

Organizational Deviance and Termination

What Explains Failure in Criminal Justice Agencies?

Section Highlights

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On March 12, 2003, Josiah Sutton emerged from the Harris County (TX) jail, four and a half years after he was identified as one of the perpetrators of a rape (Fergus, 2004). Convicted and sentenced to a 25-year prison term, Sutton secured his early release after it was determined he was falsely convicted; though, at the time of his release, he was neither declared innocent nor exonerated altogether (Gross, Jacoby, Matheson, & Montgomery, 2005). During his trial, the prosecutor's case against Sutton was bolstered by both the victim's eyewitness identification and the local crime laboratory's analysis of a DNA sample found on the victim's clothes. The strength of the evidence was enough

to secure Sutton's conviction. However, questions about the evidence and its production were raised before, during, and after the trial, ultimately leading to the conclusion after many years that Sutton was wrongly convicted of the crime. For example, the perpetrators were initially described as about 5'7" tall and less than 140 pounds. Sutton was identified as a suspect even though he was more than 6 feet tall and 200 pounds. Moreover, the victim identified Sutton and his companion while both parties sat in separate vehicles 10 feet apart, likely affecting the victim's ability to accurately assess the perpetrators' height and weight. Nevertheless, a positive identification was made (Thompson, 2008). The crime lab provided further confirmatory support for Sutton as the offender, but problems plagued both the testing and reporting of results. Moreover, the DNA analyst knew of Sutton's positive eyewitness identification (Thompson, 2008). As a result, the two identifications—the victim's and the analyst's—reinforced each other, only strengthening their conclusions. The totality of evidence, even if improper, led to Sutton's conviction. Post-conviction DNA testing, media reports of problems with the Houston Police Department Crime Laboratory, and the work of a university criminologist, attorneys, and others eventually led to Sutton's release (Fergus, 2004).

Sutton's conviction demonstrates that multiple organizations failed to operate according to their intended goals. For example, the court system, tasked with vigorously testing evidence to make accurate decisions about guilt, erred in convicting Sutton (see Goodpaster, 1987). The crime laboratory also arrived at an incorrect conclusion, identifying Sutton as a perpetrator even though it was later determined that the DNA sample recovered from the crime scene could not be his (Koppl, 2005; Thompson, 2008). In spite of these organizational failings, there is a tendency to want to cast blame on an individual or small group of people. Doing so is convenient, for it allows continued confidence in the larger institutions (e.g., the police, the court system, the crime laboratory) while offering a quick remedy—replacing problem personnel—to avoid future problems. The failing rests with a few “rotten apples” in an organization rather than with the organization as a whole, or the “rotten barrels” (Ivković, 2009, p. 780; King, 2009a).

Unfortunately, this limited focus ignores organizational explanations for adverse events such as the wrongful conviction of Josiah Sutton. In his case, a contributing factor was the interaction between the crime laboratory and the police department post-eyewitness identification; “two pieces of evidence that appeared to be independent and therefore mutually confirmatory were, in reality, connected in a manner that led to simultaneous and mutually reinforcing errors” (Thompson, 2008, p. 1034). The DNA analysis did not independently corroborate the eyewitness testimony. It was conducted within the constraints created by the initial eyewitness identification. In addition, in spite of the formalization of procedures in the crime lab (e.g., documenting notes, procedures to prevent contamination of samples), rules were not always followed and there were limited mechanisms for ensuring compliance (recall the discussion of control in Section II).

Moving beyond individual blame and examining organization-level factors paints a more complete picture of the causes of these types of negative outcomes and offers insight into methods for preventing future occurrences. That said, although organizations, particularly public criminal justice organizations, are incredibly resilient, some experience failure, as evident in their termination or disbanding (King, *in press*). Like a local retail establishment going out of business, police departments, prisons, and other criminal justice agencies may, for reasons that will be explored, cease to exist. The remainder of this section addresses the idea of failure in organizations, embodied in the concept of organizational deviance—wrongful convictions, riots, school shootings, and police misconduct. Multiple causes for

adverse events, as well as strategies to reduce the likelihood of such events, will be discussed. The section concludes with coverage of the topic of organizational termination, including its causes and the consequences for communities when criminal justice organizations disband.

Defining and Explaining Organizational Deviance

The organizational theory literature is replete with books and articles analyzing the dark side of organizations, organizational failures, disasters, breakdowns, latent errors, accidents, and other organizational problems (Anheier, 1999; Dias & Vaughn, 2006; King, 2009a; O'Hara, 2005; Ramanujam & Goodman, 2003; Starbuck & Farjoun, 2005; Vaughan, 1996, 1999). These terms are used to describe the adverse outcomes produced by organizations (e.g., loss of life, erroneous convictions, traffic accidents) and/or the causes of those outcomes, including the violation of rules and regulations, organizational design problems, and interactions between the organization and its environment (Ramanujam & Goodman, 2003). Organizations—recall from the definition offered in Section I—are structured to satisfy their goals reliably, but in some situations, they fail to do so, producing instead unexpected and negative results (Merton, 1936; Vaughan, 1999). Consider the following examples:

- A school tasked with educating and socializing students fails to recognize and help a student in need of counseling. The school later suffers the tragedy of a violent incident at the hands of the same student (Fox & Harding, 2005).
- A police department, responsible for protecting the public, causes harm as a police van accidentally runs into a crowd of parade-goers (O'Hara, 2005).
- Prisons are charged with, among other responsibilities, securely confining inmates. When a faulty prison fence leads to a large volume of false alarms, correctional officers become complacent. They fail to respond during an actual escape, leading to public questions about the safety of the facility (Rison & Wittenberg, 1994).
- An intelligence agency is unable to connect the dots to prevent or mitigate a large terrorist attack before it occurs (Zegart, 2007).

Vaughan (1999) attempted to capture the variety of terms above within a single conceptual label, organizational deviance, addressing both the causes as well as the consequences. **Organizational deviance** is

an event, activity, or circumstance, occurring in and/or produced by a formal organization, that deviates from both formal design goals and normative standards or expectations, either in the fact of its occurrence or in its consequences, and produces a suboptimal outcome. (p. 273)

Vaughan stressed that organizational deviance does not imply that any individual employee acted inappropriately or in violation of any organization or legal regulations, although it is a possibility. The deviance label refers to the fact that the situation—a disaster, mistake, accident, or some other incident—does not fit the organization's goals or expectations of performance. Josiah Sutton's case and the four examples above illustrate this departure. A number of different theories are available to help

us understand organizational deviance. While individual-level explanations might emphasize the attitudes and motivations of the individual employee, the theories addressed below focus on organizational characteristics that contribute to organizational deviance.

Administrative Breakdown

To explain organizational deviance, some scholars have turned to the principles of administration—most important, those that address the control of an organization's work and its members. Fayol (1949; see Section III) detailed 14 principles as part of administrative management theory, covering topics such as unity of command, obedience to authority, the chain of command, and the need for order. If his principles are combined with organizational control mechanisms such as rules (formalization), centralized decision making, and an appropriate span of control, then the organization should, as the theory argues, run smoothly (Dias & Vaughn, 2006; Fayol, 1949). Of course, adhering to classical school principles is just one approach to effective organization, but, as Dias and Vaughn (2006) argued, most criminal justice organizations are structured along bureaucratic/administrative theory lines, so it makes sense to use these principles as a starting point. Organizational deviance and adverse outcomes result when managers fail to adequately implement or enforce administrative principles, referred to as **administrative breakdown** (Dias & Vaughn, 2006).

Administrative breakdown has frequently been used to explain dysfunction in secure facilities, including prisons and jails. In 1980, for example, inmates at the Penitentiary of New Mexico took 12 correctional officers hostage—some of whom were subsequently physically and/or sexually assaulted—killed 33 inmates, and injured more than 200 others over two days (Colvin, 1982). A full accounting of the causes of the riot is beyond the scope of this text, but several contributors deserve mention. First, the chain of command (scalar chain, in Fayol's terms) was weakened in the period leading up to the riots. A well-respected and powerful former warden of the penitentiary, Felix Rodriguez, served in a position between the actual warden and the head of the Department of Corrections. This only served to weaken the power of those immediately above and below Rodriguez, disrupting the hierarchy of authority during the critical period of the prison's deterioration (Useem & Kimball, 1989). Within the prison, disciplinary policies changed (e.g., greater use of solitary confinement) but were not accepted by inmates (Colvin, 1982; Goldstone & Useem, 1999). The wardens "lost control completely . . . unable to compel their subordinates, captains, or line officers to submit to their discipline—for example, to follow security routines" (Useem & Kimball, 1989, p. 91). Crowding, violence, and escapes only reinforced among inmates the perception that prison officials were losing control of the facility (Useem & Kimball, 1989). The destructive events of the riot followed.

Jacoby (2002) offered explanations consistent with administrative breakdown in his description of the failings in the 1970s of the Farview State Hospital, a maximum-security facility for mentally ill offenders in Pennsylvania. The facility neither provided a safe environment for patients and staff nor offered inmates any true psychiatric treatment program. Among the problems plaguing the facility were a lack of treatment personnel, an issue with the division of labor, and the employment of specialists (see Fayol's first principle in Section III). Security concerns dominated, so guards made up more than 93% of the staff. Staff were also accused of abusing patients, in some cases resulting in deaths under suspicious circumstances; employee behavior was attributed in part to the lack of supervision from managers (hierarchy of authority and span-of-control issues). Vaughn (1996) extended the administrative breakdown argument to the many situations where correctional officials are held civilly

liable for failing to protect inmates from assaults perpetrated by other inmates. For example, prison officials may fail to properly classify and locate a vulnerable inmate within the prison or neglect to protect inmates on hit lists. In these situations, breakdown enables the violence and opens the organization to civil liability claims.

Administrative breakdowns also occur in other components of the criminal justice system (Dias & Vaughn, 2006). After the verdicts were delivered in the 1992 trial of the officers accused of beating Rodney King, riots erupted in Los Angeles. The opportunity for police to intervene passed almost immediately as the chain of command was lost:

No one in the [Los Angeles Police Department] took responsibility for stopping the beginning stages of the riot. No specific authority figure was identified from which officers were to receive orders; no supervisor was identified in the hierarchy to which officers would report. (p. 549)

In sum, administrative breakdown draws attention to both the structural and managerial determinants of organizational deviance. When managers fail to properly implement effective structures, it is more likely that negative outcomes will result.

Structural Secrecy and Knowledge Conflict

Adverse events sometimes result from poor decision making based on incomplete information. Members of a police patrol division may, for example, release a traffic violator with a warning, unaware that the individual is being sought by the department's investigations division for multiple violent crimes. The officers simply do not have enough knowledge to sufficiently understand the magnitude of the situation. Had information been shared by the agency's detectives, officers could have acted differently. While it may be argued that the detective on the investigation was being individually secretive by not sharing information—perhaps seeking recognition for apprehending the suspect on his or her own—an alternative argument is that organizations are not designed to effectively share information among personnel and units (Vaughan, 1996, 1998, 1999). The problem, referred to as **structural secrecy**, inhibits knowledge acquisition and development within organizations:

Secrecy is built into the very structure of organizations. As organizations grow large, actions are, for the most part, not observable. The division of labor between subunits, hierarchy, and geographic dispersion segregate knowledge about tasks and goals. Distance—both physical and social—interferes with the efforts of those at the top to “know” the behavior of others in the organization—and vice versa. Specialized knowledge further inhibits knowing. People in one department or division lack the expertise to understand the work in another or, for that matter, the work of other specialists in their own unit. The language associated with a different task, even in the same organization, can be wondrously opaque. (Vaughan, 1996, p. 250)

Vaughan's description of structural secrecy refers to the three dimensions of complexity—vertical, horizontal, and spatial—discussed in Section II. The structural features of organizations, it is argued, effectively place silos around information, thereby limiting intraorganization information sharing. Consequently, without information on possible actions, fully rational decision making suffers (Gottfredson & Gottfredson, 1988).

An example of structural secrecy opened Section II. Three Federal Bureau of Investigation (FBI) field offices conducted what, at the time, were three disparate investigations that turned out to be part of the single 9/11 terrorist plot. The spatially differentiated structure of the FBI meant that investigations were conducted within, rather than across, field offices under the direction of the special agent or assistant director in charge (Zegart, 2007). The problem, of course, is that the extent of the plot was unknown. In another example, Fox and Harding (2005) suggested that structural secrecy offered an organizational explanation for multi-victim school shootings, such as the incident in West Paducah, Kentucky. Rather than focus on the motives of the perpetrators, the authors addressed organizational characteristics that made it unlikely that officials would be able to intervene before the violence occurred. Identifying troubled, potentially dangerous students is hampered by the specialization within schools. The division of labor, as Vaughan (1996) argues, means that information within the sphere of responsibility of teachers (instruction), guidance counselors (career planning/social and psychological counseling), and principals (discipline) is unlikely to be shared across specialty areas. Even within a particular specialization (e.g., instruction), concerns about a student may not be widely diffused; “since it is not necessary to know about a student’s performance or behavior in physical education to teach the student history, teachers often have few incentives to communicate” (Fox & Harding, 2005, p. 73). Yet this information—a sudden drop in grades, threatening writing, in-school discipline—when taken together, provides more complete knowledge about a student in need of intervention.

If structural secrecy occurs when information is limited within an organization, knowledge conflict occurs when management’s understanding of events is incompatible with line-level workers’ understanding of the same events. The central premise is that what any one employee knows in an organization and how he or she knows it is determined by the individual’s vertical position within the organizational hierarchy (Garrett, 2001, 2004).¹ Managers, far removed from the actual work of police officers, probation officers, engineers, construction workers, and others, think about work in scientific, mathematical terms (Garrett, 2004; Hummel, 2006). Garrett (2004) writes,

Executives know their work in terms of numbers and ask questions such as how many employees it will take to successfully accomplish the mission or task, how much it will cost, and how many missions can be successfully accomplished in a minimal amount of time. (p. 390)

Writing about the disastrous space shuttle *Challenger* launch in 1986 that resulted in the deaths of seven astronauts, Garrett (2001) described NASA administrators’ assessment that the probability of launch failure was 1 in 100,000. Line-level workers, according to the knowledge-conflict argument, do not think in such abstract, quantitative terms. For workers, experience matters most; hunches and intuition are not discounted (Garrett, 2004). NASA engineers expressed concern about launching the space shuttle in cold weather but could not back their experiential knowledge with quantifiable data for NASA management. For a worker, a statistic such as 1 in 100,000 might be completely meaningless and disconnected from reality, especially when the shuttle program had launched only 23 missions prior to the fatal *Challenger* mission. The problem emerges when differing knowledge conflicts, typically leading to managerial knowledge being considered superior to the experiential knowledge of line-level workers (Garrett, 2001; Hummel, 2006). A probation officer’s assessment of an offender’s

¹Garrett (2001, 2004) refers to the differing knowledge within an organization as the knowledge analytic. For ease of explanation, the term *knowledge conflict* is borrowed from the work of Hummel (2006).

recidivism risk may include hunches that extend the quantitative scores obtained through risk-assessment instruments; if managers focus on the latter but ignore the former, the consequence may be inadequate decision making.

