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### Private Police in the Public Safety Domain: Purpose and Practice

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PRIVATE POLICE IN THE PUBLIC SAFETY  
DOMAIN: PURPOSE AND PRACTICE

by

Carl D. Terry, Jr.

A Research Project Presented in Partial Fulfillment  
of the Requirements for the Degree Masters of  
Criminology

Regis University

December 2014

PRIVATE POLICE IN THE PUBLIC SAFETY  
DOMAIN: PURPOSE AND PRACTICE

by

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### **Abstract**

#### Private Police in the Public Safety Domain: Purpose and Practice

The study presents a qualitative exploration and description, through content analysis, of the shift to the combined (private and public) police forces approach in the pursuit of public peace and security. The aim of which is to reveal private police alternatives and viewpoints to maintaining peace and security not yet practiced by unapprised jurisdictions. The effort contextualizes the topic in a framework which explores and attempts to resolve the issue of the veracity of the shift by examining the current state and conditions prompting the shift and future trends relative to its continuance. Formations of private police operations in the public safety domain are identified and categorized. Additionally, the study includes a brief exploration of the foundational responsibility for the maintenance of public peace and security.

*Keywords:* criminology, private police, public safety, public peace and security

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### **Private Police in the Public Safety Domain: Purpose and Practice**

During the reign of modernity, a fundamental truth was eventually fully realized regarding the primary function of government; that is, the first order of government is public order. Without order, a society has little else. As James Madison (1788) observed, “If men were angels, no government would be necessary” (Discussion section, para. 4). To place, with great expenditure, the burden of government over free people must be for an eminent purpose. The intent, presumably, would be the perpetual maintenance of peace and order in society without which one would not expect to reap the benefits of a just and free social order.

Enion (2009) posits, early on in the history of this country, the State, born of law and legitimized by popular representation, was the sole authority responsible for the maintenance of peace and order. The primary mechanism to accomplish this public imperative would eventually (and naturally) be state entities in the form of professional public law enforcement bureaucracies created by duly elected legislators, organized by appointed bureaucrats, led and executed by appointed professionals and funded by public coffers (Enion, 2009). Recently, this paradigm has experienced successful shift. This shift amounts to a revision in the form of private police diffusion in the field of public peace and order in American society.

The formal integration of private police organizations into public police operations in the maintenance of peace and security in the United States in the last several years has seen both substantial growth and a contentious development (Joh, 2007). This development has produced an uneven ratio of security personnel to public police officers. Today, in the United States, every public police officer has three private security officer counterparts (Youngs, 2004; Mulone, 2011). The private security officer can expect the private security industry to spend at least twice

the amount of money in his domain than in the public police officers domain (Joh, 2007). Before public policing secured the monopoly for the responsibility of maintaining public peace and order beginning in the middle 1800's, private police of assorted varieties were the norm. Eventually the public police model took hold and solidified its position in the pursuit of public peace and order (Enion, 2009).

To successfully challenge the entrenched public police monopolistic paradigm (Enion, 2009) one might infer there must be a compelling basis for such a shift. The activity of private police migration into the public arena is substantial and mounting even to the point of seemingly challenging what might be considered a long-standing core mission of government. Indeed an examination of the subject may require us to consider a realignment of our notions and definitions we apply to the concept of public verses private peace and security operations.

Accordingly, several seminal questions present themselves relative to these observations. Why is such a shift occurring and what do the formations of private police integrations and operations look like?

**The combined forces approach.** The diffusion of private police operations into the public police operations indicates a new useful combined forces approach has developed to satisfy the perpetual public police imperative of the maintenance of peace and security. This approach (shift) consists of the accommodating the existence of two operational paradigms encompassing two separate systems constructed and directed to the achievement and maintenance of peace and security in their respective domains. The approach endorses the idea that an application of a combination of these disparate forces working both internally and externally of these paradigms would better accomplish the public peace and security imperative.



**Problem Statement**

The combined forces approach has not penetrated all police jurisdictions. As a result, those jurisdictions may not be using all available resources to accomplish their local missions. A certain measure of unfamiliarity of the combined forces approach may be to blame for this lack of combined forces utility. Consequently, an exploratory and descriptive study of this phenomenon may offer practical models to those jurisdictions unexposed to the combined forces approach.

**Purpose of Research**

This study combines two of Babbie's (2012) three purposes of research: exploration and description. The purpose of this study was to first explore then describe. It was expected the exploration of this topic would reveal private police alternatives and viewpoints to maintaining peace and security not yet practiced by those un-indoctrinated jurisdictions. A thorough scientific description of those practices may ultimately lead to practical considerations in the formulation of productive public safety policy.

This work attempts to stimulate the concept of private police force inclusion by public police departments by identifying and examining the contemporary characteristics and current practices of private policing in public peace and security functions. The intent was to reveal alternatives in maintaining peace and security not yet practiced and to contribute to the formulation of public safety policy inclusive of private police operations in law enforcement jurisdictions. Ultimately, this research project attempted to explore the tenacity of the combined forces approach and expose the approach to un-indoctrinated jurisdictions by scientifically

exploring (finding and identifying purposes for combined police formations in practice), describing (defining, categorizing) and documenting the phenomenon.

### **Hypothesis**

Trochim and Donnelly (2008) indicate an inductive reasoning approach includes a hypothesis. The hypothesis for this project is: An explorative analysis of contemporary private police formations assimilated into public peace and security operations will result in a descriptive profile of those operational unifications for evaluation and consideration for inclusion into public peace and security systems without private police assimilations.

### **Research Questions**

**Why is a shift of private police incorporation into public policing occurring?** Public police entities have begun to lose their dominant grip on the maintenance of public order. The reasons for this renovation of practice need to be identified in order to ascertain the intransience of the alteration and eliminate the possibility of transformation ephemerality. Causal examples may be government budget shortages, lack of general public police resources or a need for specialized resources and others yet unidentified.

**What do the formations of private police integrations and operations look like?** Just how have private police structures been operationalized (examples and typology) in various jurisdictions, how do they function and how are they configured?

### **Literature Review**

**Background.** Traditionally, since the middle of the 19<sup>th</sup> century, responsibility for the maintenance of peace and security in our communities has abided in the realm of the State

(Youngs, 2004; Enion, 2009). On a limited basis, this state obligation has been infiltrated by the actions of private police. Some public police jurisdictions have turned to private police organizations and formally incorporated varying degrees of private police participation in the maintenance of peace and security within their communities (U. S. Department of Justice [DOJ], 2009).

Central to this development is the establishment of the peace and security imperative, as some believe, as the core assignment of government. Enion (2009) explores this concept and concludes a constitutional validation of the notion that the maintenance of public peace and security is indeed a function of the state. This position is interestingly problematic. If lawfully, public peace and security is a function of the state, how can private police entities be integrated into the peace and security apparatus and remain private? A survey of the literature that addresses the legal issue of private police incorporated to achieve public peace and security is slim. Enion (2009) is the notable exception. Other researchers have addressed social suitability issues with public/private jurisdictional crossover and make observations regarding questions of the practice as seen through a social justice lens (Joh, 2006; Mandel, 2001; Mulone, 2011).

**Shift causation.** Perhaps not fully explored is the question of why a shift of private police incorporation into public policing is occurring? The reasons for this transformation of practice are many and varied. Some believe primary causal impetus can be located in the motivator of most causes- money (Youngs, 2004).

In bureaucracies, the most expensive resources are human. Youngs (2004) posits, because the nature of the range of general and specific knowledge required, individual public police officers are expensive to vet, train, and maintain. Pay and benefits for most public police officers



are based on a combination of similar public jurisdiction comparisons, public moneys available (budgetary constraints), collective bargaining and binding arbitration. Because of the limited scope of responsibilities for most private security and private police officers, the costs to recruit, vet and train such officers is much lower. Also, for private officers, pay and benefits are ultimately based on the shifting characteristics of free market competition and other self-regulating market forces. The resulting cost differential between public and private police officers is often substantial with the private police officers usually securing bargain status (Mandel, 2001; Mulone, 2011; Youngs, 2004).

The qualitative/quantitative dynamic of this issue resulting in a cost-per-unit analysis seemed to be the central theme behind the advancing diffusion of the private police and security industry in contemporary American society. However, other reasons are present in addition to financial considerations such as a lack of general public police resources or a need for law enforcement related specialized resources.

**Formations and operations.** Just how have private police structures been operationalized (type and degree of integration) in various jurisdictions? Currently, law enforcement practices of private police inclusion run the spectrum from public and private police working side by side with identical missions, tactics, techniques and practices within shared jurisdictions, to the complete exclusion of private police forces from discrete jurisdictions. Some examples offer interesting hybrids of individual public and private police officers working and enforcing criminal and civil laws while located on private, semi-private and public property and being compensated by public funds, private companies, quasi-private entities and specialized tax districts funded by specific private partners for specific purposes and specific locations.

