers (Hughes, 1945) and it characterizes the behavior of professionally-striving police officers.

To the low-striving policemen, the tout or the traitor was viewed as something of a curiosity. They acknowledge their

existence but insisted most frequently that they had no such information sources and asserted that the development of such sources was not the job of a patrolman or beat policeman. Instead, the low-striving policemen argue that stool pigeons are persons with whom only the detective bureau deals. Developing and dealing with stool pigeons does not fall into the range of behavior the low-striving respondents considered part of the work of the regular policeman.

As one moves up the professional striving scale, however, significant variations occur in the relationship between police officers and stool pigeons. The highly-striving police officer not only disagrees with his low-striving colleague as to whether it is appropriate for the beat policeman to develop and utilize stool pigeons, he also disagrees as to how such informers are to be developed. The relationship between professional striving and discretionary justice is indicated by the data in Table III.

TABLE III: WHAT IS THE TECHNIQUE MOST APPROPRIATE FOR THE DEVELOPMENT OF RELIABLE "STOOL PIGEONS"?

Level of Professional Striving	Spend Time Getting to Know People Through Talking and Observing		Use Discretion and Give Breaks to Some in Return for Future Information		Not Our Job		Total
	N	%	N	%	N	%	
	High	12	43	16	54	4	
Medium	9	32	7	23	10	32	26*
Low	7	25	7	23	17	55	31
Total	28	100	30	100	31	100	89

$X^2 = 13.483$, four degrees of freedom, significant at .01.

* One response was unclassifiable.

This suggests, then, that discretion in police-citizen encounters is not simply the result of the qualities of individual police officers as so many are prone to argue. Instead, there is built into the structure of the police officer's position a set of contradictions which impel him to engage in behavior resulting in the decision to arrest some people and not others. Certain inequalities in police behavior toward the people with whom they come into contact, then, result from efforts by the professionally-striving police officers to balance what appears to them to be contradictory goals by bartering or negotiating with certain of their clients.

None of this is to say that other social and psychological factors are not important in explaining police behavior. It is to suggest that the police are far from unique in facing the fact

that some of the goals of their work can be realized only by resorting to modifications of the formal rules. It is to suggest further that the police of Europe and the United States who share the view that theirs is a work group for which professional stature is a worthy goal encounter an inventory of problems far more similar than different. Finally, it is to suggest that the police, like most other professionals, utilize their clients to enhance their own position and that part of the sociological forces producing discretionary justice relate to the interplay between professional striving and the utilization of stool pigeons who can be developed in no other way.

FOOTNOTES

- ¹ Davis defines discretionary justice as follows: "A public officer has discretion whenever the effective limits on his power leave him free to make a choice among possible courses of action or inaction." Other discussions of discretion with a more specific police focus include: Goldstein (1963); Goldstein (1960); and La Fave (1965).
- ² The role of negotiation and the importance of investigating the everyday bases of human behavior has been documented well by the ethnomethodologists. Some of their work relevant to this discussion includes: Cicourel (1968); Cicourel (1970); and Garfinkel (1967).
- ³ Another discussion of the modification of formal rules to make possible on-the-street resolution of police-citizen differences can be found in Walsh (1970). This study reported that highly-striving policemen were found to label habitual trouble-makers as "animals" and to argue that such persons needed to be treated extra-legally in order to make other facets of the police role possible.
- ⁴ A total of 208 officers were interviewed in this study. The sub-sample of 90 includes only those whose major duties include day-to-day contact with citizens on the beat.
- ⁵ The interviews utilized in the analysis are limited to practicing, uniformed policemen who were interviewed while on duty during all three shifts. At this stage of the analysis, only variations in the professional striving will be considered in the explanation of the results reported. Later analysis will be conducted to determine whether organization, cultural or other differences between the two departments account for significant variations. Preliminary analysis indicates that this is not the case.
- ⁶ Arthur Niederhoffer (1969: 59-60) has a useful discussion of the role of language in police life.
- ⁷ One policeman made an interesting insight when he mentioned that some policemen have an advantage over others in using money to buy information from informers or even buying drinks for prospective stool pigeons. A man on a family budget, he pointed out, finds it is far more difficult to get involved in such practices and he argued that, like Weber's distinction between those who live for politics and those who live off politics, policemen with more favorable economic situations may be at an advantage in the development of informers.

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