Garrett (2001) further illustrates the knowledge-conflict problem using the failed raid of the Branch Davidian compound in Waco, Texas, in 1993. The members of the religious group, including its leader David Koresh, were under investigation for possession of illegal weapons and explosives. The Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) had decided to raid the compound to execute the warrants. An undercover agent had infiltrated the compound and communicated to his superiors that the element of surprise was lost; Koresh knew hours before that a raid was imminent. The experiential, “common-sense judgment” of the agent was supplanted by management knowledge (Garrett, 2001, p. 75). The quantifiable information possessed by leaders—number of guns observed, number of members observed taking up arms, tactical advantage of the ATF, time until the raid, and cost–benefit analysis—led to the conclusion to proceed with the raid. As agents attempted to serve the warrants, a gun battle ensued, and four ATF agents were killed (Garrett, 2001). A prolonged, nearly two-month standoff followed before the compound was raided by the FBI.

To overcome structural secrecy and knowledge conflict, organizations must address the underlying problems. Vaughan (1996) observed that organizations often formalize information-sharing procedures and mandate paperwork to ensure that relevant knowledge is passed among organizational personnel. The problem, as she noted, is that this might result in too much information sharing; in an effort to avoid information overload, a type of prioritization occurs where some information is simply ignored. Therefore, it is imperative to determine both the content and quantity of information to share to facilitate effective decision making. To overcome knowledge conflicts, organizations need to reconcile this diverse knowledge rather than view one as inherently superior to the other. To do otherwise, to ignore experiential knowledge, increases the risk of the types of organizational failures discussed in this section.

Normal Accidents

Others have argued that organizational deviance, while rare, is nevertheless inevitable in some organizations, given their characteristics and the arrangement of their parts (Perrow, 1999). The term **normal accidents** was developed to describe these inevitable problems. “Normal,” in this context, is not a statement on the appropriateness or acceptability of the outcomes, only the likelihood of their occurrence (Perrow, 1999). The focal point of normal accidents theory is the system created to accomplish work. Systems are made up of parts, “the smallest component of the system that is likely to be identified in analyzing an accident” (p. 65). In his famous book *Normal Accidents*, Perrow illustrated his theory through descriptions of the near-meltdown of the Three Mile Island nuclear power plant and the explosion of the space shuttle *Challenger*. In the case of the former, system parts included the nuclear power structure itself (valves, turbines, water feeding systems, etc.) and the plant operators. Perrow’s concern was with the relationship between the parts of the system, arguing that more complex and more tightly coupled systems are at greater risk of experiencing a normal accident. Significant problems emerge when multiple parts malfunction, leading to system failures.

Perrow (1999) described systems according to the level of **coupling** of their parts and their level of **complexity**. In tightly coupled systems, “what happens in one [part] directly affects what happens in the other” (p. 90). In other words, the parts are highly dependent on one another. Consider driving a

car on a highway behind another vehicle. When the distance between the two vehicles is great, the actions of the first vehicle, such as stopping quickly, have only a minimal effect on the trailing vehicle. If, however, the vehicles are tightly coupled, with one vehicle following the other too closely, the likelihood of an accident increases. The slack, or ability to absorb the effects caused by one part of the system, is lost by the trailing car. Returning to the Josiah Sutton case, the parts of the system—particularly the crime laboratory and police officers—were connected rather than independent. As Thompson (2008) illustrated, the DNA test results were inconsistent, but the analyst who examined the samples asserted that they identified Sutton. How were inconsistent results interpreted to implicate Sutton? Thompson suggested that the DNA analyst knew of the eyewitness identification based on conversations with police officers. Thus, the analysis was interpreted according to this knowledge. In other words, “analysts can feel pressured to be ‘cops in lab coats’—trying to make the science match the police department’s case” (Leung, 2009). Likewise, once DNA evidence pointed to Sutton, the victim only gained confidence in her eyewitness identification (Thompson, 2008). In normal accident terms, the system parts—the lab, the police, and the victim—were not independent. They were, in fact, tightly coupled, where the actions of one part interacted with others in a mutually reinforcing way.

Perrow (1999) further described systems as either linear or complex. In linear systems, the parts work together in expected, predictable ways. An organization with a strong chain of command, for example, will operate in this way (Rison & Wittenberg, 1994). Subordinate members will follow the directions of superiors in a planned sequence (Perrow, 1999). When the system is complex, the parts either serve multiple functions or interact with many other system parts (Clarke & Short, 1993; Rijpma, 1997). A police vehicle pursuit in a rural, sparsely populated area is more consistent with linear interactions. The officer pursues the fleeing suspect but need not pay much attention to other system parts. In an urban environment, however, the system is suddenly more complex. The same pursuit is now complicated by other vehicles, pedestrians, additional physical structures, and other system elements. The officer is interacting with significantly more parts than just the fleeing offender. In this case, the risk of injury, death, or property damage has increased for all parties involved. For Perrow, normal accidents (organizational deviance) are more likely, even inevitable, when the system is both tightly coupled and complex.²

The interaction of multiple failures is of special interest to those who examine failures from a normal accident perspective. The sloppy DNA analysis in Josiah Sutton’s case was not enough to produce the organizational deviance that was his wrongful conviction. Coupled with the less-than-optimum conditions under which the eyewitness identification occurred, the importance of the analysis becomes clearer. Similarly, a faulty prison fence that generates needless false alarms is perhaps not enough to enable escapes (Rison & Wittenberg, 1994). After all, presumably the alarm would continue to sound and correctional officers would investigate in the event of an attempted breach. If, however, the officers fail to investigate properly, ignoring alarms both real and false, then the parts of the system have interacted to increase the likelihood of an escape. Reducing the likelihood of organizational deviance, according to normal accidents theory, would involve creating greater independence and greater simplicity or linearity in organizational parts. Efforts to enhance the ability of organizations to resist failures will be discussed later. If organizational deviance is, however, inevitable, managing the problem becomes paramount.

²Loose coupling is evident in the examples of school shootings (Fox & Harding, 2005) and terrorism (Zegart, 2007). As Fox and Harding suggest, such loose coupling may allow problems to “fester unnoticed until a larger problem . . . occurs” (p. 73).

Crisis (Mis)Management

The perspectives already discussed—administrative breakdown, structural secrecy, knowledge conflict, and normal accidents—stress the precursors of organizational deviance. Whether the deviance produces limited costs or escalates into a major disaster depends, in large measure, on how officials respond in the face of crisis (Boin & Van Duin, 1995; Vaughan, 1999). Specifically, **crisis management** involves preparing for, responding to, and addressing the aftermath of organizational deviance (Boin & Van Duin, 1995). While crisis management may not allow an organization to stave off accidents, mistakes, or other types of organizational deviance, proper handling of these incidents can mitigate the harms produced by them.

Much of the crisis management literature in criminal justice has centered on riots, disturbances, and disasters. While many agencies are prepared to address significant crises (see, for example, Giblin, Schafer, & Burruss, 2009; Schafer, Heiple, Giblin, & Burruss, 2010), in other situations their lack of preparedness is readily apparent. During the New Mexico prison riot, “although the New Mexico penitentiary had a riot plan, it could not be found by the administrators (although, ironically, copies of the plan circulated freely among inmates)” (Boin & Van Duin, 1995, p. 366). Rojek and Smith (2007) found that many Mississippi and Louisiana law enforcement agencies lacked formal hurricane disaster plans when Hurricane Katrina devastated the Gulf Coast in 2005. Consequently, they developed “ad hoc” responses to address the problems they faced (p. 594). During the 1999 World Trade Organization (WTO) meeting in Washington State, the so-called “Battle in Seattle” broke out, leading to conflict between police and 40,000 to 50,000 protesters (Herbert, 2007). Events were delayed, a state of emergency was declared, curfews were established, and violence and property damage occurred (Perrine, 2001). The Seattle Police Department, in its own assessment of the response to the WTO protests, acknowledged being ill prepared for the events surrounding the meetings. In fact, police officials “put their faith in historical precedent—the Seattle tradition of peaceful protest—in assessing the needs for policing the WTO event” (Seattle Police Department, 2000, p. 4). While it is impossible to prepare fully for the range of all situations and contingencies an organization may face, organizations can make provisions related to issues such as allocating resources, designating incident commanders, and coordinating with other agencies (Boin & Van Duin, 1995). To do otherwise will waste valuable time during an actual crisis, with plans being developed as the events unfold.

Problems may also emerge with the actual response to crises. In Seattle, the police department faced challenges coordinating personnel during the WTO protests. A special squad of officers was designated to arrest key law violators during the protests but was redeployed, removing the possibility of weakening the protest leadership in the early stages of the demonstrations (Seattle Police Department, 2000). Similar coordination problems hampered responses to prison riots. Police officers were summoned to support the efforts of correctional personnel in regaining control of prisons in New York (Attica) and New Mexico (Penitentiary of New Mexico), but the chains of command for the police and prison organizations differed. As Boin and Van Duin (1995) noted, “This centralization of command in the hands of relative strangers to the site, together with the difficult cooperation between the various agencies involved in such unique events, may have contributed to a number of erroneous decisions” (p. 367). Miller (2001) asserted that the Los Angeles Police Department (LAPD) experienced **crisis paralysis** during the 1992 riots; in spite of the disturbances on the street, the argument goes, the LAPD failed to implement an effective response. In each of these examples, attempts to address or failure to address a crisis as it occurred only worked to deteriorate the situation further. It is up to leaders to

accomplish the seemingly impossible task of steering the organization through crises by making sound decisions, effectively communicating goals, and providing appropriate direction (Boin & Hart, 2003).

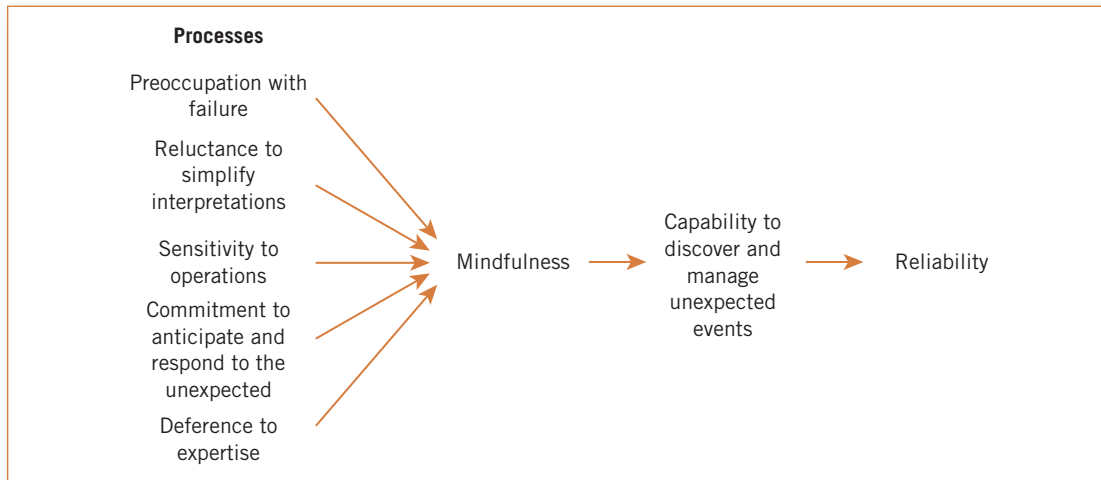
Finally, crisis management includes the handling of the crisis after it ends. Boin and Van Duin (1995) refer to this period as an attempt at “bringing the system back to normalcy” (p. 367). If underlying conflicts and issues remain, the crisis can emerge once again. After the New Mexico prison riot, for example, prison officials attempted to improve the quality of life for inmates (one source of pre-riot complaints) by alleviating overcrowding and curtailing physical abuse by correctional staff (Useem & Kimball, 1989). In contrast, as the riots ended in the Attica prison in New York in 1971, prison officials neglected to administer timely aid to wounded inmates, only perpetuating the underlying conflict between inmates and staff (Boin & Van Duin, 1995). Law enforcement agencies in the post-Hurricane Katrina period were faced with equipment shortages because many vehicles were damaged or destroyed by the flooding (Rojek & Smith, 2007). It was incumbent on the affected departments to reconstitute their patrol fleets to be prepared for future crises; indeed, Hurricane Rita affected some of the same areas about 1 month after Hurricane Katrina. The Seattle Police Department’s report reflecting on its actions during the WTO protests indicates an interest in crisis aftermath and strengthening the organization.

The crisis management approach to understanding organizational deviance is a departure from the other explanations offered earlier. While factors such as administrative breakdown and structural secrecy may cause organizational deviance, effective crisis management can minimize the costs associated with it. The converse is also true. The absence of preparation, adequate response, and attention to crisis aftermath only increases the likelihood of significant consequences: loss of life, property damage, challenges to the legitimacy of the organization, loss of the public’s trust, and others. Addressing crisis management issues is part of what makes some organizations resilient or, as they are referred to in the next subsection, high-reliability organizations.

Preventing Organizational Deviance

Over the past three decades, scholars turned attention to organizations that, in spite of risky structures, complex and tightly coupled systems, and other factors that may contribute to organizational deviance, have somehow managed to avoid significant failures. These high-reliability organizations (HROs) “share the goal of avoiding altogether serious operational failure,” or at least minimizing the frequency of and harm caused by their occurrence (Roberts, Bea, & Bartles, 2001, p. 70; see also LaPorte & Consolini, 1991). The term *reliability* is used to communicate the fact that HROs operate continuously, even when confronted with unexpected challenges; reliability is ensured because the organization and its members look for and deal with unexpected events (Weick, Sutcliffe, & Obstfeld, 2008).

Weick (2007) identified five characteristics of HROs (see Figure 4.1). First, he argues that HROs are preoccupied with failure. In fact, “worries about failure are what give HROs much of their distinctive quality” (Weick et al., 2008, p. 39). These organizations establish mechanisms for detecting, reporting and recording, and learning from failure (Weick, 2007). Ensuring that everyone in a prison, from the custody staff to the administrative assistants, is concerned with safety and security is indicative of an HRO. If police misconduct is treated as organizational deviance, for example, an organization can establish early warning systems to track complaints against officers to detect wrongdoing before it spirals out of control. As King (2009a) points out, when the organization’s culture is such that everyone is concerned with failure, even though it is rare, officers may be more inclined to intervene when peers

Figure 4.1 Characteristics of High-Reliability Organizations and Their Relationship to Reliability

Source: Weick et al. (2008).

engage in misconduct. More significant problems are prevented by the individuals in the best position to detect misconduct. In the case of the faulty fence alarm, an organization-wide emphasis on failure should lead individual members to quickly report and fix the fence and address guard complacency.

Second, HROs are reluctant to reduce situations to simple explanations (Weick, 2007). Such narrow views limit the range of possible causes of organizational deviance considered and lead to underestimations of the consequences of that deviance. For example, Thompson (2008) noted that much of the media attention in the Josiah Sutton case centered on the qualifications of the individual analyst who tested the samples. If the lab were to focus solely on this individual as the source of the problem—the finger-pointing fallacy—it would risk oversimplifying the true causes of concern. HROs cast a wide net, considering a range of possible causes of failure. Only then can the organization take appropriate steps to address the multiple precursors of organizational deviance.

Third, HROs are sensitive to the operations of the organization, including “the messy reality inside most systems” (Weick, 2007, p. 59). These organizations pay particular attention not only to the parts of the system but also to the interactions between the parts. Normal accidents theory, for example, illustrated that multiple failures in combination are what produce significant costs.