Jurisdictions utilizing various private police in public service include Detroit, Michigan; Raleigh,

North Carolina; New York City and Lakewood, Colorado (Davis et al., 2010; Dolan, 2013; Goldstein, 2007; Mulone, 2011; Youngs, 2004). As an example, the Denver Police Department (DPD) private police inclusion policies lie at the light end of the spectrum. Based on personal observation, private police forces in the DPD are sparsely deployed, primarily in the manner of physical security at department headquarters and in several individual highly skilled and specialized technical positions. In this example, the level of inclusion offers substantial space for consideration.

How do public police authorities integrate private police into peace and security operations legally, efficiently and productively? Encompassed in conventional literature are other general examples. In many local, state and national jurisdictions, public police operations have been integrated with operations executed by private police organizations (Davis et al., 2010; Dolan, 2013; Goldstein, 2007; Joh, 2006; Mulone, 2011; Youngs, 2004). Some general practices include:

1. Total private police responsibility for private and quasi-public property.
2. Periodic augmentation of public police resources with private police resources.
3. Specific private/public police partnership programs in support of mutual peace and order goals and interests.

**Informational gaps.** Literature resources for public/private police historical, conceptual and critical matters are chiefly centered in academic peer-reviewed articles while specific models and types of operational examples appear in professional or news articles. While the existing literature supports specific examples of public/private police integration, little seems to be readily found regarding the legal foundation on the issue. Further research in the area of lawful

foundation and constitutionality is necessary to provide an alternative perspective to Enion's (2009) legal evaluation.

## **Methodology**

### **Introduction and Overview**

The purpose of this study was to explore and describe the combined (private and public) forces approach in the pursuit of peace and security and reveal private police alternatives and viewpoints to maintaining peace and security not yet practiced by un-indoctrinated jurisdictions. A revelation of those practices may ultimately prompt practical considerations in the formulation of productive public safety policy. Adjunct to the ultimate purpose of the study was the necessity to properly ground the subject within a contextual framework. This necessitated the inclusion of another research imperative: to explore and resolve the issue of the integrity of the shift to a combined forces approach by examining the collective purpose of the shift.

According to Babbie (2009), a qualitative study seeks to "mak(e) sense of social observations" (p.390). A qualitative research approach best suited the purpose of this study given the primary objective was to make sense of the practice and ultimately provide a typological and categorical description of combined operational peace and security formations. This attempt sought to view the topic through a phenomenological lens wherein a condition of the observation was in relation to a specific process of sensory consciousness and not simply constructions viewed as objects to be tallied (Merleau-Ponty, 1964). This effort attempted to understand, explore and describe relatively new and dynamic structures of private/public frameworks and possible emerging theories regarding public peace and security practice. The qualitative approach was more appropriate to this purpose (Trochim and Donnelly, 2008).



**Hypothesis.** An explorative analysis of contemporary private police formations assimilated into public peace and security operations will result in a descriptive profile of those operational unifications for evaluation and consideration for inclusion into public peace and security systems without private police assimilations.

**Research questions.** Why is a shift occurring and what do the formations of private police integrations and operations look like?

### **Research Approach, Method, Unit of Analysis and Dimension**

**Research method.** Content analysis, as described by Babbie (2012) was the research method of information collection for this study. The study was chiefly driven by exploring the record of human communication relative to the topic and individual research questions including information available in books, videos, peer-reviewed articles, professional journal and news articles and other available written, visual and audio documentation. Additionally, information gleaned from informal and incidental personal observations of peace and security systems currently in practice was recorded, analyzed and included in the study. According to Babbie (2012), the unobtrusive character of content analysis seeks to observe without leaving traces. The conduct of this study led to no individual human contact in the quest of relevant information.

**Unit of analysis and dimension.** The core focus of this study was to identify what the formations of private police integration and implementation look like. The unit of analysis for this task was those formations (combined operational constructions of private police and public police entities involved in public peace and security operations and pursuits) identified as currently in practice within jurisdictions as documented in written, audio and visual human

communication. The conditions of focusing on formations currently in practice and lack of a requirement for follow-on research made this project a cross-sectional study.

### **Information Required**

The information principal to this study was that information gathered from human communication which would describe the following: philosophical theories regarding the relationship between the State and individuals and groups; the foundations of societal order including justification, theories of law and social control and the assignment of responsibilities; information documenting the history of social control relative to private/public police paradigms of practice, internal transformations and paradigm shifts to better understand and explain contemporary circumstances in our society and finally, working configurations of private/public operations in practice.

In an attempt to obtain background information regarding the maintenance of peace and security in our communities, research weight was allocated fixing legal (constitutional) responsibility to entities charged with the task of using legitimate force to gain and maintain peace and order. Locke's State of Nature (1690), was noted as well as Hobb's Social Contract (1651) to elucidate the relationship between the individual and the authority of the State. Distinctions between state and non-state actors were identified and all appropriate actions taken by said entities identified and evaluated as public or private in origin and objective.

Answering the first research question (Why is a shift of private police incorporation into public policing occurring?) required the focus term "shift" as an important and observable transformation relative to the practice of contemporary law enforcement. The emphasis was to locate information in the literature, which identified two separate conditions indicating an

occurrence of a shift and indicators prompting the shift. Important observations and objectives included: the condition of existing private/public police formations and the act of movement from a unilateral to a bilateral approach and the detailing of those forces driving these two conditions. A critical assumption in this effort was: the occurrence of a shift indicates a value-added yield has or was expected to materialize. Reasons for the shift were specified, such as operational cost savings (Youngs, 2004). Some shifts did not indicate shift impetus; those accounts were not analyzed and considered in answering the research question. However, implied shift purposes were identified and analyzed as possibly relevant. The ultimate activity was to identify and categorize stated and implied grounds for a shift.

The variable “private police” was identified in the literature when noting security-oriented organizations or individuals that were resourced by private means and were directed by private interests and were not public police organizations or entities. Attention was paid to discerning types of organizations and any similarities or differences which would establish the existence of private police categories. Moreover, an assessment was made based on categorical establishments and other adjunct factors in ascertaining relevant emergent themes regarding private police in this research question.

The point of emphasis for the variable “incorporation” in this question was the noted change of status or shift of the private police entity into a combined private/public police force or the assignment of public police responsibilities or activities paid or not paid for by public funds. The variable “public policing” was construed to be activities conducted by those professional law enforcement bureaucracies created by law and funded by public monies in the pursuit of societal order to enhance public tranquility and wellbeing. The entities noted in the literature have established and perpetual public peace and security missions and are the recipient of direct



or indirect mission oriented augmentation by private police entities. Such entities are identified and segregated based on government levels and further subdivisions within those government levels as appropriate in addressing the research question.

To answer the second research question (What do the formations of private police integrations and operations look like?) the effort culled the available information and identified the “formations” or the working combined police configurations that were developed or evolved to achieve and maintain peace and security. Additionally, the “operations” (the prescribed and actual manner of functioning) of these “formations” were identified and described. Several important elements were recognized regarding these formations: What are the missions or goals assigned, how do they accomplish these missions and how have they been configured to achieve these missions? Missions, operations and formations were identified, and consistent with group or classification, organized according their respective characteristics.

#### **Data analyses plan matrices.**

Variable Analysis Matrix #1 ( <i>Definitions and Method of Information Collection</i> )		
Research Question #1 <b>Why is a shift of private police incorporation into public policing occurring?</b>		
	Definition	Method of Information Collection
Focus Term #1 “shift”	Important observable transformation of law enforcement practices	Content analysis
Variable #1 “private police”	Police or security entities used and resourced to private means and ends	Content analysis
Variable #2 “incorporation”	Combined into the purpose and practice of an on-going activity	Content analysis

Variable #3 “public policing”	Those activities conducted by professional law enforcement bureaucracies created by law and funded by public coffers in the pursuit of societal order to enhance public tranquility and well-being	Content analysis
<b>Research Question #2 What do the formations of private police integrations and operations look like?</b>		
	Definition	Method of Information Collection
Variable #1 “formations”	Working configurations that were developed or evolved to achieve and maintain peace and security	Content analysis
Variable #2 “private police integration”	Private police entities incorporated into public safety operations	Content analysis
Variable #3 “operations”	Prescribed and actual manner of functioning	Content analysis
Hypothesis: An explorative analysis of contemporary private police operational practices assimilated into public peace and security operations will result in a descriptive profile of those operational unifications for evaluation and consideration for inclusion into public peace and security systems without private police assimilations.		
	Definition	Method of Information Collection
Variable #1 “explorative analysis”	Systematic familiarization with the topic: finding and identifying formations in practice	Content analysis
Focus Term #1 “contemporary”	Current times	Content analysis
Variable #2 “private police”	Police or security entities used and resourced to private means and ends	Content analysis
Variable #3 “operational practices”	Purpose of functions and methods, tactics, techniques	Content analysis



	and procedures	
Focus Term #2 “assimilated”	Incorporated into the purpose and practice of existing public police formations	Content analysis
Variable #4 “public peace and security operations”	Those activities conducted by professional law enforcement bureaucracies created by law and funded by public coffers in the pursuit of societal order to enhance public tranquility and well-being	Content analysis
Focus Term #3 “descriptive profile”	Type, example or model of formation verbally or graphically illustrated	Content analysis
Focus Term #4 “operational unifications”	Activities of private and public police forces formally oriented to achieve specific and general common goals	Content analysis
Variable #5 “evaluation and consideration for inclusion”	Observation and reflection of specific practices as possibilities which may add utility to in-place peace and security operations	Content analysis
Variable #6 “security systems”	Official public police and other public entity formations engaged in public safety operations	Content analysis