Two additional characteristics are important if organizational deviance should emerge. They are designed to contain the problem and limit its damage. HROs are committed to anticipating and effectively responding to the unexpected, what has been called resilience (Weick, 2007). For instance, the Federal Bureau of Prisons (BOP) transports tens of thousands of prisoners each year between prisons and to and from medical facilities. Rarely does the BOP experience an escape during the course of transport (Babb & Ammons, 1996). The BOP considers anomalous events, including adverse weather, traffic jams, and other emergencies, and uses redundant systems (additional vehicles) when necessary. By considering what could happen, HROs are ready should such events come to pass. Finally, HROs defer to the expertise within an organization (Weick, 2007). Rather than follow rigid guidelines in the

event of an emergency, HROs rely on experts who can guide the organization through crises. King (2009a) extended the notion of HROs to the study of police misconduct, arguing that police officers could be “empowered to correct, coach, and reign in bad officers” (p. 774). Peers can help address officer misconduct in its early stages.

Organizational Termination

Organizational Termination Defined

Agencies experiencing organizational deviance generally recover, managing the crisis and aftermath and restoring normal operations. A second group of agencies may continue to face organizational deviance; Meyer and Zucker (1989) referred to these organizations as permanently failing for their durability in spite of significant shortcomings. Jacoby’s (2002) description of the Farview State Hospital (discussed earlier) fits this category. The institution for mentally ill offenders failed to adequately treat, protect, and evaluate patients, yet the facility remained open for 25 years after these problems were first recognized. A third category of agencies, the focus of the remainder of this discussion, are those agencies that experience what has been called organizational termination, death, or disbanding. The very fact that the organization dies is indicative of its failure.

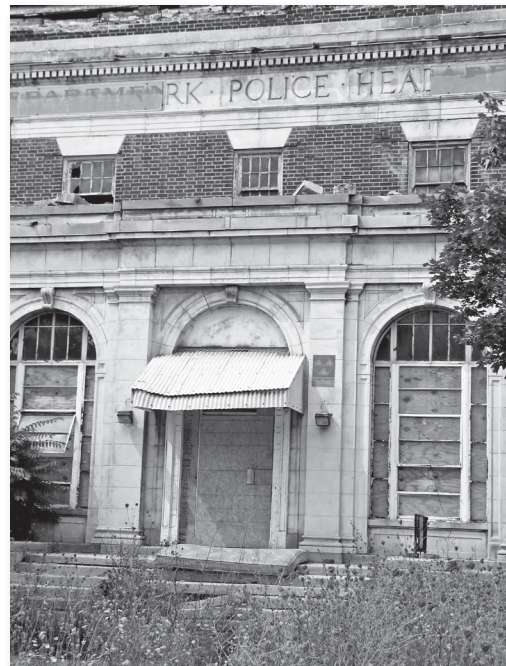
What is **organizational termination** (hereafter, used interchangeably with death and disbanding)? The answer is not straightforward. Organizational death is not determined by name changes. After all, the Phillip Morris Companies, inexorably linked with the tobacco industry, became Altria as part of a rebranding effort, but the change does not represent the termination of the company. Similarly, the Lakewood (CO) Police Department became the Lakewood Department of Public Safety in 1970 (if only temporarily), a name change that did not signify organizational death (Crank & Langworthy, 1992). A change in the functions of the organization, either through addition or deletion, also does not represent agency termination. For example, the Marion County (IN) Sheriff’s Department’s patrol/law enforcement responsibilities were combined, in 2007, with the Indianapolis Police Department to form the Indianapolis Metropolitan Police Department. Although the responsibilities of the sheriff’s department have been scaled back (civil and jail functions, among others, remain), the original organization persists.

Herbert Kaufman (1976), a pioneer in the study of organizational death, concentrated on the boundaries of the organization as indicators of organizational death. He suggested that if the boundaries separating organizational members from those on the outside are “uninterruptedly maintained,” then the organization has not experienced termination (p. 28). For Kaufman, boundaries included things such as the organization’s jurisdiction and visible symbols, including uniforms. This definition has been criticized for its subjectivity, since it is largely a matter of opinion whether boundaries have been maintained (Adam, Bauer, Knill, & Studinger, 2007). Lewis (2002) expanded on the definition of termination in two ways. First, he asserted that when an organization eliminates certain functions, voluntarily or involuntarily, it continues to exist. If, however, all organizational functions are removed, the organization has no purpose or responsibility and so is effectively terminated. Second, he shared Kaufman’s view that the identity of the organization matters. If an organization changes its name, location, *and* function, the original organization no longer exists. As Lewis notes, “The agency has lost its organizational identity, but its personnel and some of its functions persist” (p. 92). Finally, Kuipers and Boin (2005, as cited in Adam et al., 2007) argue that organizational death occurs “when the agency [is]

abolished, merged into an organization of a distinctively different signature, or absorbed into a much larger organization, by law or executive order” (p. 227). While all these definitions feature conceptual ambiguities, they capture a range of termination scenarios, including outright disbanding as well as situations when terminated agencies are subsumed by larger organizations.

Within the criminal justice system, there is no doubt that organizations are sometimes terminated: Correctional facilities close, public defenders’ officers transfer functions elsewhere, courtrooms go empty, and other agencies cease to exist (Bluestein, 2011). King (in press) found 31 Ohio municipal police agencies that disbanded during the 1990s. The Highland Park (MI) Police Department disbanded in 2001, only to reform years later (see Photo 4.1). In the state of Georgia, county-run public defender organizations were abolished in 2003 in favor of the statewide Georgia Public Defender Standards Council (GPDSC). The individual county organizations were too varied in their capacity to deliver defense services equitably across the state (Rankin, 2010). While this example clearly illustrates terminated organizations (the county offices), others are not so clear. Under the statewide system, the GPDSC planned to close Atlanta’s Metro Conflict Defender Office, a group of attorneys “that handle[s] cases in which it would be a conflict of interest for the local public defender’s office to represent more than one client charged with the same crime” (Goodman, 2008). Is abolishing this office indicative of agency termination? It is best considered a restructuring of the larger GPDSC. The horizontal complexity of the organization is reduced through the elimination of the defender’s office. Similarly, the closure of a single prison, while seemingly an example of organizational death, may also be considered a restructuring effort; the spatial complexity of the department of corrections is reduced through the facility’s closure.

The point is that determining organizational death and distinguishing it from larger organizational changes is a challenging endeavor. There is a bit more clarity in establishing the death of police organizations. A municipal organization is locally controlled and not part of a larger organization, and so does not face the same termination/restructuring debate evident elsewhere. King (in press) argued that local police agencies are terminated when they no longer are receiving funding from or are sanctioned by the local government body (e.g., city or township). *Sanctioned* means officially authorized by the government to serve as the police organization for the municipality.



▲ **Photo 4.1** The Highland Park (MI) Police Department was dissolved in 2001 due to financial challenges facing the city. The county sheriff’s department policed the community until a municipal agency was reformed in 2007. (Source: Dave Hogg <http://www.flickr.com/photos/davehogg/222466515/>)

The Resilience and Decline of Public Organizations

There is some debate about how resilient public organizations really are. Kaufman (1976) found that, of 175 federal organizations studied in 1923, 85% were still operating 50 years later. Although his

research has been criticized for focusing on the beginning and end points and ignoring the creation and death of organizations between those years, the findings do demonstrate what has been referred to as the immortality of organizations (Adam et al., 2007). Other researchers have disagreed, finding evidence of mortality; Lewis (2002) found that more than half the government agencies studied, created since 1946, ceased to exist by 1997.

Regardless of the true termination rate, there is reason to believe that public organizations will survive indefinitely. Kaufman (1976) detailed a number of factors that enhance resilience. First, many organizations are created through some type of legal statute or executive order. The Department of Homeland Security is a prime example. Once the legislation is passed, often after intense debate and concessions, it becomes less likely that legislatures will repeat the process again to repeal the legislation. Moreover, to go back on an earlier decision is, in many respects, an acknowledgement that the original decision was incorrect (Daniels, 1997). Second, Kaufman argues that the budgeting process benefits public organizations. Governments do not draft budgets anew each year but, rather, consider revisions to the previous year's budget. Instead of decisions being made to fund or defund certain agencies, the general decision is usually whether to increase or decrease the organization's budget. This latter decision, critical for the organization's operations, does not generally affect its overall survival. Third, powerful interests resist agency termination. Employees depend on the organization for their livelihoods, and communities rely on public organizations for a range of services. They will challenge attempts to disband an agency.

While these factors might protect public organizations, they do not offer immunity. Multiple factors make public organizations susceptible to termination. Just as supporters want the organization to succeed, opponents want it to fail (Kaufman, 1976; Zegart, 2007). In our political system, it is common for candidates for elected office to emphasize the fact that they opposed laws, wars, and other government initiatives. Agencies thus have a built-in opposition, though it likely becomes more limited as the organization ages and opponents become more distant from the organization's creation. Public organizations, unlike their private counterparts, also have a hard time adapting to improve effectiveness (Zegart, 2007). A business executive has considerable discretion in determining how his or her company operates. A police chief, warden, or other criminal justice executive is subject to the constraints imposed by government officials, public budgets, and other actors. Consequently, public organizations have a harder time remaining competitive (Kaufman, 1976).

Organizations may also be created for symbolic reasons or in response to specific problems. As a consequence, they may no longer be needed as time passes. The Transportation Security Administration (TSA) was created two months after the 9/11 terrorist attacks, assuming the responsibilities formerly reserved to airports and individual airline operators (Krause, 2003). At some point, legislators may decide to return airline security to the private sector, potentially leading to the death of the TSA; various citizen efforts have pushed for its abolition already (Elliott, 2011). Finally, King (in press) points to the importance of crises, both fiscal and nonfiscal, in contributing to the decline of organizations. Combined, these factors are risks or hazards that influence an organization's survival prospects.

Using contemporary organizational theory (see Section III), it is possible to speculate about reasons for organizational termination. Contingency theory was predicated on the idea that organizations must adapt to the changes (contingencies) they face to remain competitive. Organizational death, then, might be explained by their inability to improve performance. In other words, "it is their failure to achieve their goals effectively and their inability to implement changes to lift themselves out of their dysfunctional habit and practices" that result in decline (Maguire & King, 2007, p. 352). King (in press)

points to the small size of many disbanded organizations. These organizations may simply be unable to devote enough attention to solving community problems such as drugs, gangs, and violence, thereby forcing the local government to disband the department in favor of other alternatives (Maguire & King, 2007). Institutional theory, in contrast, was less about improving performance than it was about adhering to beliefs regarding how a department should look and operate. A police organization studied by Katz (2001) adopted a gang unit to satisfy external constituents. Smaller agencies, those most susceptible to termination, may simply not be able to make structural changes for symbolic purposes (Maguire & King, 2007). As a result, such an organization risks facing public outcry.

Replacement of Services Lost

When an organization is terminated, the services provided are generally transferred elsewhere (King, *in press*). In policing, the community continues to receive policing services, usually from a neighboring department, county sheriff's department, or the state police. The municipality, faced with the loss of its own department, may choose to contract for police services from other agencies (Reiss, 1992). This usually requires an agreement on the amount of time the outside agency will patrol the jurisdiction and the cost of providing such services. Alternatively, two or more agencies can merge into a single regional or metropolitan agency. The Indianapolis Metropolitan Police Department represents a merger between the law enforcement division of the Marion County Sheriff's Department and the former Indianapolis Police Department. The new agency is responsible for the entirety of Marion County, save for a few towns that retain their own law enforcement departments.

When an organization fails to the point of termination, does the community experience a significant drop in the quality of services? Some have argued that the community suffers from the loss of a municipal force. Finney (1997), for example, argued that while using alternative forms of police service delivery (contracting, mergers) may save money, it often comes from a reduction in the level of services provided. Moreover, the contracts usually specify the amount of time and personnel the agency dedicates to the jurisdiction without its own police force (Mehay, 1979). Contracts neglect outcomes such as reduced crime or reduced fear of crime. Finally, there is some evidence that the public offers greater support for smaller, independent police departments rather than larger, contracted or regional organizations (Ostrom, Parks, & Whitaker, 1973). This support is translated into effective policing, as the public is more likely to report crimes, contribute to criminal investigations, and assist the police with other matters.

These arguments show how a community may suffer from the loss of its own police department. It is possible, however, that the community may actually be better off. Larger departments can offer a degree of specialization (e.g., special units) and equipment resources (e.g., K-9 units) that are just not feasible in smaller organizations (Pachon & Lovrich, 1977). Costs for policing may actually decline, a particularly important consideration given the influence of fiscal issues on organizational death (King, *in press*; Mehay, 1979). A consolidated organization may also be able to more effectively tackle crime, especially those offenses that do not observe jurisdictional boundaries.

While organizations are designed to achieve their goals efficiently and effectively, sometimes their operations deviate from intended objectives. The concept of organizational deviance helps us understand when significant mistakes, accidents, disasters, and other organizational crises occur. Organizational deviance is caused by any number of factors, including administrative breakdown, structural secrecy, and crisis mismanagement. Some even argue that organizational deviance is normal

or inevitable. Organizational leaders must prepare for these crises by creating high-reliability organizations. If left unaddressed, the consequences of organizational deviance may be disastrous for organizational members, nonmembers, and the organization as a whole (termination).

KEY TERMS

administrative breakdown	crisis management	organizational deviance
complexity (normal accidents)	crisis paralysis	organizational termination
coupling	normal accidents	structural secrecy

DISCUSSION QUESTIONS

1. The purpose of this section was to present organizational explanations for accidents, disasters, and other adverse events. Should we discount entirely the effects of individual actions—the finger-pointing fallacy or idea of rotten apples within the organization? Are there situations, real or hypothetical, when fault lies solely with an individual and the organizational factors discussed in this section do not play a role?
2. Normal accidents theory argues that disasters are inevitable in certain organizations. High-reliability organization theory takes a different view of organizations, positing instead that organizations can limit the possibility of disasters. Are these two theories compatible? Can the principles of high-reliability organizations offset the risks posed by complex and tightly coupled organizations?
3. If a local police department was faced with termination, how would the officers, community citizens, and government officials likely react to the news? Could their reactions be influential enough to reverse the termination decision?

WEB RESOURCES

Attica Prison riot (1971) information, including task force hearing reports, videos, and photos:
<http://www.talkinghistory.org/attica/>

Report of the Independent Commission on the Los Angeles Police Department (Independent Commission investigation of the LAPD in the aftermath of the beating of Rodney King):
http://www.parc.info/client_files/Special%20Reports/1%20-%20Christopher%20Commision.pdf

Seattle Police Department After Action Report (post-WTO protest report):
http://www.seattle.gov/police/publications/WTO/WTO_AAR.PDF

READING

Reading 6

Clarissa Freitas Dias and Michael S. Vaughn contend that dysfunction in organizations is the result of poor administration. Using a perspective known as administrative breakdown, they argue that the failure of organizations can be traced back to management's inability to effectively implement principles associated with the classical school of management. Specifically, breakdown results from the inability to clearly delineate organizational goals, the lack of an appropriate division of labor, weaknesses in control and coordination mechanisms (e.g., span of control), limited internal organizational accountability, and poor intraorganizational communication. To illustrate how these factors contribute and are relevant to the concept of administrative breakdown, the authors present a range of examples, including the police response during the 1992 Los Angeles riots, prison abuse in the Abu Ghraib prison during the Iraq War, and civil litigation against the Texas prison system. The authors conclude by stating that, although dysfunction does occur, well-administered organizations are possible. Management plays the critical role in accomplishing this task.

BUREAUCRACY, MANAGERIAL DISORGANIZATION, AND ADMINISTRATIVE BREAKDOWN IN CRIMINAL JUSTICE AGENCIES

Clarissa Freitas Dias and Michael S. Vaughn

Introduction

With the ascendancy of science, Taylor (1911/1947) merged managerial concepts and the application of empirical methods to organizational control of factory workers. Taylor advocated for efficient managers to analyze, predict, and control behavior of employees in complex organizations. Efficacious managers define laws, rules, and principles that incorporate first-class workers within the organizational framework (Freedman, 1992).

Another theorist from the traditional school, Max Weber (1946/1992) argued that bureaucracy was “the core of modern government” (Stillman, 1992, p. 37). From an idealistic organizational perspective, pure bureaucracy relates to Weber's functional, impersonal, and hierarchical system based on legal authority that operates under a system of abstract rules and pursues legitimate organizational goals (Albrow, 1970). Weber saw rationalization of bureaucratic structures as essential to social process and embraced rationality as the central ideal of organizational life (Maier, 1991).

Source: Dias, C. E., & Vaughn, M. S. (2006). Bureaucracy, managerial disorganization, and administrative breakdown in criminal justice agencies. *Journal of Criminal Justice*, 34, 543–555.

Weber's bureaucratic organization follows a structured chain of command, which facilitates accomplishment of organizational objectives (Wren, 1994), with a rigid hierarchy of offices, and formal rules that govern agency action (Stojkovic, Kalinich, & Klofas, 2003). Weberian organizations are characterized as mechanistic and formalistic, with specialized tasks, and division of labor that creates a narrow range of duties. Organization matters because bureaucratic success is related to implementation of efficient and effective organizational systems (Wilson, 1989). In the Weberian tradition, organizational systems are important because they define performance standards, outline a proper chain of command, specify the hierarchy of authority, and establish lines of communication.

Breakdown/disorganization theory was developed from numerous managerial and organizational theories and concepts. Elton Mayo's (1945) human relations school and the contextual approaches of situational leadership (Hersey & Blanchard, 1969) and contingency management (Blake & Mouton, 1964; Fielder, 1998) have made considerable scientific improvements over the basic traditional theories of Taylor and Weber. Absence of these modern theoretical perspectives within modern criminal justice agencies reflects more on the intransigent institutional nature within criminal justice institutions, rather than on the efficaciousness of contingency and situational management. Most criminal justice agencies are rigid, old-fashion, bureaucratic, paramilitaristic organizations that stick to the traditional views of DiIulio, Fayol, Taylor, Weber, and Wilson. For better or worse, criminal justice agencies remain hierarchical organizations, which is the primary focus on this article.

While there is no perfect organizational system, bureaucratic organizations can function appropriately. Fayol (1949), for example, identified several essential elements of organizations that are necessary for operational success. Well-run organizations effectuate these elements, including possession of explicit rules that control the behavior of front-line personnel, a hierarchical system of authority resulting in a chain of command, a system for delegation of authority, coupled with a proper span of control to ensure

that procedures are consistently and absolutely followed, maintenance of employee expertise through continual in-service training, and a system of communication that specifies organizational roles and enumerates tasks and duties.

Failure among paramilitaristic criminal justice agencies can be traced to failure to implement human relations and/or contingency management perspectives, failure to follow Fayol's organizational elements, failure to apply the functional aspects of Taylor's scientific management, and failure to adopt Weber's legitimate bureaucratic model. Dysfunction within criminal justice agencies occurs because managers do not adhere to the traditional elements of the organization, resulting in administrative breakdown and managerial disorganization.

Not surprisingly, managers do not consider leadership the major cause of organizational breakdown and disorganization (Kappeler, 2001; Tuchman, 1984). Supervisors routinely underestimate their contribution to organizational failure (Kraska, 2004). Mundane situational factors are often overlooked by management as a cause of organizational collapse as dysfunction becomes systemic and results from years of neglect, routinization, and normalization of deviance within organizational subcultures (D. Vaughn, 1996). Many criminal justice managers reject research that shows the benefits of human relations management and situational leadership in criminal justice organizations, while sticking to the outdated and heavy-handed leadership of tradition.

Too often critics of bureaucracy confuse unworkable, bloated organizational dysfunction and collapse with bureaucracy per se (Mieczkowski, 1991). The real problem resides with poor managers within criminal justice agencies that foster a dysfunctional organizational system that is rigid and reluctant to change (Bayley, 1994), with vague and inconsistent goals, broken lines of communication (DiIulio, 1994a), and a wide span of control with an undefined hierarchy of authority (Wilson, 1989). While an extensive literature on organizational failure and collapse existed (Anheier, 1999), it had not been applied to the criminal justice workplace. Criminal justice had an abundance of case studies, however,

from which the dysfunctional organizational literature was applicable (Casamayou, 1993). By analyzing over a dozen case study examples in criminal justice, this article enhances a novel theoretical perspective by combining several traditional theories of administration. What emerges is the perspective of managerial disorganization and administrative breakdown, which molds preexisting organizational perspectives into a new integrative theoretical entity.

Although the word bureaucracy is reviled in the popular culture as representing the epitome of inefficiency, red tape, turf-battles, excessive government entanglement, and waste (Johnston, 1993), properly implemented bureaucratic agencies have theoretical legitimacy (Crouch & Marquart, 1989; DiIulio, 1991; Wilson, 1989) and can function exceedingly well in post-modernistic society (Hassard & Parker, 1993). Despite the negative characteristics of bureaucratic organizations, bureaucracy remains the rule rather than the exception within criminal justice organizations. According to Johnston (1993, p. xvi), “the bureaucratic organizing model is the most common organizing model for private and public sector organizations throughout the world.” When properly implemented, bureaucracy provides a positive organizational framework from which to organize criminal justice agencies. Within an open systems perspective, the agency’s structure should be centered on Weber’s (1994) principles and Fayol’s (1949) elements of the organization. In short, bureaucracy plays a functional role, and it is indispensable even in the era of the learning organization (Drucker, 1999).

This article explains managerial collapse in criminal justice agencies from an organizational perspective. Administrative breakdown and managerial disorganization theory is used to explain organizational failure, placing success and failure of criminal justice agencies on the shoulders of criminal justice managers. Mismanagement is analyzed within criminal justice agencies, focusing on the elements of organizational life. Managers are responsible for organizational performance and outcomes, thus, both inside and outside of the agency (Mintzberg, 1989; S. Rosenberg, 1999), managers that treat criminal justice agencies as closed systems, run the risk of

administrative breakdown. In organizations experiencing administrative breakdown, there is no crisis management plan in place and no flexible channels of communication have been established, and no procedures have been developed to tap into feedback mechanisms external to the organization, resulting in supervisors being incapable of recognizing the signs of imminent breakdown (M.S. Vaughn, 1996), which leads to organizational chaos and lack of resiliency in times of crises (Sheffi, 2005).

Methodology: Administrative Breakdown and Managerial Disorganization through Weber and Fayol’s Elements of the Organization

Mintzberg (1989) argues that management is indispensable in well-functioning organizations; conversely, management is often the direct cause of organizations experiencing paralysis and collapse (DiIulio, 1990a, 1990b; Wilson, 1989). Similarly, administrative breakdown and managerial disorganization theory holds that dysfunctional organizations result from mismanagement. Well-functioning criminal justice bureaucracies incorporate the following: communication along a chain of command, adherence to strict accountability, and reliance on formal written communication. Conflict occurs when unclear goals create unity of direction problems, an ambiguous hierarchy of authority, a malfunctioning unity of command, and an inappropriate delegation of authority.

To understand how managers fail within a bureaucratic organization, this article underlines the extent to which mismanagement of Fayol’s (1949) organizational elements can lead to breakdown and disorganization (Wren, 1994). The article uses a series of examples from case studies where criminal justice agencies have failed.

Case study vignettes highlight breakdown from over a dozen criminal justice events, including examples from both law enforcement and corrections.

With respect to law enforcement, the article addresses the New York City Police Department’s corruption incident uncovered by the Mollen

Commission (City of New York Commission, 1994), the Rodney King beating within the Los Angeles Police Department (LAPD) that led to the Christopher Commission (Independent Commission, 1991), the collapse of the LAPD during the spring 1992 riots as documented by the Webster Commission (Police Foundation, 1992), the Rampart corruption incident within the LAPD (Parks, 2000), and the FBI's mishandling of the Branch Davidians at Waco, Texas (Garret, 2001). With respect to corrections, the article highlights the Texas (DiIulio, 1987) and Rhode Island (Carroll, 1998) Departments of Corrections running unconstitutional prisons, the Federal Bureau of Prisons (DiIulio, 1990c) violating inmates' constitutional rights, the U.S. military and intelligence personnel committing torture and violating international law at the Abu Ghraib prison in Iraq (Hersh, 2004), the prison riots that spun out of control in New Mexico (Useem & Kimball, 1989), and the failure of staff to protect inmates from violence at the hands of both other prisoners (Johnson v. Johnson, 2004) and abusive staff (Hudson v. McMillian, 1992).

In this article, administrative breakdown and managerial disorganization theory is analyzed through the lenses of six organizational elements that, when lacking, lead to dysfunction and bureaucratic failure: (1) goals and objectives, (2) division of labor, (3) hierarchy of authority, (4) command and control, (5) accountability, and (6) communication. In dysfunctional agencies, the mismanagement of these six elements generates a lack of task specialization and divisionalization, unclear goals that create unity of direction problems, an ambiguous hierarchy of authority, a malfunctioning unity of command, and an inappropriate delegation of authority that shifts accountability for actions taken to no one.

Goals and Objectives

Organizations are created for specific reasons, which are expressed within their mission, goals, and objectives. The broadest orientation of organizational purpose is contained within its mission. Organizational goals are more specific, whereas objectives are still

even more precise. The purposes of the organization expressed within its goals and objectives "serve to guide the development of strategies, tactics, programs, tasks, policies, procedures, and rules, all of which in turn guide the behavior of members of the organization." Organizational goals and objectives must be consistent and "contribute to the accomplishment" of the overall mission of the agency (Cordner, Scarborough, & Sheehan, 2004, p. 44). Clear and concise goals minimize the unknown and clarify procedures to enable agency coherence and unity of direction (Gajduschek, 2003). Bureaucratic organizations without managerial disorganization employ unity of direction, serving to control employee behavior by reducing uncertainty, creating stability, and employing unity of purpose (Deflem, 2000).

Managers must guard against dysfunctional bureaucratic tendencies to dehumanize, alienate, and resist change (Paparozzi, 1999). Effective managers militate against the desire to maintain the status quo rather than move into uncharted waters, competing opinions to the organizational mission, and a preference for living a cloistered organizational life (Wilson, 1989). Isolation is particularly a problem within criminal justice agencies where effective managers must harness the power of bureaucratic structures to assure the delivery of relevant criminal justice services. Administrative management, whether public or private, operates in terms of making organizational work and activities match agency mission, goals, and objectives (Stover, 1995).

Managers recruit, select, and train employees to effectively implement the goals and objectives of the organization (Walker, Alpert, & Kenney, 2000). Chubb and Moe (1990) argue that effective managers are democratic leaders with clear goals. Good managers form more cohesive staff with a more developed sense of professional mission. The best leaders in criminal justice work toward congruence between organization goals and objectives (DiIulio, 1989). Effective leaders show subordinates the way and disclose to them the belief that organizational goals are achievable. To have appropriate goals in a complex criminal justice organization, it is necessary to coordinate well-flowing

communication through the multiple levels of operations and decision-making authority figures (Comfort, Sungu, Johnson, & Dunn, 2001). Bush (1998) suggests that agencies are more likely to succeed when there is congruity between top managers and subordinates. In other words, when employees perceive authority figures committed to organizational objectives, goals, and procedures, they are more likely to implement those goals and succeed in their tasks.

Decision making and resource allocation are organized by a set of goals that establishes authority, priority, and planning in the organization (Zhou, 1993). Goals are important because they retain organization experience, reduce uncertainty, and channel organizational change. Goals are related to the problems of coordination and efficiency (Zhou, 1993). Weber's (1946/1992) bureaucracy is an efficiency-driven and instrument-oriented organizational form where goals, objectives, and procedures are used to establish authority, accountability, and to manage complex tasks.

During the process of change, the way supervisors manage the organization's new mission has a considerable impact over subordinates' reactions, and how subordinates respond to new goals and objectives (Smith, 1993). The Texas Department of Corrections (TDC) is an example of how change in the organization's hierarchy of authority led to role conflict. During George Beto's administration, he sustained unity of direction through a technique called Management By Walking Around (MBWA), whereas supervision and control were closely monitored by Beto (DiIulio, 1990c). After Beto's retirement, however, the next Director of the TDC was unable to maintain unity of direction, and the control model's building tender system (inmates as guards) collapsed, leading to abuses by inmates, until the federal court intervened and took over the entire Texas prison system (Crouch & Marquart, 1989).

Goal clarity reduces uncertainty (Perrow, 1986), so that subordinates who implement tasks know precisely what is expected and what they are to do. Even though procedures to carry out the goals and objectives are not completely predetermined, the

reduction of ambiguity is valued among subordinates. Goal clarity is fundamental to a successful criminal justice work environment (McGregor, 1993). If the relationships between procedures, goals, and objectives are not well understood, subordinates tend to have a higher level of discretion in their decisions, consequently a higher likelihood to not accomplish the goals and objectives of the organization (Simpson, 1985).

The abuses caused by U.S. military and intelligence personnel at Abu Ghraib prison in Iraq are a well-known example of unclear dissemination of procedures, goals, and objectives that can lead subordinates to develop a subculture of deviance different from the organization (Hersh, 2004). At Abu Ghraib prison, soldiers were found committing abuses generated by unclear methods of interrogations; soldiers had conflicting objectives as to the purposes of the investigations and interrogations (Schlesinger, 2004). Despite no field supervisors to clarify goals for subordinates, soldiers were told by the then—White House Counsel and now—Attorney General of the United States, Alberto Gonzales, that prisoners in the war on terror were unlawful enemy combatants, which permitted soldiers to ignore Geneva Convention protocols (Sullivan, 2005). Those unclear goals and procedures left soldiers with a wide level of discretion, which created a culture of deviance generating the abuses against detainees. Thus, the more bureaucratic control managers have over subordinates, the more stable the organization; the more coordinated the tasks, the better the procedures, goals, and objectives are understood by subordinates (Simpson, 1985).

Division of Labor

Organizations possess line, staff, and auxiliary functions (Wren, 1994). Line personnel implement organizational goals and objectives (i.e., police officers, correctional officers, probation officers, juvenile officers). Working behind the scenes, specialized staff supports line personnel by giving advice in such areas as planning, research, and the law (i.e., police

staff, attorney, and statisticians). Auxiliary functions provide logistical support for critical operational objectives, including communications, maintenance, record keeping, and human resources (i.e., dispatch-911 operations, evidence room, and prison library). Within complex bureaucratic agencies, tasks are divided on the basis of purpose, process, place, and subject (Souryal, 1995). Employee selection based on competence, education, and merit is positively related to lack of administrative breakdown and managerial disorganization to the extent that these agencies employ officers who are stable, meritorious, and engage in fewer rule violations (Evans & Rauch, 1999). Criminal justice agencies not experiencing administrative breakdown are free from political meddling, allowing independent functioning on the basis of merit, training, specialization, and expertise (Deflem, 2000).