Variable Analysis Matrix #2 <i>Unit of Analysis and Level of Measurement</i>		
Research Question #1 <b>Why is a shift of private police incorporation into public policing occurring?</b>		
	Unit of Analysis	Level of Measurement

Variable #1 “private police”	Private security organizations currently engaged in public peace and security operations	Nominal
Variable #2 “incorporation”	Public law enforcement and private security organizations currently engaged in public peace and security operations	Nominal
Variable #3 “public policing”	Public law enforcement and private security organizations currently engaged in public peace and security operations	Nominal
<b>Research Question #2 What do the formations of private police integrations and operations look like?</b>		
	Unit of Analysis	Level of Measurement
Variable #1 “formations”	Public law enforcement and private security organizations currently engaged in public peace and security operations	Nominal
Variable #2 “private police integration”	Public law enforcement and private security organizations currently engaged in public peace and security operations	Nominal
Variable #3 “operations”	Public law enforcement and private security organizations currently engaged in public peace and security operations	Nominal
Hypothesis: An explorative analysis of contemporary private police operational practices assimilated into public peace and security operations will result in a descriptive profile of those operational unifications for evaluation and consideration for inclusion into public peace and security systems without private police assimilations.		
	Unit of Analysis	Level of Measurement

Variable #1 “explorative analysis”	Public law enforcement and private security organizations past and present engaged in public peace and security operations	Nominal
Variable #2 “private police”	Private security organizations currently engaged in public peace and security operations	Nominal
Variable #3 “operational practices”	Public law enforcement and private security organizations currently engaged in public peace and security operations	Nominal
Variable #4 “public peace and security operations”	Public law enforcement and private security organizations currently engaged in public peace and security operations	Nominal
Variable #5 “evaluation and consideration for inclusion”	Documents	Nominal
Variable #6 “security systems”	Public law enforcement and private security organizations currently engaged in public peace and security operations	Nominal

### Analysis Presentation

As all of the variables listed were addressed using the same method of analysis, the presentation of the listed variables analysis was a narrative description and categorical assembly tackling the research questions: the establishment of causality and the veracity of the shift and a catalog of operationalized formations.

### Data Collection Methods

Data topic and notation matrices were used to reveal and develop common themes, patterns and connections to analyze and create categories which may be interpreted and described (Taylor-Powell & Renner, 2003). This method is a systematic and thorough device by which to extract data from narratives but is only as good as the narratives used. To mitigate this issue, a cross-section of literature was assembled for study. Additionally, as required, an attempt was made to corroborate results by seeking and exploring other literature related to the issues not initially analyzed.

### **Data Analysis and Synthesis**

The representative literature was chosen for examination based on a brief and cursory review for content associated with the focuses of this study. The articles chosen were a cross section of scholarly peer-reviewed articles, articles from professional journals and professional news outlets. Several articles were added to the project after the initial literature review was completed to enhance corroborative objectivity and round-out potential information deficits. The added articles brought the total number of articles reviewed to twelve. The articles were read and evaluated for appropriate content. The articles were then reread while being cognizant of variables and focus terms identified and contained in the Data Analysis Plan Matrices numbers 1 (Definition and Method of Information) and 2 (Unit of Analysis and Level of Measurement). While proceeding through the literature, appropriate content relative to the identified focus terms and variables was identified and extracted from the literature and added to a content analysis matrix working document. While processing the information additional focus terms emerged. All variables and focus terms were synthesized into relevant focus topics which were placed into the content analysis matrix. The topics, derivative of all variables and focus terms, were consolidated classified as Private Police Definition, Shift (information representative of the character of the



shift in question), Reduction of Crime Rate with Higher Arrest Rate, Reduction of Crime Rate with Higher Conviction and Sentencing Rates, Dealing with Lower Public Resources, Incorporation and Integration of Private Police Operations, Trends and Public Policing Definition.

During this process the focus topics were subject to transformation into more accurate, descriptive and useful terminologies. For example, private and public police definitions were more accurately specified as Normative Characteristics of Public and Police. Additionally, from the synthesis of the data flowed the necessity to examine and identify environments containing private police and public police formations. This requirement resulted in the distinction and designation of Public and Private Domains.

Information regarding the subject of shift veracity was examined and synthesized into a table identifying those situational and economical conditions that prompted private police inclusion in to the public domain. Additionally, the identification of categorical components of needs, responses and results were accomplished to demonstrate the flow of progression leading to inclusion. Related to shift veracity, the emergent topic of trends was communicated in a table, which lists the identified trend and the article where the information can be found.

Data regarding private police formations were synthesized into three categories based on the type of operations observed in the literature and communicated in a table which conveys the inter-categorical dynamics of private police formations. Additionally, the documentation of examples in practice and an offering of hypothetical examples further described formations.

### **Ethical Considerations**

The method of data collection for this study was content analysis. The objective analysis of professional human communication in written, audio and video form left little opportunity for human contact. As anticipated, no direct or indirect human contact in the collection and analysis of this information was encountered and ethical concerns, regarding the treatment of human subjects, were not experienced. Other concerns regarding scholastic ethical behavior were addressed by ensuring the communication of accurate and genuinely original and appropriately cited work by submission the text to an external service which scrutinized the work for originality and proper citation.

### **Limitations**

As this study was the product of content analysis methodology, the information analyzed and the subsequent synthesis of information was limited by the number and the content of the articles examined. In an attempt to mitigate this reality, this study used a cross section of source publications from peer-reviewed journals to creditable news articles in order to get a wide span of appropriate information. However, because of time and other limitations, not every article addressing the subject of private police in the public domain available was considered.

This study considered private police formations in the public domain within the United States of America (U.S.). During initial examination of the literature, the observation was made that the subject of this study is a worldwide phenomenon and includes, among other characteristics, civil law enforcement bridges to military internal defense and security formations in foreign lands (Davis et al, 2010). Although private police formational characteristics outside of the United States borders are perhaps integrally relevant to the U.S. and an interesting field of study, the subject was outside of the scope of this study and was not addressed.

Not all formational possibilities were addressed in this study. This was a product of limited scope and the assumption that some other formational variants exist and are in practice but were not contained in the literature examined. Formations accomplishing Special Weapons and Tactics (SWAT) police missions came to mind but were not observed in the material. It may not be assumed, however, they do not exist.

An interesting and vital adjunct of the subject matter of this study was the issue of the authority component. In this study, the legal considerations of authority of private police acting in the public safety domain were approached but not fully determined and undertaken. As a quotient of this study concluded, private police require some (yet undetermined) legal standing to legally operate in the public domain. This study related only a component of the issue and ultimately postponed the complete resolution of the matter.

This study did not attempt to conduct an evaluative analysis of private formations in the public domain. It was not the goal of this study to make discrete and relative assessments regarding the successfulness of the private formations identified. Such an objective was well beyond the scope of this study and did not well serve the qualitative approach of this effort.

## **Results**

The overarching observation relative to the private/public police issue was the consistent view that the incongruent duties and responsibilities of private and public police formations are unclear and are not so disparate and distinct. By observation, the most common term used to describe the distinction between private and public police is “blurred” (Ruddell et.al. 2010, p. 55)

### **Private and Public Police Normative Characteristics**



In the attempt to define private and public police, one tends to get bogged down in the dynamic nature of the shift in progress. It may be past assumptions and firm beliefs about the roles, responsibilities, and structures of private and public police formations may be approaching obsolescence. For the purposes of this effort, it was deemed more productive to avoid strict definitions and rather highlight the characteristics of each and be prepared to be cognitively flexible. Table 1 (located in the List of Tables section, starting at page 43) consolidates the respective characteristics of public and private police according to the studies analyzed.