Through job specialization and division of labor, the functional manager trains subordinates and plans tasks that reduce risk to an acceptable level (Bernard, 1938). Even though managers may not be able to prevent crises, specialization and divisionalization of labor can reduce considerably the level or risk associated with organizational disasters. Specialization should bring efficiency in performance, which depends on the quality of education and training. Subordinates in criminal justice organizations should be highly specialized when performing complex, uncertain, and unpredictable tasks (Nass, 1986). This problem in criminal justice exists when police use coercive force against suspects (Bittner, 1970) or when correctional officers use force against prisoners (Hudson v. McMillian, 1992; Whitley v. Albers, 1986). In these situations, the constitutional limits established by the courts are specific and elaborate (Graham v. Conner, 1989; Tennessee v. Garner, 1985). Specialization and divisionalization of labor “focus on understanding the law and mastering some of the technical arts” required to perform the job (Moore, 1994, p. 209).

Training and specialization of labor improve organizational tasks (Houston, 1995). Well-trained

subordinates are better able to effectively implement organizational goals. Work specialization promotes skill, and accuracy, which increases output. Specialized and trained subordinates can respond faster to problems involving organizational crisis. Managers should be aware that specialized subordinates are less liable when sued in civil litigation (M.S. Vaughn, Cooper, & del Carmen, 2001). Training and specialization can reduce employees’ misbehavior (Walker et al., 2000) on and off-duty (M.S. Vaughn & Coomes, 1995).

An example of administrative breakdown due to untrained and nonspecialized subordinates is *Johnson v. Johnson* (2004), a case in which an inmate sued Texas prison officials for letting other inmates turn him into a sexual slave. Johnson, a homosexual inmate, was sexually abused over the course of eighteen months, and sold from one inmate gang to another for the purpose of rape. Due to Johnson’s sexual orientation, Texas prison classification regulations mandated his placement into the vulnerable inmate category, and dictated that he be housed in protective custody. Despite the regulation, Johnson was placed into the general population, where he was abused. Officers were not trained to identify and protect vulnerable inmates. Training provides officers the ability to recognize inmates who are subject to abuse, or who are potential victims of a sexual assault (M.S. Vaughn, 1996). Trained officers can recommend to superiors which inmates to segregate, punish, or to refer for treatment (Eigenberg, 2000). Training improves officers’ skills, enabling them to be aware of the prison environment. Thus, specialized and trained officers may prevent rapes, or at least, make sure that victims get adequate services.

In bureaucratic organizations, each individual subordinate does not perform every agency task. As a result, specialization occurs, tasks are implemented one at a time, and job assignments are divided into logical, homogeneous units so different individuals can specialize (Stover, 1995). Lack of appropriate division of labor coupled with poor training can result in a lack of specialization and an organization suffering administrative breakdown and managerial disorganization.

Hierarchy of Authority

The principle of authority asserts that there is a chain of command that stretches throughout the organization. Weber (1946/1992, p. 40) argues that graded authority means “a firmly ordered system of subordination in which there is a supervision of lower offices by the higher ones.” Within Weber’s perspective, this type of rational legal authority was necessary to implement organizational rules. The chain of command in militaristic or quasimilitaristic organizations demands exact obedience to orders (Souryal, 1995). Effective control over subordinates’ conduct is enhanced by close supervision. Discipline is achieved by fixing accountability and centralizing authority (DiIulio, 1994a). Well-functioning agencies operating with rational legal bureaucratic authority are able to control organizational deviance through the hierarchy of authority (Diggins, 1996).

Authority resides in the position that rests within the hierarchy, but not in the person holding the position. Authority “is a form of domination that provides the superior with unquestioned obedience” (Nass, 1986, p. 62). This is possible when subordinates recognize the legitimacy of superiors’ commands. Bernard (1938) referred to this concept as the zone of indifference, where subordinates accept the authority and orders of their supervisors. Bureaucracy reduces discretion when subordinates follow policies, procedures, and orders. Little ambiguity in the chain of command leads to loyalty, the inability to challenge authority, and employment of subordinates who support the legality of the rules (Nass, 1986).

A dysfunctional hierarchy of authority can predict organizational breakdown. Lack of upper-level supervision leads to an inappropriate chain of command within the rank structure, which increases risk of administrative breakdown and managerial disorganization. The Los Angeles Police Department serves as an example of an agency with a dysfunctional hierarchy of authority. According to the Christopher Commission (Independent Commission, 1991), the hierarchical structure of the LAPD practices diffusion of responsibility, which means that no

one is accountable for subordinates’ behavior. The Christopher Commission said the LAPD’s hierarchy failed to control abusive police practices because it lacked centralized authority. In the absence of one chain of command, officers reported to various supervisors, resulting in divergent orders given and conflicting messages on organizational purpose.

According to a follow-up report (Bobb, Epstein, Miller, & Abascal, 1996) that evaluated the LAPD five years after the Christopher Commission, the LAPD still lacked a system of centralized risk management, leading to a fragmented hierarchy of authority with respect to Internal Affairs reports, Use of Force Board reports, and Robbery–Homicide Division officer-involved shootings reports. Risk Management, Legal Affairs, and the Office of Operations and Behavioral Sciences were out of the loop and reported to a different hierarchy. This diverse chain of communication, as noted by the Christopher Commission and the five-year follow-up report, led to inadequate supervision and management of police department problems. An undefined hierarchy of authority lacks appropriate channels of communication, fragments unity of command, and makes specific tasks difficult to delegate. These observations were confirmed in March 2000 “when the LAPD’s Board of Inquiry released its report on the Rampart corruption incident, admitting that the Department still ignores civilian complaints about officer misconduct” (Parks, 2000; M.S. Vaughn et al., 2001, p. 20).

To have a consistent hierarchy of authority, trust should be built between managers and workers. “Legitimate ‘authority’ is the ability to have people anticipate interests and act accordingly without having to rely on explicit communications and the concomitant threat of sanctions” (Feeley, 1973, p. 225). Loyalty, or lack thereof, to the organization before a crisis occurs has profound implications on how the organization will resolve a crisis (Souryal & McKay, 1996). Lack of trust between supervisors and subordinates results in a split between “street cops” and “management cops” (Reuss-Ianni, 1983).

Carroll (1998) discussed a dysfunctional hierarchy of authority in which democratic prison management

allowed inmates to participate in policymaking. As a result, Rhode Island inmates were encouraged to participate in decision making, which led them to voice their concerns in unrealistic and abusive ways. Organized crime pervaded the Rhode Island prisoners' union. Completely outside the legitimate hierarchy of authority, prison administrators relied on the organized crime bosses and the prisoners' union to control inmate behavior, which led to a number of abuses and ultimately caused a federal court to take over the prison. Inappropriate delegation of authority by prison administrators led to a nonfunctional chain of command with accountability problems. Carroll (1998) shows that prisons cannot be isolated from community stakeholders, and must respond appropriately to external environments.

Command and Control

The concept of command and control collapses the organizational principles of unity of command and span of control. Unity of command embodies the idea that subordinates report to one supervisor or get their orders from only one boss (Souryal, 1995). Unity of command is closely related to authority structures within the chain of command. The hierarchy of authority is important because it is the superior who transmits the rules that guide subordinates' actions within organizations (Houston, 1995). In other words, clear authority structures result in appropriate delegation of authority, with clear lines of accountability established for actions taken.

The span of control is the "maximum number of subordinates at a given position that a supervisor can supervise effectively" (Souryal, 1995, p. 33). The span of control depends upon the activities of subordinates. The more uncertain and disturbing the situation, the narrower the span of control should be. Managers have difficulty supervising a large number of subordinates during a crisis situation (Ulmer, 2001). To manage crisis situations effectively, managers must rely on the obedience of subordinates. The ultimate task of managers is to provide leadership so that subordinates will implement the goals of the

organization, and highlight each person's specific strengths within the agency (S. Rosenberg, 1999). Supervisors must have subordinates that operate within a comfortable zone of indifference, in which orders are accepted without question (Bernard, 1938).

A narrow span of control gives supervisors within the hierarchy of authority more control over crisis situations and faster feedback from subordinates to respond to critical situations. A narrow span of control also provides supervisors with fewer organizational levels, resulting in a more effective channel of communication. Skill levels of employees also influence the amount of control managers must have over subordinates in a crisis situation, where the more specialized the subordinates, the wider the span of control (Souryal, 1995).

The greater the number of subordinates a manager supervises, the less influence he or she will be able to impose to restrict arbitrariness and lawless procedures (N. Rosenberg, 1976). Consequently, subordinates are more difficult to influence in a bureaucracy with a wide span of control. In contrast, a small span of control leads to more influence over subordinates, greater efficiencies, and less tendency for subordinates to create pernicious subcultures (Maguire & Katz, 2002).

Criminal justice subordinates need supervision and discipline to ensure that rules and procedures are followed (Charles, 2000). According to DiIulio (1990a, 1994b), successful implementation of a clear unity of command and a narrow span of control was demonstrated by the Federal Bureau of Prisons (BOP) administrator Norman Carlson. Carlson was aware that to reinforce command and control, he needed to strengthen his control over regional directors by establishing unit management throughout the five regions of the BOP. Under this framework, teams of security staff and counselors were given authority over a specific prison wing and held responsible for the quality of life therein; they reported to the various regional directors, who reported to Washington. Unit managers served as sub-wardens who were responsible for order, service, and amenities, which included arranging sanitation, tracking inmates'

activities, and identifying release dates. Carlson's unit management served to narrow the span of control and clarify the unity of command (DiIulio, 1990b). By following Carlson's successful management in the BOP, DiIulio (1990a) stresses that there is no contradiction between strict administrative controls and tight discipline, and the provision of basic amenities and life-enhancing programs to prisoners. In other words, a flexible span of control tailored to the situational contingencies faced by criminal justice managers and a strict unity of command promote discipline, authority, and efficiency (Krygier, 1979).

In contrast, an example of administrative breakdown where subordinates had more than one command was the LAPD during the riots of May 1992 that were sparked after the acquittal of the officers who beat the motorist Rodney King. No one in the LAPD took responsibility for stopping the beginning stages of the riot. No specific authority figure was identified from which officers were to receive orders; no supervisor was identified in the hierarchy to which officers would report (Police Foundation, 1992).

While the span of control and unity of command principles focus on effective supervision, each focuses on lower-level supervision of line personnel. Administrative breakdown and managerial disorganization theory assumes that a lack of effective front-line supervision increases agency dysfunction. Agencies experiencing managerial disorganization routinize inadequate supervision, so that dysfunction becomes the norm. These organizations normalize and systematize dysfunction in response to conditions that threaten organizational stability (Susa, 1997).

Dysfunctional bureaucracy is characterized by rigidity and a waning ability "to adjust, to experiment, and to innovate" (Crozier, 1967, p. 190) because of excessive centralization of command structures (Mieczkowski, 1991). In other words, bureaucracies fail because they close themselves off to external influences, ignore internal disciplinary problems, and are guided mainly by their own agency subcultures that may not conform to the rule of law. According to von Mises (1969),

dysfunctional bureaucracy is conservative, deliberately avoiding innovation and improvement, and is averse to reform.

Accountability

Public administration recognizes the principle of correspondence, in which managers are accountable for actions within their organizations (Stover, 1995). Without managers' abdicating their accountability, they delegate tasks down the hierarchy of authority. The subordinate who receives the delegated task is responsible for task implementation. The supervisor who delegated the task remains ultimately accountable to the agency (Geller & Swanger, 1995). Accountability relates to the recognition and adherence to duties. Managers within well-functioning organizations recognize accountability cannot be delegated; however, in agencies experiencing administrative breakdown, supervisors engage in status consciousness, saying "It's not my problem," passing the buck to another organizational entity.

Managers who are not accountable foster an organizational subculture that creates the conditions where subordinates engage in misconduct (Walker et al., 2000). A sheriff who rapes a criminal suspect, for example, creates a subculture of deviance within his agency, leading deputies to engage in traffic stops to meet women, run license plates to get females' addresses, and use the jail to engage in sex. Dysfunction becomes normalized, and violating suspects' rights become normal operating procedure (Eschholz & Vaughn, 2001). Dysfunction and breakdown occur when officers do not recognize and accept their legal responsibilities. Correctional officers, for example, must recognize their duty to protect prisoners from committing suicide (*Wever v. Lincoln County*, 2004), police officers must recognize their duty not to abandon vulnerable potential crime victims (M.S. Vaughn, 1994), and parole officers should supervise their parolees appropriately (Cromwell, del Carmen, & Alarid, 2002). Failure to accept these duties results in managerial disorganization and administrative breakdown.

Decision making is a fluid concept, and to ensure accountability, criminal justice supervisors must assess environmental factors during the decision-making process. Criminal justice agencies historically have ignored external environments (Walker, 2001), leading to a lack of accountability. Without input from external environments, criminal justice agencies frequently lose touch with the political, economic, social, and legal realities within which they operate. When this occurs, external actors intervene within criminal justice bureaucracies to ensure accountability (Independent Commission, 1991). Stated differently, agencies that do not institute accountability systems to prevent managerial disorganization and administrative breakdown will have accountability forced upon them by external environments (City of New York Commission, 1994), including the courts and civilian review boards.

As mentioned above, managers must recognize that the criminal justice system exists within an open system environment. According to O'Loughlin (1990), organizations can increase accountability when making decisions, by limiting managerial discretion. External environments recognize two types of bureaucratic decision making: discretionary and nondiscretionary. Discretionary decision making is reserved for the criminal justice bureaucrat alone and involves minor decisions. Nondiscretionary decision making involves criminal justice managers receiving input from external forces. The more important a decision made by a manager, the less discretion the manager possesses. To ensure accountability, important decisions must be nondiscretionary, meaning that significant input from external environments limits the discretion of criminal justice supervisors.

Due to lack of competition and the monopoly that criminal justice has on the growing crime industry (Christie, 2000), dysfunctional bureaucratic organizations have flourished in an insular world without regard to influence from courts, legislatures, politicians, or public officials (Johnston, 1993; Rosen, 2005). It is not necessarily market forces that change criminal justice agencies. In fact, because of the

closed system view of dysfunctional bureaucracies, criminal justice agencies shut themselves off from the public (they become insular), and this causes them to function with impunity and outside of the rule of law until they are revealed through scandal, judicial intervention, governmental investigation, and/or commission reports (City of New York Commission, 1994; Independent Commission, 1991). Without the pressure of external environments, dysfunctional bureaucratic criminal justice agencies are not concerned with customer service, employee satisfaction, or the rule of law. Successful organizational bureaucracy maintains and enhances the network of outside alliances, building trust, unity of command, specialized staff, and an identifiable hierarchy of authority, all linked in an efficient channel of communication.

Although all organizations possess problems (Perrow, 1997), bureaucratic agencies experiencing managerial disorganization and administrative breakdown have a poor reputation because managers have amassed unilateral power over their subordinates and over centralized power structures, failed to economize on employees' creativity, institutionalized inequities in status and income, and failed to devise effective communication structures (Dahl & Lindblom, 1976). In fact, according to DiIulio (1994a, p. 279), dysfunctional bureaucracies tend to "attract, hire, retain, and promote persons who are highly disposed to shirk, subvert, or steal on the job." DiIulio (1994a, p. 279) argues that some dysfunctional government bureaucracies are prone to "repel people who want meaningful job challenges, not just job security, and who desire extra rewards for extra efforts rather than small but certain pay increases governed by length of service or time in position."

Communication

Communication is the most important organizational element because it is necessary for all other elements to function. Within organizational theory, the principle of definition clearly says that office duties, powers, and responsibilities are written and

clearly defined (Stover, 1995). Weber (1946/1992) maintained that office management is based on written documents or files that communicate the essential functions of the job. Effective communication is the key to achieving objectives and goals. Leaders must clearly communicate the goals of the organization so subordinates can accomplish agency objectives and reach agency goals, and know what is valued, expected, and rewarded. This component of successful managerial practice is the supervisors' ability to communicate policies and procedures effectively with line, staff, and auxiliary personnel. Managers must also shape communication strategies continually throughout the organization—both horizontally and vertically (Senese, 1991). Organizational values are developed over time through consistent communicative leadership, which plays an important role in identifying and developing those values that model organizational behavior.

Whether in written or verbal form, organizational communication results in information exchange among line, staff, and management personnel (Stojkovic et al., 2003). The structure of an organization, its management, and the exercise of its leadership are most evident in communication. Understanding the influence of communication from top administrators, to middle supervisors, to the line staff is crucial for assessing organizational success (Geller & Swanger, 1995). Although upper-level administrators are concerned with communicating to subordinates through middle managers, they empower middle management to disseminate directives and successfully implement goals and objectives. Middle managers convey organizational purpose through a consistent unity of direction and opportunity for participatory input. These supervisors provide the communication linkage which fosters organization vision, familiarity with bureaucratic mission, and clarity of purpose.

Senese (1991) contends that jailers are the most visible and active representatives of the criminal justice system within the jail on a daily basis, meaning that jailers have direct impact on how jails operate and serve as communication conduits for line and supervisory personnel. Jailers manage a process of

subtle communication, in which line correctional officers serve as liaison between upper jail management and the inmates.

The lynchpin of all activities within bureaucratic organizations is effective communication structures. To effectively reach subordinates and make them follow the rules, managers should communicate clearly and precisely. Although many problems exist in bureaucratic organizations, lack of effective communication appears to be the more severe. Without effective communication organizations cannot properly function. Ineffective communication leads to a series of other problems, such as a lack of command and control, failure to adhere to the hierarchy of authority, failure to implement objectives and goals, and finally breakdown and disorganization of the entire bureaucratic system. An employee's investment in organizational goals determines how communication systems are perceived and implemented within complex bureaucracies (Harlos, 2001).

When managerial disorganization occurs, it is frequently discovered that communication deficiencies that led to administrative breakdown were longstanding, and officers frequently ignored warning signs (Garret, 2001). Dysfunctional organizations do not communicate problems effectively through the organizational hierarchy. For months or years prior to a crisis, problem behaviors and management failures are not appropriately communicated throughout the organizational hierarchy. In dysfunctional agencies, the flow of communication is not clearly identified in written procedures and is not specified in policy manuals, but more importantly, it is not implemented throughout the agency in any meaningful way.

How agencies respond to organizational crises depends more on actions made before the disruption than on the actions taken during the crisis itself. Agencies not experiencing managerial disorganization and administrative breakdown have constructed, precrisis, flexible communications channels that respond in a timely manner to organizational threats (Sheffi, 2005). As an example, take the FBI's handling in 1993 of the Branch Davidian compound at Waco, Texas. Attorney General Janet Reno and FBI Director

William Sessions were not speaking to one another during the Waco incident, the epitome of administrative breakdown and managerial disorganization. The lack of communication between Reno and Sessions highlights the importance of building a solid channel of communication during precrisis management, so that when a crisis erupts a successful crisis plan can be implemented with open and free communication to avoid organizational breakdown and disorganization (Ulmer, 2001). To avoid organizational breakdown and disorganization, managers must plan for the organization's complex communication relationships. In other words, establishing solid command and control, strong communication channels, and positive valued leaders before crises erupt may influence the amount of damage the organization may suffer, and how much time and effort is going to be needed to recover from the crisis (Ulmer, 2001).

In a complex organization such as the FBI, middle managers must be incorporated so upper-level managers are able to reach low-level subordinates. FBI Special Agent in Charge (SAC) Jeff Jamar, the on-scene commander at Waco, served as the middle manager. Jamar's job was to disseminate operational directives from Washington to front-line officers within the Hostage Rescue Team (HRT) and the negotiators (psychologists) on the scene. There was no clarity of purpose or unity of direction and because there were conflicting goals, Jamar gave conflicting orders to line personnel. The Waco incident is a classic example of the failure of management to communicate effectively with lower level subordinates.

Conclusion

This article offers a novel theoretical approach to explain managerial disorganization and administrative breakdown in criminal justice agencies. Explaining organizational failure through breakdown and disorganization theory, which assesses agency success on criminal justice managers, this article joins the call for a return to the study of management as a key variable in criminal justice scholarship

(DiIulio, 1990a, 1990b, 1991, 1994a, 1994b; Wilson, 1989). Successful bureaucratic agencies are exemplified by managers with effective communication skills who implement a functional span of control within the hierarchy of authority, practice strict accountability, rely on a mix of formal written and informal verbal communication, operate with clear goals and objectives, and delegate appropriate tasks to subordinates. While outside the scope of this current article, successful criminal justice agencies may also use elements of Elton Mayo's human relations theory and the contextual approaches of situational and contingency management (for a detailed discussion, see Houston, 1995).

Poor management results in breakdown and disorganization within criminal justice agencies. Managers who ignore warning signs (Boin & Van Duin, 1995)—lack of task specialization and divisionalization, unclear goals, inappropriate delegation of authority that shifts accountability (O'Loughlin, 1990), distorted lines of communication (Garret, 2001), and a malfunctioning unity of command—fail to anticipate risk and demonstrate inability to recover quickly in response to threat (Comfort et al., 2001). Managers fail organizationally when they mismanage Fayol and Weber's elements of the organization, which can lead to breakdown and disorganization of the entire system. Agencies experiencing managerial breakdown and administrative disorganization are frequently plagued with systemic patterns of normalized deviance (Weick, 1993).

Structural dysfunction fosters subordinates' isolation from legitimate authority. Managers construe an environment that can lead subordinates to ignore organizational goals and objectives. Operational dysfunction is the result or absence of supervisors, consequently no one to report to, undefined chain of command, and ambiguous unity of command, which results in no one from which to receive orders (Weick, 1993). Organizations are dysfunctional because managers are not accountable. Dysfunctional agencies lack the structure or operational capacity to deal with problem behavior or organizational collapse, so there is no bureaucratic management

structure in place to respond appropriately to a problem (Weick, 1976).

During crisis situations, organizations experiencing breakdown and disorganization are incapable of being managed effectively. Dysfunctional agencies have no unity of command, little hierarchy of authority, a great deal of employee autonomy, enhanced individual employee discretion, little supervision and accountability, planned unresponsiveness to society problems, and operate with a wide span of control. Dysfunctional agencies do not focus on data driven activities; subordinates within dysfunctional agencies do not operate with unity of direction or a set of coherent agency goals (Maguire & Katz, 2002).

The way public organizations are managed has a significant bearing on the quality of system performance (DiIulio, 1989). DiIulio (1987) posits that the quality of prison life depends mainly on the quality of management.

He asserts that prisons managed by a strong and stable team of like-minded executives, structured in a paramilitary, security-driven, bureaucratic fashion, and coordinated proactively in conjunction with the demands of relevant outside actors including legislators, judges, and community leaders had higher levels of order, safety, security, and service than prisons managed in the absence of performance indicators. Similarly, Useem and Kimball's (1989) analysis of prison riots found that breakdown in security procedures contributed to riots, including the absence of routine counting and frisking of inmates, the lack of a system to control contraband, and the failure of guards to routinely search prisoners' cells. Useem and Kimball (1989) concluded that conditions of confinement may lead to prison riots, but administrative breakdown and disorganization makes their frequency and intensity more severe.

Well-functioning organizations exist within bureaucratic structures as long as managers effectively implement Weber and Fayol's organizational principles. Managers of bureaucratic agencies are successful as long as they create specifically defined meaningful work opportunities for their employees, train their subordinates in detail, and establish goals

and objectives to clarify the unity of direction. Successful bureaucracies create a well-defined hierarchy of authority, operate a well-functioned unity of command, and appropriately delegate tasks so as to maintain accountability for actions taken.

Future research should focus on the extent to which bureaucratic criminal justice organizations operate within a human relations framework (Miller & Braswell, 1997). Researchers should explore the degree to which an organizations' bureaucratic structure fosters change or serves to be an impediment to change. Conventional wisdom has decried bureaucratic agencies as relics of the past, completely inefficient and useless in today's modern world. Even so, bureaucratic management systems are the norm, not the exception, in criminal justice agencies in the twenty-first century. Given the paramilitaristic nature of most criminal justice agencies, more criminal justice research needs to focus on management as an explanation for organizational failure and dysfunction. This perspective needs to be applied to a variety of criminal justice agencies, including law enforcement, community and institutional corrections, juvenile justice, as well as the criminal and civil courts.

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DISCUSSION QUESTIONS

1. Organizations are notoriously difficult to change, because past decisions place constraints on present leaders. For example, a decision to despecialize a police force in the past assumed the quality of custom, habit, or rule. Is it possible for a single manager at any point in time to make the necessary changes—implement proper administrative principles—to prevent breakdown?
2. Criminal justice agencies are tasked with multiple, sometimes competing, goals. Parole and probation officers are supposed to enforce the law but act as social workers as well. Police must satisfy law enforcement, service, and order maintenance functions. How should managers clarify goals? Is there a way to clearly specify the role of employees?
3. Is specialization or a division of labor necessary to avoid administrative breakdown? Can you think of any situations, real or hypothetical, where the division of labor may produce organizational deviance?



READING

Reading 7

David Klinger examines police shootings within a normal accidents theory framework. Doing so allows Klinger to identify features of police deadly force situations that distinguish between what he refers to as avoidable and unavoidable shootings. The difference between the two comes down to the soundness of the tactics employed by the officers involved. This is where the normal accident theory concepts of complexity and coupling lend insight. Klinger's argument is that sound tactics can minimize the complexity and coupling in police–suspect encounters, thereby reducing the likelihood of deadly force. Officers in deadly force encounters are generally faced with complex environments: multiple officers, different types of equipment (lethal, less-than-lethal), and the built environment. Tactics, however, can be used to make the situation more linear. Determining which officer is the lead officer is one way the complexity of a multiple-officer situation is reduced. Coupling also plays a part in the likelihood of a shooting. When officers leave their cover location and reduce the distance between themselves and suspects, their reaction time diminishes. Keeping slack or reducing coupling (staying behind cover, maintaining distance from the suspect) is a sound tactic. Klinger demonstrates through a number of case studies that proper tactics can reduce the likelihood of an avoidable shooting.

SOCIAL THEORY AND THE STREET COP

The Case of Deadly Force

David Klinger

Social theory can serve many functions in the public policy arena. Two of the most important in the realm of crime and justice are: (1) guiding the actions of criminal justice agencies and personnel; and (2) explaining to members of the public how and why agencies and personnel act the way they do. When members of the criminal justice system have a good understanding of social theory, they can use it as a framework for setting goals, developing procedures to fulfill them, and tailoring training in ways that further them. Similarly, they will find it easier to explain their work to laymen and increase public support for their actions if they grasp the theoretical underpinnings of their operations. This is certainly the case in the world of policing where social theory has guided agencies in a variety of endeavors and helped the public understand both

the goals of the police and the methods they use to reach them.

One place where social theory has been lacking, however, is in the critical area of deadly force. No decision that an officer can make is more important than the one to pull the trigger, for doing so is an exercise of the state's supreme power—the ability to end the lives of its citizens. Moreover, the social consequences of exercising this ultimate power can be quite profound, as time and again in our nation's recent history police shootings have led to political upheaval, community outrage, and even full-blown riots (Skolnick and Fyfe 1993).

Most officer-involved shootings do not prompt notable social disruption, but public concern about deadly force is always present. Americans have always been uneasy about being policed by an armed

Source: Klinger, D. (2005). *Social theory and the street cop: The case of deadly force*. Washington, DC: Police Foundation.

constabulary (Chevigny 1996; Klinger 2004), and their queasiness finds its clearest expression among police critics who discover something to complain about nearly every time an officer pulls the trigger. One reason for this state of affairs is that discourse about the use of deadly force has long revolved primarily around competing moral judgments about the police. Critics of law enforcement point, for example, to cases in which officers shoot unarmed citizens and say, “Cops are trigger happy.” Meanwhile, police supporters point to officers who are killed or injured in shootouts with criminals and say, “Cops are heroes.”

If we are to bridge, or at least narrow, this divide and thereby ease the public’s disquiet, I believe we must learn to think about the phenomenon of police shootings from a fresh frame of reference. We must find a standpoint that permits us to move past the passion-laden medium of morality and towards a deeper understanding of the social reality of deadly force in our society. Such a move might well serve to enlighten police critics and other concerned citizens about the nature of police work, the dangers officers face, how this influences their attitudes and actions, and what we can realistically expect police to do when confronted with life-and-death situations. Such enlightenment could, in turn, help the public, critics included, to see that lethal force is sometimes unavoidable; that police officers must sometimes kill people to protect themselves and other innocents from harm. A move away from the moral plane might also help remind police and their supporters that democratic policing requires restraint and forbearance on the part of those who carry a badge and gun. This, in turn, might help officers deal with citizens in ways that minimize the odds that gunfire will erupt, for extensive evidence indicates that how the police structure their interactions with citizens can have a marked effect on the likelihood of violence.

In-depth case studies, practical experience, and empirical research have demonstrated that police will need to use deadly force less frequently if they adhere to a few simple, tactical principles. James Fyfe, for example, has written and spoken extensively during the past quarter century about how officers

can use the principles of tactical knowledge and concealment to reduce the likelihood of having to resort to deadly force when handling potentially dangerous situations (Fyfe 2001; Scharf and Binder 1983).

Simply put, the principle of tactical knowledge holds that officers should develop as much information as they can about each potentially violent situation they are called upon to handle before committing themselves to a particular course of action. One critical component of this notion is that officers should keep their distance from potential adversaries, whenever it is possible, so they can limit the threat they face as they seek to understand better what is happening. Concealment refers to officers taking steps to limit the ability of persons who pose a threat to harm them. An important aspect of the concealment principle is the concept of cover—the idea that officers should position themselves behind barriers, such as motor vehicles and telephone poles, when confronting individuals who are a real or potential threat. By maintaining cover, officers limit their exposure to gunfire and other potentially lethal threats. This, in turn, can: (1) dissuade individuals who might otherwise be willing to attack them from doing so; and (2) permit officers to take more time when deciding how to respond to threatening and potentially threatening situations. As a result, officers need not shoot when potential threats fail to materialize, and they may have enough time to decide how to resolve those situations that do involve danger without resorting to gunfire.

Training in the foregoing tactical principles, as well as others that can help prevent shootings, is common in U.S. law enforcement, but officers do not always utilize sound tactics in the field. Moreover, few members of the public at large, and even fewer police critics, seem to know that officers are trained to seek ways to avoid lethal confrontations with citizens.

I believe that one reason for this state of affairs is that the idea of managing interactions with an eye toward avoiding violence is underdeveloped. One consequence of this is that the full implications of the notion have yet to be realized in the law

enforcement community. A second is that it has yet to be articulated in a fashion that is readily comprehensible to the general public. This is where social theory comes in, for there exists a body of social scientific theory that can place the work of Fyfe and other commentators on police tactics in a larger intellectual context and therefore shed considerable light on the world of police violence. As a result, both the police and their critics may be able to see things a bit differently and thereby move toward a shared understanding of how to do good police work when lives hang in the balance.