The characteristic breakdown illustrates fairly clear distinctions between public and private police. Blurred vision occurs when private formations begin to take on characteristics (the foundation of the shift) of public police formations. It is interesting to note, public police formations seem to rarely assume private police characteristics. Although it is documented within the literature public police have taken on some entrepreneurial characteristics, the predominant shift identified is the assumption of public police characteristics by private police. Also, the most relevant and key action that facilitates effective migration of private police into the public safety domain is the introduction of legal sanction.

### **Domain (public or private)**

This paper was interested in private police formations in the public safety domain. It was then established what elements and configurations would be considered public safety formations. Three emergent variables, (space, funding and profession) were identified, culled and consolidated from the studies examined which addressed the concept of private and public police formations relative to the maintenance of public peace and security (Goldstein, 2007; Nalla, 2002; Mulone, 2011; Davis et al, 2010; Ruddell et al., 2010; Youngs, 2004; Dolan, 2013; Joh,



2004; Joh, 2006). These emergent variables were allocated in various logical combinations in an effort to constitute possible groupings that determine domain. See Table 2.

Attributes of Space:

1. Public property (streets and public ways, parks, public buildings etc.)
2. Private property- open to the public (semi-private spaces; malls, entertainment venues, etc.)
3. Private property- closed to the public (individual homes, private clubs, etc.)

Attributes of Funding:

1. Public funds (raised through legislative action, volunteer work will be considered public funding based on official public sponsorship if applicable)
2. Private funds (raised through non-governmental means)

Attributes of Profession:

1. Public peace officer (sworn law enforcement professional, government civil servant)
2. Private officer (security officer working for a private, non-governmental organization)

Out of 12 possible combinations, all but two formations were considered public safety domain formations.

Enion (2009) approaches the public safety/private security issue from a different vantage point and views safety and security as they relate to the legitimate allocation of force. Four distinct types of entities may respond to a public or private demand for force in the maintenance of peace and order: official police, official mercenaries, arms of the State and private mercenaries. All but private mercenaries are constitutionally public safety agents and are subject

to constitutional controls of State authority (Enion, 2009). According to Enion, it matters not what space, who pays or who acts. The central issue is whether it is a private or public demand for force in the context of our constitutional framework.

The primary factor in the determination of public safety and private security domains rests in the sanction of the law and the determination of whether the recipients of an application of force are afforded the same constitutional guarantees as those who are recipients of state force. In ten of the twelve combinations in Table 2, constitutional guarantees relative to state action should apply. One combination is conditional and is dependent on the actual application of official police action; in which case the combination would migrate from private security into the realm of the public safety domain.

### **Shift Veracity**

The studies examined provided a wide range of views as to impetus and the dynamism of the shift. Chief characteristics and reasons observed as the impetus of the shift are listed below and are compiled and organized in Table 3, in a four-column scheme identifying the Condition (as synthesized from the literature), Need (recognized condition requiring modification or corrective action), Response (remedial action taken) and Result (new condition). Based on the character of the individual conditions, they were further broken down into two conditional types: situational and economic. The table displays nine situational conditions and four economic conditions.

The individual conditions expressed in the literature relative to the shift were:

- Private Police are the first line of defense against terrorist and other criminal activity (plays a part in the national defense infrastructure).

- Persistent doubts about the government's capacity to provide security exist.
- Security responsibility is the government's but the means can vary.
- Private police participation is discerned as complementary to public police mission, incidental security effect is magnified.
- Private police perform well in the private domain and can transfer that expertise to the public domain.
- Government as the sole provider of peace and security is a myth.
- The government promotes the use of private police inclusion in public safety mission.
- Combined forces of private/public formations are mutually beneficial.
- The shift is a global phenomenon.
- Public resources are limited; reliance on private police in security imperative is growing.
- The transformation of security as a commodity is occurring.
- One reason for the growth of demand for security is because of large semi-private properties (i.e. malls, gated communities, large corporate buildings).
- There is a common occurrence of an increasing feeling of insecurity.
- Private security is promoting the shift, seeking additional responsibilities and authority.
- Demand for police exceeds supply; private police fill the gap.
- Bankrupt municipalities with fewer resources and fewer police are less responsive to non-emergency calls.
- The public safety apparatus is growing more expensive.
- The criminal justice system and public services are growing more expensive.

- The public is reluctant to increase public revenue.
- There is a need for cooperation between public and private police to maximize security production.
- Private police infrastructures are in place, larger than public police apparatus and willing to contribute to the maintenance of peace and security.
- Private security has control of important infrastructure; public police has most of the threat informational systems. This situation creates a need for a symbiotic relationship.
- Private police inclusion complements community-policing initiatives.
- Private police may offer contractual specialized police services to smaller public police agencies.

### **Future Trends**

Emergent from the content analysis of most of the studies was the discussion of 13 key trends related to the private/public police shift. Identified trends are listed in Table 4 and correspond to the articles (A1-A12) studied. Article titles and corresponding codes are listed in the Content Analysis Matrix in Appendix 1.

### **Formational Categories (Roles)**

A survey of the information revealed private police currently functioning in the full spectrum of law enforcement operations leading to peace and security conditions. The peace and security operations listed are a reflection of material gleaned from this study and are not to be expected to be inclusive of all contemporary peace and security operations. Generally, these operations can be situated in at least three distinctive formational categorical roles: support roles,



operational support roles and direct action law enforcement roles, all in pursuit of peace and security. It is important to note the missions/operations in these formational categories can migrate from formational category to formational category based on overarching organizational mission requirements and trained and available formations. See Table 5.

**Support Roles.** These are missions/operations which support and facilitate operational support and direct action missions. They are critical subtasks of primary missions. Some of these functions include: guarding prisoners at hospitals and other temporary locations; securing, guarding and processing crime scenes; safe-guarding public and semi-private spaces; transporting prisoners and evidence and accomplishing administrative paperwork.

The accomplishment of these missions free law enforcement officers to concentrate on core mission pursuits such as operational support and direct law enforcement actions.

**Operational Support Roles.** These formations are intermediate police functions that proceed beyond support roles. Activities include patrol in public and semi-private spaces; undercover operations (joint and unilateral); surveillance in public and semi-private spaces; crimes against property investigations in public and semi-private spaces; regulation enforcement and traffic accident scene processing and investigation. They involve proactive policing activities that fall short of direct action of law enforcement activities.

**Direct Action Law Enforcement Roles.** These roles consist of limited detain, search and arrest in limited geographical areas. These activities, usually reserved for sworn law enforcement officers, are typically invasive and confrontational. These activities can involve use of force actions taken as necessary to maintain peace and order such as stopping persons suspected of being involved in criminal activity (compliant and non-compliant) and investigating, impeding

and stopping crimes in progress. This formation requires special police powers granted by legislative action and is usually limited in duration and scope.

### **Formations in Practice**

The studies individually identified actual examples of private/public formational examples in practice and are listed below.

**Boston Massachusetts.** A private security company is responsible to patrol low-income apartment buildings and housing projects with a combination of over 150 security and private police officers. The private police officers are licensed by the Boston Police Department armed and have limited arrest powers (DOJ, 2009).

**Denver Colorado.** Denver police officers may work, while off-duty, as business security personnel on private and semi-private property with approval by the Chief of Police. They work in their official police uniforms, are visually present at the business in a standby capacity and are prepared to engage if a crime is committed. The business owner pays them and, while they are not engaged in taking a police action, they work for the business owner. If they take police action, they then act under the color of the Denver Police Department while enforcing all appropriate laws.

**Detroit Michigan.** In a “commercialization of police services” (Mulone, 2011, p. 1), Detroit Michigan, a downtown area business association, rents city police vehicles and hires Detroit Police Department officers to patrol limited areas of downtown to enforce low level or “quality-of-life” criminal laws not routinely addressed by the cash-strapped municipal police (Dolan, 2013, p.1).

**Dover Delaware.** The Dover Police Department is not staffed to contend with the overwhelming crowds who periodically gather to watch popular professional car races held in Dover. They deal with the crowds with the assistance of private security personnel. These personnel are financed by the track owners and supervised by the Dover Police Department (DOJ, 2009).

**Durham, North Carolina.** Local police lack resources to maintain security in the city's public transportation system. A private security company has been assigned primary policing responsibility on public buses and the central terminal maintaining order and suppressing gang activity and graffiti (DOJ, 2009).

**Lakewood, Colorado.** The Lakewood Police Department of Lakewood, Colorado has pursued a successful private police inclusive policy for over a decade (Youngs, 2004). The Lakewood Police Department contracts with local security companies to provide trained and skilled security officers. These private officers augment sworn Lakewood police forces at crucial times such as safeguarding crime scenes and guarding prisoners at local hospitals. Youngs (2004) points out these measures conserve public funds by keeping Lakewood police officers free to execute primary functions such as responding to calls for service and save on overtime costs.