The remainder of this essay articulates just how social theory can help officers to deal better with violent incidents and other potentially threatening situations. It also explains how social theory can help members of the public to understand better what they can realistically expect from those who have sworn to serve and protect them. As an initial step in this process, the next section seeks to establish the value of looking to social theory for guidance in police matters. It will accomplish this by briefly reviewing a few cases where such theory has proven useful in realms of policing that are less dramatic than deadly force.

How Social Theory Has Influenced Police Work and Public Understanding

Our first example of the link between social theory and police operations comes from work that was done in the early 1980s to alter how police dealt with spousal assault. Before this time, police officers frequently did not arrest men who battered their intimate partners. Yielding to calls from battered women and their champions for the police to treat domestic violence more seriously, many state legislatures strengthened their assault laws. The new laws gave officers the legal authority to arrest men who beat their partners, and many police departments developed policies encouraging or mandating that officers make arrests (Klinger 1995; Sherman 1992). A key influence on

this shift in law enforcement's approach to domestic violence was a study conducted by Sherman and Berk (1984), which found that men who were arrested when they attacked their female partners were less likely to batter again.

The notion that arrest lowers the odds of subsequent violence, while not always recognized as such, is clearly rooted in the classic theory of deterrence, which holds that punishing offenders leads to lower rates of offending (Beccaria 1764; Gibbs 1975). While subsequent studies of the effect of arrest on domestic violence offenders did not always support Sherman and Berk's finding of a deterrent effect (Sherman 1992), the deterrence doctrine provided a clear, reasonable, and simple message for advocates of legal and policy change. It also provided a clear explanation and justification for officers' actions: arresting batterers will lower rates of domestic violence and protect the vulnerable from aggressors. As a result, the social theory of deterrence has been a crucial guide to the public policy response to the problem of intimate partner violence for more than two decades.

Two other examples of social theory's influence on contemporary police practices come from community- and problem-oriented policing: zero-tolerance policing and the SARA (Scan, Analyze, Respond, and Assess) model. Zero-tolerance policing grew out of Wilson and Kelling's (1982) "broken windows" argument that little offenses lead to big problems if communities aren't vigilant about disorder and minor offenses, a perspective that goes back to the social disorganization tradition of the Chicago school of social ecology (e.g., Shaw and McKay 1942). The core notion of this school of thought is that high levels of crime in communities are due to a decline in the community's capacity to control the behavior of its members. By taking care of small things, the broken windows thesis maintains, people can reassert their right to control the sorts of behavior that go on in their community and thereby short-circuit the dynamic that leads to serious crime problems. Because many of the minor problems that spawn bigger problems are petty crimes and other police concerns, the police play a central role in controlling

crime when they address matters that normally fall within their purview. Thus is broken windows policing rooted in a simple yet profound bit of social theory that has been around for decades and gives rise to a dictum that both the police and the public can easily understand: help promote safe communities by taking care of the small stuff.

We can similarly trace the intellectual lineage of the SARA model to the routine activities theory that Cohen and Felson set forth in 1979: crime happens when offenders and victims converge in time and space in the absence of capable guardians. From this is derived the crime- or problem-analysis triangle that officers throughout the nation use in developing strategies and programs to deal with specific problems that give rise to crime. By developing and implementing sound plans to change part of the victim-offender-guardianship dynamic at the time and/or place of incipient problems, officers can nip crime in the bud (Bynum 2001). Again, a profound piece of social theory provides a plan of action that is easily understood by the general public and appreciated by street cops: focus on the problem that gives rise to crime.

With these examples in hand, we can shift gears and move on to a brief discussion of a social science perspective that can help us reach a better understanding of police shootings: the sociology of risk and mistake.

The Sociology of Risk and Mistake

The sociology of risk and mistake is rooted largely in organizational sociology, a subdiscipline that analyzes the structure and operation of formal organizations, such as police departments. Much of the work in the risk/mistake tradition focuses on how individual actors in organizations perceive their environment and how they calculate the likelihood that unwanted, untoward events might occur. A good deal of this work addresses monetary and other economic losses, but is also very concerned

with actual and potential human losses (Short and Clarke 1992). As a result, there is a sizable literature that seeks to assess how people's behavior in organizational settings can increase or decrease the threat of injury or death.

A key point in this body of work is the recognition that not all deaths, injuries, and other bad outcomes are avoidable. The notion of prevention is nonetheless central because the risk/mistake tradition focuses attention on attempts to do things better—to design systems better, organize units better, and have individuals behave better. In other words, the sociology of risk and mistake has a high degree of policy relevance, for it seeks to help practitioners identify the odds that something bad will happen and then find ways to reduce, blunt, or avoid these negative outcomes.

A fundamental precept of the sociology-of-risk framework is that mistakes, mishaps, and even disasters are socially organized and systematically produced by social structures, both macro and micro (Vaughn 1996). Therefore, how people are organized and how they operate—not just the traditional villain, operator error—are key to understanding the use of deadly force by police officers. As will be shown below, this line of thinking is vital to understanding the use of deadly force by police officers. Before explaining how the sociology of risk can help us to understand police shootings better, however, some comments about the nature of officer-involved shootings are in order.

Officer-Involved Shootings

Police shootings are quite rare. We don't know exactly how rare because police agencies are not required to report to any national body when their officers fire their weapons, and there is no comprehensive, voluntary data-collection system. The best estimates, however, put the ceiling on the number of officer-involved shootings, including those in which no one is hit by police, at a few thousand per year (Fyfe 2002; Klinger 2004).¹ When one considers that the U.S. has more than 750,000 cops (Hickman

and Reaves 2003; Reaves and Hart 2001), who are involved in tens of millions of contacts with citizens each year (Langan et al. 2001), police shootings are clearly what risk scholars call low-frequency events.

A major reason why officer-involved shootings are low-frequency events is that the rules governing firearms use by police permit officers to shoot in just two sorts of circumstances: (1) when they have reasonable belief that their life or the life of another innocent person is in imminent danger; and (2) to effect the arrest of felons fleeing from the scene of violent crimes (Callahan 2001).² While millions of violent crimes and other volatile situations take place across our nation each year (FBI 2003), the police are present at just a fraction of them. As a result, cops and crooks don't often find themselves together in time and space under circumstances in which officers *might* theoretically have legal cause to shoot. Furthermore, when officers do find themselves in felonious or other volatile circumstances, the citizens involved usually do not resist to a point that would justify deadly force under either the defense-of-life or fleeing-felon doctrines. It follows that the number of police-citizen encounters in which deadly force is legally permissible is but a fraction of the tens of millions of situations in which police officers interact with citizens each year.

That police infrequently encounter citizens under circumstances in which they have legal cause to use deadly force does not completely explain why shootings are so unusual, however, for research indicates that officers often hold their fire in cases where they could shoot (Scharf and Binder 1983; Klinger 2004). One reason for this would appear to be the simple fact that the vast majority of police officers have no desire to shoot anyone, so they hold their fire out of personal choice (Klinger 2004). A second reason is that officers, as we have seen, are trained to handle encounters in ways that minimize the likelihood that they will have to resort to lethal force. When officers follow their training by deploying behind cover and keeping their distance from armed individuals, for example, they can afford to hold their fire even though shooting would be perfectly permissible.

The use of proper tactics can also prevent volatile situations from escalating to a point at which deadly force would be a legitimate option for police. Few people who might be willing to take on the police will actually do so when officers confront them in ways that place them at a distinct disadvantage. For example, an armed robber is unlikely to try to pull his gun if he is stopped by two police officers who keep their distance and stay behind their patrol cars while aiming their service weapons at him. In sum then, by employing sound tactics, officers can often avoid shootings by both deterring individuals from taking action that would justify gunfire and by providing a margin of safety for themselves in cases in which the use of deadly force would be appropriate.

Unfortunately, the obverse is also true: when officers don't use sound tactics, they can find themselves in shootings that could have been avoided. Take, for example, a hypothetical case in which officers are called to deal with an enraged man armed with a baseball bat who is standing outside his house. The officers walk to within a few feet of him and demand that he surrender his bat. The man refuses and instead strikes one of the officers with the bat. As the stricken officer falls to the ground, his partner draws her weapon and shoots the citizen before he can strike a second, and perhaps fatal, blow. It should be clear by now that the shooting could have been avoided, at least as it played out in this hypothetical scenario, if the officers had simply maintained some distance and kept a barrier, such as their patrol cars, between the man and themselves as they sought to resolve the situation.

The police cannot entirely avoid the use of deadly force, however. Some people, no matter what the police do, will take action that requires officers to fire. Included among such people are those who are more afraid of going back to prison than they are of police bullets, people who believe they will prevail against the police they face, and lost souls who purposely provoke officers to shoot them in an unconventional form of self-destruction known in the business as "suicide-by-cop" (Klinger 2001). Fortunately, the

police rarely encounter such individuals. Indeed, the vast majority of people, the vast majority of the time, won't do anything that would justify the use of deadly force, no matter how officers behave. During training sessions on police shootings that I conduct around the nation, I sometimes illustrate this point by noting that officers could take their gun belts off in the vast majority of their interactions with citizens and hand it over to the citizen with no adverse consequences to their safety. In other words, how officers comport themselves tactically in most interactions will not affect the likelihood of a shooting because citizens generally will not take any action that would seriously endanger anyone.

Figure 1

Shooting	No	1 Skillful De-escalation	2 Dumb Luck
	Yes	4 Unavoidable Shooting	3 Avoidable Shooting
		Sound	Poor
		Tactics	

One can build on these general ideas about police-citizen interaction to craft a simple, fourfold taxonomy that cross-classifies the quality of officers' tactics against the occurrence of a shooting. As shown in Figure 1, doing so yields a 2x2 table with cells that correspond to cases in which: (1) officers used sound tactics and thus avoided a shooting that might otherwise have occurred; (2) officers used poor tactics and no shooting occurred—because

the citizen involved did nothing to threaten the officers; (3) officers used poor tactics and had to shoot their way out of danger; and (4) officers had to fire to protect themselves or others, despite the use of sound tactics. Borrowing heavily from Fyfe (1988), who created a similar taxonomy to address the use of force by officers in general, we can call these four cells:

- (1) "skillful de-escalation,"
- (2) "dumb luck,"
- (3) "avoidable shooting," and
- (4) "unavoidable shooting."

Shootings rarely occur, as previously noted, so it is apparent that the vast majority of police-citizen interactions will fall into the first two cells of the table. We should therefore direct our attention to cells 3 and 4 as we try to understand more about how shootings do occur. The next step in this process will be to take a brief tour through normal accident theory (NAT), a theoretical perspective in the sociology of risk and disaster that can help us in our quest for answers.



Normal Accident Theory (NAT) and Deadly Force

The eminent sociologist Charles Perrow developed NAT in the early 1980s to explain how bad things happen in high-tech systems, such as nuclear power plants.³ NAT asserts that understanding why things sometimes go wrong requires us to pay heed to two key factors: the complexity of systems and the extent to which their elements are coupled, or tied together. As the number of elements in a system grows and the interactions among the elements increase, the system becomes more complex. The more complex the system, the more things can go wrong and the less likely humans are to immediately understand what is happening, which makes it difficult to respond immediately to problems. Where

coupling is concerned, as the elements of a system become more tightly bound together, the amount of slack in the system decreases. This, in turn, reduces the capacity of the system to deal with difficulties that might arise before they spin out of control and disaster ensues. Perrow argues that systems are more likely to have problems that lead to negative outcomes as they become more complex and tightly coupled. The term normal accident is thus used to describe his idea that the environments inherent in some types of systems are such that misfortunes are an almost inevitable part of them and hence normal. In sum, it is the core contention of NAT that the likelihood of negative events will increase as systems become more tightly coupled and interactively complex (Perrow 1984).

With this sketch of Perrow's normal accident theory in hand, we can now move on to a discussion of how it applies to police shootings. Our starting point is the recognition that all police-citizen interactions are social systems, which can involve just two people—for example, a single officer and a single citizen at a traffic stop—or encompass hundreds of people who play a variety of social roles—officers, suspects, victims, bystanders, fire-rescue personnel, the media, and so on at a large-scale public disturbance. The next point is to recall the previously mentioned notion that police officers can often structure encounters in ways that reduce the likelihood of a shooting—by keeping some distance and taking cover, for example. If we think about these tactics in the language of NAT, what officers are doing is reducing the degree of coupling between themselves and suspects and thus building slack into the social system in which they find themselves. This slack permits officers to take an extra moment—perhaps just a split second but often much longer—to assess the intentions of citizens before pulling the trigger.

Police-citizen encounters are often quite complex because a good portion of police work involves multiple officers. This is especially true of situations with a higher-than-average chance that gunfire might erupt because it is standard law enforcement practice to send more than one officer to incidents

that involve a heightened degree of danger (Klinger 1997). For example, take a situation involving an individual who is wielding a knife and flailing about in a public square, prompting several officers to respond. Well-trained officers respond to such situations by having one officer do all the talking, assigning a small number of officers—usually one or two who are typically called “designated shooters” or “designated cover officers”—to do any shooting that might be necessary if the situation deteriorates, and appointing the remaining officers to other specific roles. Having just one officer talk and/or give commands creates a linear rather than a complex communication process. This, in turn, reduces the likelihood that miscommunication between police and suspect or among the officers themselves might unnecessarily escalate matters. Having designated shooters permits the other officers present to confidently carry out whatever other activities might be useful for resolving the situation short of gunfire—whether they involve deploying less-lethal weapons, such as tasers or beanbag shotguns, or directing citizens away from the area.⁴ The decision to draw fewer guns lessens the chance that an accidental discharge could lead to sympathetic gunfire and reduces the number of rounds fired if shooting becomes necessary. This both promotes the odds that the suspect will survive being shot and lessens the chances that stray bullets will hit other officers or innocent bystanders.

The value of the NAT framework can also be seen in the realm of more complicated police activities, such as dealing with barricaded suspects. Standard police doctrine has long held that officers should not rush in and confront armed suspects who barricade themselves inside locations. It advises them, instead, to set up a perimeter to seal the suspect off from others, call for the help of a SWAT team and crisis negotiators, and then try to talk the suspect into leaving his stronghold position and surrendering (Fyfe 1996; Geller and Scott 1992). Staying outside at perimeter positions makes for a relationship between suspect and police that is much less tightly coupled than it would be if officers entered the

suspect's location. Calling for SWAT and crisis negotiators rather than simply relying on patrol officers reduces the complexity of the situation because these specialists have unique training and work together as a unit. This means that fewer officers need to be involved, and there is less chance for miscommunication and misunderstanding among the police. Once SWAT and negotiators arrive, a single crisis negotiator will talk with the gunman, which means the communication process will be quite linear, as previously observed. Furthermore, whatever discussions the negotiator has with the suspect will generally be done over the phone, rather than face-to-face, which reduces the physical coupling between police and suspect. The end result of using SWAT and crisis negotiators is to make for less complexity and coupling when dealing with barricaded suspects.

With all of this as background, we now turn our attention to some examples that illustrate both of the shooting cells from Figure 1. We will begin by looking at an unavoidable shooting involving an officer who responds to a robbery call. A well-trained officer, she arrives and deploys outside the location behind the cover offered by the engine block of her car—thereby minimizing the degree of coupling between herself and the suspect—and then waits there for additional units to show up. The suspect spots the officer, realizes that she stands between him and freedom, exits the front door, and runs toward her while raising his gun. In this instance of a very simple, two-person social system, the suspect increased the coupling between himself and the officer, precluding the officer from doing anything but firing her weapon to protect her life and the lives of any innocent bystanders.

Continuing with the armed robber example, we will illustrate a more involved scenario that falls into the unavoidable shooting category. Let us say that the suspect in the previous situation decides to stay put when the first officer arrives while the store clerk and customers flee, creating a classic barricade situation. When the suspect refuses to heed the patrol officers' demands to surrender, patrol calls for SWAT and negotiators. SWAT deploys, and the negotiators then

attempt to contact the suspect. Unfortunately, he repeatedly refuses to talk, so the incident commander has the SWAT team employ a series of tactics to get him to peacefully surrender. The suspect still refuses to surrender and ignores additional attempts by the negotiators to open a dialogue. After some time has passed, the incident commander has SWAT fire several rounds of tear gas into the location. The suspect still refuses to negotiate or exit the location. When it becomes clear that the suspect will not come out, the commander decides that SWAT must go into the location to arrest the suspect and resolve the situation. As the officers enter, the suspect fires his weapon and members of the entry team return fire, thereby ending the standoff. In this case, it was the police who took the slack out of the system and increased coupling between themselves and the suspect. They did so, however, only after repeated attempts to use tactics that permit and usually achieve a bloodless resolution from a distance (Klinger and Rojek 2005). Consequently, the police used deadly force only when they had no remaining option to resolve a dangerous situation—in other words, another unavoidable shooting.

With two hypothetical examples of unavoidable shootings in hand, we will use two actual cases to illustrate the notion of preventable shootings. The first is perhaps the most notorious officer-involved shooting in the history of U.S. law enforcement: the killing of West African immigrant Amadou Diallo by four detectives from the NYPD Street Crimes Unit who fired a total of forty-one rounds after Diallo pulled his wallet from his back pocket in the vestibule of a Bronx apartment building early one winter morning in 1999. The details of the incident have been widely reported, but here are the basics.⁵ As the four plain-clothes officers were cruising down Wheeler Avenue in the South Bronx in their unmarked vehicle, one of them, Sean Carroll, spotted a slightly built black male acting in what he deemed to be a suspicious fashion at the entrance of an apartment building. Carroll told the driver, Kenneth Boss, to stop so they could investigate. Boss did so, then backed up, and stopped again so that Carroll and

Edward McMellon, the other detective sitting on the car's right side, could get out. Diallo, who was not yet identified, quickly retreated into the vestibule and began "reaching into his right-hand side"⁶ with his right hand. Carroll and McMellon, who had drawn their guns in the belief that Diallo might be attempting to pull one himself, charged into the vestibule intending to grab Diallo before he could retrieve the gun for which they believed he was fishing.

As Carroll and McMellon shouted at Diallo to freeze, he quickly pulled a dark object from his right side and began turning his body counterclockwise in their direction. Diallo then started to extend his right hand, which was still clutching the dark object, towards the officers. Believing the object in Diallo's hand to be a firearm, Carroll shouted "Gun!" and started to shoot. McMellon also commenced firing as both officers scrambled to back out of the small vestibule, which was only about five by seven feet. By this time, Detective Boss and the fourth officer, Richard Murphy, were running to the aid of their partners. As they sprinted to assist, McMellon tripped and fell backwards down the stairs he had just run up. Believing McMellon had just been shot, Boss and Murphy peered into the vestibule, where they saw Diallo standing and pointing a dark object in their direction. They began firing their pistols at him. All four officers ceased firing when Diallo fell down from the cumulative effect of 19 bullets hitting his body.

After reloading his weapon, Carroll went up to check on Diallo and secure what he believed to be the pistol Diallo had pointed at him and his partners. When he grabbed the dark object he saw on the ground near Diallo's right hand, he felt the soft give of leather rather than the hard firmness of steel, realized the object was a wallet, and said, "Where's the fucking gun!" After coming up empty in a quick search of the rest of the vestibule for the gun he had seen, Carroll realized that he and his fellow officers had just shot an unarmed man.

The shooting became a major cause célèbre. The press played up the story of white cops killing an unarmed black man as part of a pattern of oppressive police practices against minorities by NYPD officers.

The race industry and political forces that opposed the administration of former mayor Rudy Giuliani made a huge scene, and the four officers were indicted. All four were acquitted, but many people subscribed and continue to subscribe to the notion of a racially motivated killing. No evidence of racial animus on the part of any of the officers emerged at the trial, however, so the dominant theory of the Amadou Diallo shooting does not offer a sound explanation for what happened early that February morning in 1999.

If we look at the shooting through the lens of Perrow's normal accident theory, however, we can make a good deal of sense about it. Indeed, a review of key points of the incident in light of NAT will disclose that what happened might be viewed as a predictable outcome of a five-person social system in which the behavior of the participants and the nature of the physical space produced a situation that was very tightly coupled and highly complex.

When Carroll and McMellon left the car to investigate, no one was clearly in charge. This meant that the officers were working as independent units instead of a single team, which unnecessarily complicated the social system in place when Carroll and McMellon confronted Diallo. Further difficulty arose when Carroll and McMellon approached Diallo in the vestibule because they greatly reduced the slack in the subsystem involving themselves and Diallo. With just feet between themselves and Diallo, no cover between them, and no place for Diallo to move, the system was very tightly coupled. When Diallo unexpectedly pulled an object from his right hand, the high degree of coupling meant that officers had but a fraction of a second to identify the object before deciding on a course of action.

Once Carroll shouted "Gun," interactions between the people present and the physical environment came into play. As Carroll and McMellon tried to move away from Diallo—and thereby reduce the degree of coupling—an unexpected interaction between McMellon and the stairs emerged when he lost his footing and fell down. The gunshots that were ringing out seemed to indicate to the other officers

that one of their team had been shot. Confirming this definition of the situation was additional evidence that resulted from the complex interactions between the participants and the physical environment of the vestibule. The interior door that Diallo was standing in front of had a highly reflective coating of paint, a metal kick plate at the bottom, a small pane of glass in the middle, and additional glass immediately above. As Carroll and McMellon fired their weapons, their muzzle flashes reflected off the door and its surroundings. Meanwhile, some of the officers' shots ricocheted back towards them, making it look as if Diallo was firing at them.

All of this (and other aspects of complexity and coupling that would take more space than would be appropriate here) adds up to a tragic accident in which four officers, one citizen, and their physical surroundings came together in a way that led to the unnecessary death of the citizen. No racial animus, no evil intent, just a group of human beings caught up in a tightly coupled, interactively complex system in which a series of misunderstandings led to disaster. In sum, NAT provides an elegant framework for understanding one of the most controversial applications of deadly force in the history of U.S. policing.

A second and far less well-known example of a normal accident shooting will further demonstrate the value of the NAT perspective for understanding police shootings. In the late evening hours of August 27, 1997, a man named Sap Kray threatened his estranged wife with an assault rifle at her home in Tacoma, Washington. Kray's wife left and went to her job in a neighboring community. Kray then took his rifle and showed up there after a few hours, causing one of his wife's co-workers to notify the local police. When the police arrived, they confronted Kray and saw that he was armed with a rifle. They let him go since he did not seem to have committed any crimes in their jurisdiction. They did, however, advise Kray's wife to tell the Tacoma Police Department about her earlier assault. She left work, drove home, found her husband there, and called Tacoma police. Because the case involved an assault rifle, the Tacoma patrol officers who responded decided to request assistance from their SWAT team.

Soon after the SWAT officers had deployed, a group of them saw Kray exit from the front door and walk towards his vehicle, which was parked in front of the residence. Believing him to be unarmed, they demanded that Kray surrender, but he retreated toward the front door. Officer William Lowry and other members of the team gave chase in an attempt to prevent him from reentering the house. Kray nonetheless made it inside the house, while Lowry and some of the other officers who had chased him took cover behind a large tree approximately twenty feet from the door.

The officers tried to convince Kray to surrender, but he refused. At some point, Kray came to the open door, and one of the officers behind the tree shot him twice in the torso with less-lethal munitions from an ARWEN launcher.⁷ Kray then fell back inside the residence, and Lowry, followed by three other officers, rushed in after him. As Lowry led the way into the residence, he observed Kray approximately ten feet inside the front door, pointing an assault rifle in his direction. He ordered Kray to drop the weapon, but Kray fired at the officers. Lowry returned three rounds from his weapon, shouted, "I'm hit," and quickly left the house along with the rest of the entry team. Lowry was airlifted to a regional trauma center, where he was pronounced dead.

Several hours after he murdered Lowry, Kray peacefully surrendered to members of the Pierce County SWAT team, who had been called in to relieve Tacoma's team after Lowry's death. Lowry's autopsy showed that a single bullet from Kray's gun had led to his death. This was the only shot that Kray fired, as it turned out, and it went through Lowry's left arm, penetrated his body armor near his left armpit, and exited his torso near his right armpit.⁸

If we look at the tragedy that played out in Tacoma that day through the lens of NAT, we can understand it as a classic example of a normal accident shooting. First off, if we think about the officers' movements from the cover of the tree to the front door in light of normal accident theory, we can quickly see that this move increased the coupling between Kray and the officers.

Had the members of the SWAT team remained behind the tree, they would have maintained slack in the micro social system that had developed that day, which would have kept them from the mortal danger that stood just meters away.

System complexity also played a key role in the Lowry shooting. One of the points that Perrow makes in his discussion of NAT is that the presence of safety devices can create unexpected interactions between system elements, thus increasing the degree of complexity, which in turn increases the degree of danger. Less-lethal launchers—such as the ARWEN used by Tacoma SWAT—are designed to help officers subdue combative or otherwise resistant subjects short of using deadly force while maintaining some distance. In other words, they are safety devices that help police to resolve volatile situations, such as the standoff with Kray, without resorting to gunfire.

In this case, however, it was the presence of the less-lethal ARWEN that set in motion the events that led to Lowry's death. As well-trained officers, Lowry and his partners would not normally leave the safety of a cover point in a confrontation with an armed suspect. In this instance, they left only because the ARWEN rounds had struck Kray. Believing that it was safe to do so, they moved in to take their suspect into custody. By the time they realized that Kray had rearmed himself, the members of the arrest team found themselves in exposed positions staring down the barrel of an assault rifle. With no cover available, Lowry was an easy target for Kray's murderous attack.

The added complexity arising from the presence of the less-lethal ARWEN was therefore a critical determinant of the officers' decision to leave the cover of the tree and increase the coupling between Kray and themselves. Had the system been less complex—had the arrest team not had a purported safety device in the form of the ARWEN—Tacoma SWAT would have used other tactics that would have maintained the relatively loose coupling that linked Kray and police until the arrest team fired the ARWEN rounds.

Concluding Comments

NAT has important implications regarding deadly-force beyond providing insight into specific officer-involved shootings. One of these is that it can help most citizens understand that some shootings are plainly unavoidable. All but the most extreme critics of the police can see that officers must shoot when dangerous suspects force their hand and foil police attempts to avoid gunfire through tactics that make for loose coupling and low complexity. NAT can also help citizens understand shootings that might otherwise seem incomprehensible—or be attributed to evil police designs—for it can make sense of cases such as the Diallo incident. The value of NAT for understanding police shootings is clarified when we reflect on the Diallo shooting in light of Officer Lowry's murder because no reasonable person could argue that the Tacoma SWAT team set out to get Lowry killed. Both tragedies were instances in which well-meaning police officers created tightly coupled, highly complex, social systems that led to disaster. In sum, the perspective provided by NAT can help citizens see that the use of deadly force cannot be eliminated entirely and that shootings that didn't need to happen often involve a large dose of human error rather than evil intent.

NAT can also help the police. Police officers have a good deal of motivation to avoid shootings. In addition to the aforementioned aversion to taking life, officers seek to avoid gunplay because shootings put them in physical danger and can expose them to substantial legal, administrative, and financial liability (Bayley and Garofolo 1989). The desire to avoid these negatives translates into a desire to know how to lower the odds of finding themselves in shootings.

NAT offers an easily understood framework to help officers accomplish this goal: keep things simple and don't get too close, for in its distilled form, that's what NAT is really about as it concerns tactics in police work. Keeping these precepts in mind can help officers on the streets today see the importance of hewing to concepts such as tactical knowledge and concealment. Attention to these precepts, moreover, can also help guide the development of new tactical

doctrines that might further reduce the likelihood of shootings in the future.

The underlying simplicity of NAT's message is akin to that of other modern theories that have helped improve policing. The broken windows thesis, which is rooted in the social disorganization framework, can be reduced to "don't let things get out of hand." The routine activities perspective that animates problem-oriented policing can similarly be broken down to "solve the problem that leads to the crime," and the deterrence doctrine behind pro-arrest policies for domestic violence boils down to "arrest the strong to protect the weak." NAT, for its part, offers a simple, elegant idea that can help cops avoid unnecessary shootings and foster public understanding that sometimes police must use deadly force despite their best efforts to avoid it.

In sum, examples from diverse areas of policing show how social theory can serve as a tool to help officers both understand why they are doing what they do and help them to do it better. Because social theory has shown itself to be so valuable, it is my contention that we should search for additional issues in policing—besides those discussed here—on which social theory can shed valuable light. Doing so just might further help street cops as they go about doing the demanding job of protecting and serving the rest of us.

Notes

1. The FBI provides a count of the number of citizens "justifiably killed" by law enforcement each year as part of its UCR program, but these data are incomplete (Fyfe 2002). FBI figures place the number of citizens killed by the police at 338 per year for the five years ending in 2003.

2. These rules reflect basic federal standards, as articulated, for example, in *Tennessee v. Garner* (1985). State law and department policy can, of course, place additional restrictions on when officers may shoot.

3. In fact, Perrow developed the theory of normal accidents during research he conducted on the 1979 accident at the Three Mile Island nuclear power plant outside Harrisburg, PA.

4. This involves actions that make a situation less tightly coupled—by putting more distance between the suspect and potential victims—and complex, since removing others to a distance means there are fewer people directly involved

5. Readers interested in a more finegrained overview of the incident might want to read the sixth chapter of Malcolm Gladwell's *Blink* (2005) or Jim Fyfe's essay, "Reflections on the Diallo Case" (2000), which draws on the work he did as a defense expert in the criminal case against the four officers who shot Diallo.

6. All direct quotes in this discussion of the Diallo case come from Carroll's testimony in the criminal trial that resulted from the shooting.

7. ARWEN stands for Anti-Riot Weapon Enfield. The term "less-lethal munitions" refer to a class of projectiles, such as wooden dowels, plastic batons, rubber bullets, and beanbags that are typically fired from shotguns and 37 or 40mm launching systems, such as the ARWEN (Hubbs and Klingner 2004).

8. For an additional account of the Lowry slaying, see: Jack Hopkins, "Slain Tacoma officer Lowry is hailed as a 'true hero,' final farewell," *Seattle Post-Intelligencer*, 4 September 1997.

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DISCUSSION QUESTIONS

1. Organizational deviance is more likely to occur after multiple failures interact with one another. Did multiple failures occur in the shooting of Amadou Diallo? If so, which system parts failed?
2. According to normal accidents theory, how can organizational deviance be prevented? Specifically, how can officers prevent the shooting deaths of fellow officers and unarmed suspects?
3. In Klinger's examples, what types of things make situations more complex? How does specialization (e.g., occupational differentiation) affect complexity?