**Minneapolis, Minnesota.** In the downtown area of Minneapolis, a partnership between the Minneapolis Police Department and a covey of private security businesses has grown into a model community-policing project. Among other initiatives the program electronically interconnects, through social media, public police officers and private police in a specified geographical area. The system simultaneously and immediately alerts all public and private



police by way of emails, texts, videos and other forms of electronic communication of routine and emergency security related matters relative to the specific location (DOJ, 2009).

**New Orleans, Louisiana.** As an emergency measure, the U.S. government turned to the private police domain for temporary assistance. The U.S. Army Corps of Engineers required immediate support and employed a security business which provided an armed private force to guard critical infrastructure sites in the aftermath of the Hurricane Katrina natural disaster. An initial fifteen armed personnel grew to approximately 140 security officers in the span of two weeks (DOJ, 2009).

**New York City, New York.** The City of New York, New York has established a Business Improvement District (BID) in a specific geographical location in downtown Brooklyn. This district is a self-taxing non-profit corporation that provides for a private police force to patrol specified public business areas. The private property owners within the district tax themselves and use that money to fund the project. This private police force provides a uniformed presence within the district and works to identify potential lawbreakers and security issues. Additionally, the private police respond to emergency public safety situations and secure the locations until the New York Police Department officers arrive (Davis et al., 2010). Also the city has established the Grand Central Partnership which employs uniformed public safety officers to patrol Midtown Manhattan and assist New York City police officers (DOJ, 2009).

**Raleigh, North Carolina.** In another North Carolina city private police officers, given police powers by the state of North Carolina, make traffic stops on private property and adjacent streets, question and search suspects and vehicles, seize contraband and make arrests (detentions) of suspected law breakers (Goldstein, 2007). When tactics such as those in North Carolina are



employed in security operations, some points of contention surface. Goldstein (2007) points out some believe individual constitutional rights are in jeopardy of being violated during such security actions because many practitioners of private policing believe constitutional safeguards do not apply to private sector actors.

### **General Hypothetical Practices**

The following illustrations are an amalgamation of general practices observed within and extracted from the content of the literature. The characteristics have been consolidated and complied to form hypothetical models of private police inclusion into the public safety domain demonstrating a combined forces approach.

1.Total private police responsibility for private and semi-private property. This practice requires a strict distinction between private and public property responsibilities and may necessitate police department oversight and strict assignments of areas of responsibility. The public police would have responsibility for authentic public spaces i.e. public buildings (and necessarily private residences), public streets and sidewalks, etc.

Private police would have formal jurisdiction of enclosed private spaces and those private spaces open to the general public such as businesses, restaurants, bars, shopping malls, parking lots, etc. This practice would require high levels of private police training, competence and professionalism. Also, it would necessitate official State oversight and authority to ensure individual constitution rights and were safeguarded.

The cost of operating and maintaining such a professional private force would be born by the private party owning the venue either as in-house security/police or the hiring of a licensed private police business.

2. Periodic augmentation of public police resources with private police resources. This practice would utilize deputized private police forces, paid or volunteer, as force augmentation deployed during periods of emergency to enhance public safety and better manage peace and order during unexpected disorderly events. This model would resemble a reserve police structure making resources available to be deployed as necessary to operate as individual police officers or teams of officers deployed to accomplish specific missions for a specific period of time. Examples might include addressing routine periodic contingencies such as crowd control operations at large regular public events, times of high criminal activity on weekends during the summer months or other regular occurrences requiring police presence and action. This includes out-crowd control during bar closures times in locations heavily saturated with liquor establishments. Also, such forces could be deployed during periods of emergency to enhance public safety and better manage peace and order during unexpected chaotic events.

Such a course of action would require periodic deputation of private police as required. Also, the public authority would have to maintain contractual agreements with private police businesses to be tapped when required.

3. Specific private/public police partnership programs in support of mutual peace and order goals and interests. This practice would use private police businesses to provide private police officers to enhance routine general peace and order operations in public areas such as public parks and residential neighborhoods. Such forces would have limited geographical responsibilities and missions limited in nature, duration and scope. Their areas of responsibilities would be dictated by necessity and may be deployed as required by centralized or decentralized public police commanders as force multipliers. The patrols could work closely with Registered Neighborhood Organizations (RNOs) to coordinate and maximize efforts. They may resemble

official neighborhood watch patrols primarily responsible for providing uniform police presence and surveillance. Forces such as these would use passive but proactive vehicle or foot patrols to inhibit criminal activity by observing and reporting suspicious behavior to the public police who would respond as normally as a call for service. These patrols would not take direct action to prevent criminal activity except in an emergency situation. Although these patrols would require training and technical competence, the quantity of such training would be markedly less than the preceding practices.

## **Discussion**

### **Domain**

This study was interested in the private police formations operating in the public domain. Accordingly domain distinctions were established as well as the establishment of the distinction between private and public policing. The latter is increasingly analyzed and debated, primarily because both entities seem to be in a state of transformation. Joh (2007) offered a sketch of the essential characteristics of private police useful for the purposes of this project; “lawful forms of organized, for-profit personnel service whose primary objectives include the control of crime, the protection of property and life, and the maintenance of order”. Joh (2007) described the public police as “members of a bureaucracy created by political and legislative processes...the police are armed, uniformed public servants charged with enforcing the criminal law and are...expected to keep the peace”.

Joh’s characterization of private and public police was generally consistent with the content of the literature analyzed. As a result, several key points emerged from this view:

1. A distinction between private and public police can be made.



2. Both entities are expected to keep the peace and maintain order.
3. The entities emanate from separate domains.

Enion (2007) frames the issue differently and places less importance on what the formations are and more importance on who (public or private) demands the allocation of force in the pursuit of peace and security. Notwithstanding Enion's view regarding the relative irrelevance of formational characteristics of force, Enion recognizes dominion of force in the pursuit of peace and security in respective public and private environs. As such, responsibility for peace and order was a central theme in the primary functions of both public and private police operations. One difference was whether the domain over which order is maintained is private or public. The question is more significant than simply determining geographical location or ownership. The overarching question is one of form and function. Enion (2009) deems, in the realm of policing, the form of the entity is not as important as the function of the entity. It is not what the police look like, uniformed, armed or unarmed, it is what they do that is relevant. Function over form is paramount. It matters not who pays the police but what function to purpose they execute. If that purpose is the perpetual maintenance of peace and order in society, legitimately they are servants of the people and functionaries of the State. Given the State is the sole authority for the maintenance of peace and order, any agent charged or functioning as that authority, authorized or unauthorized, is subject to the same constitutional limitations of state police action. Within the content of the literature reviewed, this issue is a subject of deep-seated contention between private police entities, who typically assert exclusion from constitutional requirements imposed on State actions and the authors of the articles (Enion, 2007; Mulone, 2011). The matter of the distinctions of domain and private and public police formations continue to crystalize.



As it was the subject of this study to identify peace and order formations in the public domain, it was pertinent to frame the environment in which those formations function. The literature did not address domain per se. The articles primarily contained information, which could be described, as characteristics and attributes of private and public police formations. It was therefore necessary, in this case, to identify domain in order to address the formations appropriately. Based on the synthesis of the characteristics and attributes culled from the articles examined, the notion of domain was constructed as an approach to fix the distinction between private and public police. Table 2 arranges key variables and attributes combination sets and ultimately showed public domain in ten of the twelve variable combinations. The key element applied to each combination was the element of purpose. That was, to what purpose does each combination of space, funding and profession pursue? According to the results of Table 2, ten of the various combination sets sought to achieve and maintain public peace and security which, as established earlier, is the responsibility of the State. Therefore, any police formations situated in the first ten sets of combinations described in Table 2 were the representations considered in this study.

### **Shift Veracity**

The question regarding identifying the purpose of the shift, commensurate with probing for shift veracity, was tackled with the identification two components: Current state and Trends.

**Current state.** Economic stimulus for the incorporation of private police in the public domain was generally accepted as the primary motivator forcing the shift. This was amply supported in the literature in numerous accounts. Youngs (2004) convincingly addressed the value-added economic component of incorporating private police into the daily peace and

security functions in the Lakewood, Colorado Police Department. However, the literature also revealed foundational impetus for the shift extended beyond saving money in an era of perpetual bureaucratic budget requirements and shortfalls. The literature revealed the incorporation of private police formations in the public safety domain satisfied needs based on contemporary economic and situational conditions. Although one could convincingly theorize impetus for all things, ultimately finds genesis in satisfying budget requirements and constraints. There are also needs, emergent of situational conditions, which require resolution.

Table 3 contains economic and situational conditions derived from the literature that revealed needs and timely responses. Some of those responses included the introduction (or re-introduction) of private police into the public safety domain.

As an example, a precarious condition, such as newly recognized vulnerability to terrorist threats after the events of September 9, 2001, revealed a critical need and prompted a combined force response. Some sources identified a consistent condition where infrastructures, critical to national security, were in the hands of private security formations while much of the threat information (intelligence) resources were operationally public security forces. A response to this condition necessitated the development of a partnership between private security and public police forces to maximize security postures of critical national infrastructures (DOJ, 2009; Joh, 2004).

Other important contemporary developments have emerged and continue to require the increased participation of private police formations in the public domain. The rise of large private and semi-private erections such as industrial and business complexes, gated communities, shopping malls, mega-plex entertainment venues and other spaces where the general public lives,

works and otherwise congregates have substantially increased peace and security operational requirements which simply cannot be satisfied by the public police. This, incidentally, may be one of the principle reasons behind the explosive growth of private police formations in the last thirty years (Mulone, 2011; Nalla, 2002; Youngs, 2004). Other noneconomic conditions prompting the shift were present. It has proven useful for some local police forces to formally incorporate private police formations currently installed in private and semi-private spaces within authentic public places for the purposes of crime prevention and resolution. On many levels, private police perform intentional and incidental surveillance and stabilization functions for public police formations while conducting their normal duties in their areas of operations (DOJ, 2009; Goldstein, 2007).

**Trends.** An analysis of the literature supported the notion the shift is in progress does not yet have reputable recognized boundaries. Table 4 identifies and lists specified trends extracted from most of the articles studied. Some trends are broad and predict a steady, general increase in the level of private police migration into the public safety domain. Several trends are more unique and, if realized, will reinforce the shift and change the peace and security landscape. For example, Mulone (2011) foresees the possibility of security commodification and also, a general mergence of private and public police characteristics. The chief concern, for Mulone, is the more the providers of security commoditize safety and well being, the more marginalized populations will experience an inequitable allocation of peace and security which will further marginalize a society facing increasing class stratification. Also, the assumption of more public safety responsibilities by private police and the tendency of public police to act more like for-profit entities (charging for law enforcement services) are addressed as a possible perversion of



the State's role as the sole authority responsible for providing peace and security in American communities (Mulone, 2011).

Nalla (2002) contends a significant surge in private police professional status as a major actor in society is underway accentuating recognition of enhanced professional prestige. Additionally, Nalla sees institutions of higher learning initiating scholarly plans and programs in accommodation of the private security industry's growing importance to the fabric of our society. Ultimately, perhaps underscoring the strength of consensus of the studies which addressed future trends, no study communicated a slow-down, a stopping or reversal of the current shift.

It is apparent, according to studies examined, the shift of private police into the domain of the public police is well underway and shows no sign of abatement.

### **Formational Categories and Operations, Practices and Hypotheticals**

Private police formations operating in the public safety domain can be segregated by categories identified by operational roles played. Table 5 shows operations by private police forces separated by three formational categories: Support roles, Operational Support and Direct Action Law Enforcement roles. To be sure, operations listed within these categories in Table 5 should not be presumed to be complete. Other peace and security operations performed by private police may be presumed to be occurring but were not present in the literature. Operations such as those accomplished by SWAT formations do not appear in Table 5 because they were not contained in the material examined. However, the information in the Table should be considered robust nevertheless, as most of the operations accomplished by private police formations are presumed to be represented.



As Table 5 represents, the operations listed under each of the categories should not be considered steadfastly confined to that specific category. Conditions and professional environments may dictate elements of Traffic Accident Processing, in the Support category, may require certain elements from Criminal Investigation operations in the Operational Support category. In addition, public police departments may pick and choose operations from each of the three categories depending on conditions, needs and responses identified and required.

Formational categories and operations, formations in practice and amalgamations of general practices as earlier described and illustrated showed one constant: Private police formations have the willingness and capacity to perform nearly any public police function asked. In some cases, private police formations are currently performing direct action law enforcement operations in limited jurisdictional assignments (not unlike local public police formations which have their own jurisdictional limitations) and are lobbying for expansion of jurisdictional responsibilities (Goldstein, 2007). The record demonstrated the major factor limiting capacities of private police in the public safety domain is not necessarily resources, training or logistical impediments. Private police formations only require legal sanction (Enion, 2009; Goldstein, 2007).

Based on an analysis of the literature, a reasonable conclusion can be made that combined private/public police formations will become the norm in most urban areas. Specifically, private police formations will continue to incrementally and unabatedly assume more responsibility for the general maintenance of public peace and security in the Support and Operational Support roles. Private police formations in Direct Action Law Enforcement roles will increase but with less abandon than Support and Operational Support roles. It is more reasonable to conclude movement into Direct Action Law Enforcement roles will be measured

and limited based on local situations and social, economic and political imperatives.

Incrementally, public police formations may find themselves assuming various oversight roles of private police formations in public safety operations on behalf of the public. In effect, in some special circumstances, policing the police.

### **Conclusion**

This study has briefly dealt with the identification and integration of the private policing phenomenon relative to the pursuit of the State imperative of peace and order. Accordingly, it is concluded crime control can find a partner in the realm of combined forces policing. This document has discussed the characteristics and current practices of private and public policing and identified private/public policing possibilities for inclusion into crime control operations of police departments. All possibilities have the explicit objective of providing peace and order within the boundaries of local jurisdictions. In addition, this study explored the reasons behind the shift to increase incorporation of private policing in the public domain. This study established the shift has substantial momentum and shows no indication of regression.

Perhaps a notable point to consider in the examination of private policing inclusion in the public domain is the inevitability of shift progression. Given the advancement of private/public practices of policing in the last thirty years, diffusion is not a matter of if it will happen in police departments, but more a matter of when and to what scale.

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**Table 1.***Normative Characteristics of Public and Private Police*

<b>Public Police</b>	<b>Private police</b>
<ul style="list-style-type: none"> <li>-Financed by tax dollars</li> <li>-Public servants</li> <li>-Members of a bureaucracy, created by legislative process</li> <li>-May stop, detain, search and arrest under special legal powers conferred by states</li> <li>-Stresses governance</li> <li>-Expected to perform duties equitably</li> <li>-Accountable to the public through elected officials</li> <li>-Primary responsible to respond to crime and disorder</li> <li>-Respond to a public demand for force</li> <li>-Restricted to Law enforcement activities</li> <li>-Produce public order</li> <li>-Arrest oriented</li> <li>-Component of the criminal justice system (courts) and mandatory engagement</li> <li>-Provides essential emergency services</li> <li>-Focus on crime</li> <li>-Focus on detention</li> <li>-Fashioned after military model</li> <li>-Not for profit organizations</li> </ul>	<ul style="list-style-type: none"> <li>-Unburdened by constitutional criminal procedure</li> <li>-No inherent arrest powers other than citizen powers</li> <li>-For profit organizations</li> <li>-Primary objectives include control of crime, protection of property and life and the maintenance of order</li> <li>-Client driven mandate</li> <li>-Focus on profit loss</li> <li>-Focus on prevention</li> <li>-Private remedies for infractions, not always compelled to engage with the criminal justice system</li> <li>-Presumptive primary control over private and semi-private property</li> <li>-Created to meet the economic needs and desires of private interests</li> <li>-Capable of assuming traditional policing practices of private and public spaces under legal authority</li> <li>-Financed by private means</li> <li>-Not compelled to act during crisis</li> <li>-Guilt or innocence may not be a priority</li> <li>-Stresses control</li> <li>-Responds to a private demand for force</li> <li>-Complements public police, cannot usurp</li> </ul>

	<p>public authority</p> <ul style="list-style-type: none"><li>-Often engaged in activities not associated with security (customer relations, housekeeping, etc.)</li><li>-Focused on maintaining conditions in which selective commerce can take place</li><li>-Security oriented</li><li>-Serves the narrow interests of the organization</li><li>-Fashioned after military model</li><li>-May consist of unpaid volunteers</li><li>-May consist of professional public police officers not on public duty</li></ul>
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**Table 2.***Domain (Public Safety or Private Security)*

Space	Funding	Profession	Domain
Public	Public	Public Peace Officer	Public Safety
Public	Public	Private Officer	Public Safety
Public	Private	Public Peace Officer	Public Safety
Public	Private	Private Officer	Public Safety
Private-open to the public	Public	Public Peace Officer	Public Safety
Private-open to the public	Public	Private Officer	Public Safety
Private-open to the public	Private	Public Peace Officer	Public Safety
Private-open to the public	Private	Private Officer	Public Safety
Private	Public	Public Peace Officer	Public Safety
Private	Public	Private Officer	Public Safety
Private	Private	Public Peace Officer	Private Security*
Private	Private	Private Officer	Private Security

*Note.* \*Domain may change from private security to public safety when the Public Peace officer takes a law enforcement action.



**Table 3.***Shift Veracity; Condition, Need, Response and Result*

CONDITION	NEED	RESPONSE	RESULT
<b>SITUATIONAL</b>			
Increased threat of terrorism (aftermath of 9-11) Private security has control of important infrastructure; public police has most of the threat informational systems.	Develop comprehensive plan to address threats specific to vulnerable potential targets. Create a symbiotic relationship.	Incorporate private police who secure critical infrastructure sites into comprehensive combined forces approach plan.	Private safety formations become part of the formal public safety (national defense) apparatus.
Doubts about the government's capacity to provide security/increasing feeling of insecurity.	Find innovative ways to resolve peace and security issues in communities.	Incorporate ready-made security forces into the public peace and security apparatus.	Limited and modified private formations in the public safety domain.
Public security and private security exist in the same world but function in separate domains.	Maximize public security potential of in-place systems.	Incorporate ready-made security forces into the public peace and security.	Limited and modified private formations in public safety domain.
Growth of a demand for security; large semi-private properties. Security demand for corporate buildings, gated communities. Demand for police exceeds supply.	Satisfy security demand.	Private police fill the gap.	Limited and modified private formations in the public safety domain.
Private security is promoting the shift; seeking additional responsibilities and authority and government	Identify and verify the veracity of the demand for the allocation of force.	Take appropriate action to study and implement private police inclusion into the public safety domain to solve	Reference material created to support action.

promotes the private police inclusion in public mission.		specific public safety problems.	
Private police infrastructure is in place, larger than the public police apparatus and willing to contribute.	Take advantage of existing potential to advance public safety conditions.	Establish Private/public police partnerships.	Limited and modified private formations in the public safety domain.
Private police inclusion complements community policing.	Advance the community-policing paradigm.	Incorporate private police formations to fit established community policing initiatives.	Formal, permanent and vital inclusion of relevant private police elements within the community-policing paradigm.
Security responsibility is the government's but the means can vary. The government as sole provider of peace and security is a myth.	Determine and distinguish the difference between responsibilities and means to achieve goals.	Clear distinctions of public/private safety domains and identification of accountability for civil rights adherence.	Clearer idea of how private police can participate (effectively and legally) in the public safety domain.
The shift towards private police in the pursuit of public safety is a global phenomenon.	Make the assumption the shift is substantive based on the observance that the phenomenon is achieving common value added status among similar and diverse systems worldwide.	Plan for the inclusion of private police formations in Public safety domain.	Unimpeded progress of the shift.
<b>CONDITION</b> <b>ECONOMICAL</b>	<b>NEED</b>	<b>RESPONSE</b>	<b>RESULT</b>
Public resources are limited; reliance on private police in security imperative is growing. Public reluctance to	Satisfy the desires of the public to be fiscally responsible and provide public safety services	Implement cost effective measures that provide adequate public safety at lower	Private safety formations become part of the formal public safety apparatus.

increase public revenue. Bankrupt municipalities, fewer resources, and fewer police; less responsive to non-emergency calls.	within public budgets.	public costs.	
Transformation of security as a commodity.	Determine the implications of the growing commodification of public safety.	Reconcile the issues of possible social and economic inequities and other potential problems presented by the feature of security as a commodity.	The ability to progress responsibly within the framework of the shift will be identified.
Public safety apparatus growing more expensive. Criminal justice system and Public services growing more expensive.	Accommodate the growing cost of executing public safety business.	Establish Private/public police partnerships and incorporate less expensive private police formations into established public policing.	Private safety formations become part of the formal public safety apparatus.
Private police may offer contractual specialized police services to smaller public police agencies.	Solve problems of smaller public police agencies without the economic capacity to have specialized police services and functions.	Provide for essential police specialized services and practices (undercover operators and crime lab technicians) contractually.	Specialized services and practices are accommodated without the expense of maintaining staffs exclusive of core mission responsibilities.



**Table 4.***Identified Trends/Location*













Trend/Article	A1	A2	A3	A4	A5	A6	A7	A8	A9	A10	A11	A12
Our society is on the brink of a more complex union where security networking will be more important.				X								
Private police will become more of a force in the future of public security and the lines will become even more blurred.				X								
General and individual security provided by private police will become more of a commodity.						X						
Public police will sell security services to the general public and private police entities.						X						
Commercialization of police services will further blur the distinction.						X						
Private police will migrate into public police activities while public police will assume and adopt business-like rationalities.						X						



[illegible]

[illegible]

**Table 5.***Private Police Formational Categories and Operations in the Public Domain*

<b>Support</b>		<b>Operational Support</b>		<b>Direct Action LE</b>
1. Guarding prisoners		1. Patrol (semi-private/public spaces)		1. Limited search, detain, arrest in limited geographical areas (special police powers)
2. Safeguarding crime scenes		2. Surveillance (semi-private/public spaces)		
3. Safeguarding semi-private/public spaces (Physical Security)		3. Undercover operations (joint and unilateral)		
4. Transporting prisoners/evidence		4. Criminal investigation		
5. Traffic accident processing		5. Regulation enforcement		
6. Administrative paperwork				
7. Training				

## Appendices

## Appendix A

*Content Analysis Matrix*

Topic/Article	Paradox of Priv. Policing (Joh, 2004) A1	Forgotten Threat (Joh, 2006) A2	Public accountability Private Police (Davis et al, 2010) A3	Examine Police/Private Security Urban Social Control (Ruddell et al, 2010) A4
<b>Private Police Definition</b>	<p>Unburdened by constitutional criminal procedure</p> <p>No arrest powers other than citizen</p> <p>Organized, for profit personnel services whose primary objectives include the control of crime, the protection of property and life and the maintenance of order</p> <p>Client driven mandate most central characteristic</p> <p>Four methods (Shearling) 1. Focus on loss (profit?) instead of crime 2. Prevention over detention 3. Private justice system (not compelled to engage the</p>	<p>Created to meet the economic needs and desires of private interest</p> <p>Partnership model with public police advanced</p>	<p>Limited traditional patrol officers on foot and bicycle conveyance, paid by private funds self-generated accountable to the BID for operations and NYPD for abuse of power</p>	<p>S/A public police officers except paid by private funding</p> <p>Priority is protecting private interests and assets and are not legally compelled to act in a crisis. Less interested in guilt or innocence</p> <p>Controlling potential offenders to order maintenance</p>



	<p>criminal justice system) 4. Presumptive control over private property open to the public</p> <p>Stresses Management</p>			
<b>Shift</b>	<p>1<sup>st</sup> line of defense in the post 9-11 world</p> <p>Doubts about government's capacity to provide security</p> <p>Security responsibility is the government but provision may not be exclusive to government (Stewart)</p>	<p>Discerned as complementary to public policing. <b>Incidental effect</b>, value added public safety benefit</p> <p>Can perform crime prevention and investigation in private setting Private domain</p> <p>Garland's Myth of Sovereign Crime Control-implicit promise of governments only to protect it's people</p> <p>Transformation (shift) to the inclusion of other entities in the pursuit of security 1. Declaration that</p>	<p>"Quiet revolution" Movement toward privatization of police services is a global phenomenon</p>	<p>Officers working for private security agencies gradually assumed greater presence in crime prevention and (social) control</p> <p>Part of larger global trend...governments have lost their monopoly on policing</p>

		government can't do it alone and 2. Promotion and encouragement to incorporate private police in the public security imperative		
		Mutual benefit principle (promoted by Feds)		
<b>Reduce crime rate with higher arrest rate</b>				
<b>Reduce crime rate with higher conviction and sentencing rates</b>				
<b>Dealing with fewer public resources</b>				Police resources stretched thin in cities, rely on private police to assist in order maintenance
<b>Incorporation/Private police integration/Operations</b>	<p>Functions and appearance difficult to tell apart</p> <p>Detain individuals conduct searches, investigate crimes, maintain order, up to the point of arrest</p> <p>Public police do work as private security in</p>	<p>Joint investigations, Formal information sharing network (FedEx private police), BIDs (1200 BIDs in North America, Philly- pays for private unarmed patrol officers in the city</p>	<p>3 types: Public spaces patrolled by private police; private spaces patrolled by private police; public police engaged as private security</p> <p>Brooklyn BID private police patrol (stationary and mobile) public</p>	<p>Patrol neighborhoods, same day-to-day crime prevention activities as public police</p> <p>Roles, functions and powers vary considerably</p> <p>Required to act in an exclusionary manner in the</p>

	<p>private and semi-private spaces.</p> <p>“Partnership” types 1. Joint investigations 2. Formal information sharing 3. BIDs (self tax) to hire private and public police</p>	center)	space with limited responsibilities (surveillance, visual presence, crime scene security)	<p>best interest of those pay to the detriment of the public good</p> <p>Some private police have adopted a broken windows approach</p> <p>Reduce crime by preventing and addressing quality of life offenses, leaves public police to address more serious problems</p>
<b>Trends</b>				<p>On the brink of a more complex future which alliances of public, parochial and private interests work together forming networks of policing</p> <p>Private police forces will become more of a force in the future as the distinction of activities will become more hazy</p>
<b>Public policing</b>	<p>Public employees paid by tax dollars.</p> <p>Legal view</p>	Established by law, paid by public funds, expected to	Take over and process crime scene, conduct investigations,	Primary role responding to urban crime and disorder until

	<p>Sipkema v. Rock creek</p> <p>Armed uniformed public servants charged with enforcing the law. Members of a bureaucracy created by political and legislative processes...expected to maintain public order and keep the peace</p> <p>Peace officer. One who may stop, detain, search and arrest under the special legal powers that states confer</p> <p>Stresses governance</p>	perform duties impartially without regard to economic, racial, religious status, ultimately accountable to the public through elected officials	make arrests	the 1980s
<b>Reduce crime rate with higher police visibility</b>			Substantially add to the physical presence of law enforcement	Manage risk, reduce loss and prevent disruptive behavior or crime (peace & security) better for business environment
<b>Topic/Article</b>	<b>Constit. Limits Private Police. States allocation of Force (Enion, 2009) A5</b>	<b>When Private/Public Policing Merge (Mulone,</b>	<b>The Private Arm of the Law (Goldstein, 2007) A7</b>	<b>Police: Private Police and Industrial Security (Nalla, 2002) A8</b>



		2011) A6		
<b>Private Police Definition</b>	<p>Entities responding to a private demand for force. (Private mercenary model)</p> <p>Complementary forces that do not usurp public authority</p> <p>“Client driven Mandate”</p>	<p>Security related but also often other non-security related responsibilities (customer relations, housekeeping)</p> <p>Provide conditions which selective commerce can take place</p>	<p>Traditional patrol officers working on private and adjacent public property</p>	<p>Private security: policing activities within an organization</p> <p>Private policing: Contract guards/officers to secure and protect assets and organization personnel</p> <p>Serve the narrow interests of the organization, order maintenance</p> <p>Fashioned after military model</p> <p>Security oriented</p>
<b>Shift</b>		<p>Growth of market for security, development of new technologies, the rise of large private properties, increasing feeling of insecurity</p> <p>Security has been reduced to a commodity</p>	<p>Public safety responsibilities are shifting into private hands in the US</p> <p>Trying to expand from geographical area of operation (AO) of private apartment complex to area of influence (AI)</p>	<p>Demands for police exceeded supply, private entities fill the gap</p>

			the surrounding streets (public way)	
<b>Reduce crime rate with higher arrest rate</b>				
<b>Reduce crime rate with higher conviction and sentencing rates</b>				
<b>Dealing with lower public resources</b>			Assistance is requested by Durham PD	
<b>Incorporation/Private police integration/Operations/Types</b>	4 Types: Official police, official mercenaries, arms of the State, private mercenaries. All except private mercenaries are constitutionally and necessarily public safety agents.	Guarding police HQ, transporting prisoners or patrolling streets and other public spaces	Traditional patrol and criminal interdiction functions (patrol officer w/ marked vehicle on private property.	Traditional patrol and criminal interdiction functions (patrol officer w/wo marked vehicle) on private property public spaces police insiders and those outside of the organization  Types: Security officers w/ citizen powers. Security officers with special legislatively authorized power. Security officers who are also police officers  Examples of full police powers in specific

				communities and public places (hospitals and malls: South Carolina, Virginia, Oregon, Tennessee, Pennsylvania and Michigan are privately controlled, paid, and attired & court sworn w/ full capacity to arrest, search and seize
<b>Trend</b>		<p>Security reduced to a commodity.</p> <p>Public police selling services (renting off duty officer, training to private police)</p> <p>Blurred division will be accentuated by the commercialization of police services</p> <p>Private police is gaining ground while public police are adopting business like rationalities</p>	Expanding into spheres: traditional police patrols in specific districts and complex criminal investigations	<p>Both expect increased cooperation between LE and PP, PP has equal status expectations.</p> <p>Higher education curricula will address greater private police in public safety diffusion</p>

<b>Public policing</b>	Entities responding to a public demand for force (Official police or arms of the State ((private police)) model)	Activities restricted to strict LE responsibilities  Produce public order		Arrest oriented
<b>Reduce crime rate with higher police visibility</b>				
<b>Topic/Article</b>	<b>Future Pub/Priv Partnerships (Youngs, 2004) A9</b>	<b>Detroit District rents police (Dolan, 2013) A10</b>	<b>Operation Partnership (DOJ, 2009) A11</b>	<b>The Interweaving Of Public And Private Police Undercover Work (Marx, 1987) A12</b>
<b>Private Police Definition</b>	Volunteers, Private security firms	Off duty public police officers and equipment		
<b>Shift</b>	The 1980s and 90s regarded as the Era of Collaboration. Individual & Corporate citizens and clients of private security. Corporate buildings & gated communities	Bankrupt municipality, Lower pay for public police officers. Fewer police officers. No time to respond to non-emergency calls.	Need for increased cooperation between law enforcement and private security, post 9-11  Accomplish local law enforcement mission more efficiently or effectively by way of private and public police networking  Private police infrastructure is in place and	Public police need for specialized services (undercover work for small agencies)



			<p>much larger than the public police infrastructure. Force multiplier for public police</p> <p>Nationally important physical security imperatives- Necessity for cooperation based on public sector strengths (threat information) and private sector strengths (control of vulnerable sites).</p> <p>Symbiotic relationship</p> <p>Complementary to community public policing initiatives</p>	
<b>Reduce Crime Rate with higher arrest rate</b>	Requires more money for police staffing, equipment and procedures			
<b>Reduce crime rate with higher conviction and sentencing rates</b>	Requires more resources for prosecution and criminal courts			

<b>Dealing with lower public resources</b>	Public reluctance to increase public revenue	Lower tax revenues, high city expenditures	Potential to reduce public expenditures by using private police resources	
<b>Incorporation/Private police integration/Operations</b>	<p>Contract out to fill support roles.</p> <p>Agencies can outsource other duties that do not require the authority to make arrests or use deadly force. Such tasks include directing traffic, guarding prisoners, assisting at crime scenes, transporting prisoners, processing reports, and investigating accidents</p> <p>Lakewood's current privatization efforts include the use of trained citizen volunteers for police administrative work, such as fingerprinting citizens and issuing parking tickets to violators of</p>	Public police officers with public police equipment conducting traditional non-emergency police functions (bar-fights, open air drug dealing, vehicle and foot patrol, interaction with residents and business owners) paid by donated private funds	<p>Durham N.C.- Private police patrol public transportation system</p> <p>Boston MA- Private police patrol housing projects and low-income apartment bldgs.</p> <p>Dover De- Private police augment public police during special events</p> <p>New Orleans, La- Private police employed private police as security during aftermath of Katrina disaster</p> <p>Specificity of purpose- 1. Multipurpose 2. Single purpose 3. Evolving into multipurpose</p> <p>BIDs- public</p>	<p>1. Joint public/private investigations,</p> <p>2. Public agents hiring or delegating authority to private police</p> <p>3. Private interests hiring public police</p> <p>4. New organizational forms in which the distinction between public and private is blurred,</p> <p>5. The circulation of personnel between the public and private sector. Although these five forms are described using examples of undercover investigations, they represent more generic forms of interdependence</p> <p>Private detective</p>

	<p>handicapped parking. Graduates of its citizen police academy volunteer with the Lakewood Police Department and serve as a surveillance unit regarding specific crimes, □ such as graffiti</p> <p>Police Department contracts □ with a private security firm to □ guard prisoners hospitalized in □ facilities in the Denver metro □ politan area and to provide □ assistance in protecting crime □ scenes</p>		<p>safety and security-NYC</p> <p>Baltimore MD- Provides private police as public safety guides, escorts, anti-panhandling</p> <p>Minneapolis, MN- Focused application of real-time crime related information exchange</p>	<p>agency specializes in providing contract undercover services to small public police agencies</p>
<b>Trends</b>	<p>The real trend in the future will be contracting out the functions of public police that do not involve crimes or emergencies</p>	<p>There will be an expanding role of foundations and other non-profit groups in sustaining basic functions of government</p>	<p>More private police provision of traditional public police functions</p> <p>Institutionalization of combined forces</p> <p>Continued substantial</p>	

			increases of combined forces cooperative projects  Increased professionalization of the private policing industry	
<b>Public policing</b>	Police and court system	Essential, emergency services		



Appendix B.

*Private Police Formations in the Public Safety Domain*

Note: Below is the raw data relative to private police formations in the public safety domain extracted from the studies by content analysis. Some of the data are included in the paper under the “Formations in Practice” section. Some of the data is processed and consolidated in the “General Practices” section.

- Functions and appearances are difficult to tell apart from public police.
- Detain individuals, conduct searches and investigate crimes (up to the point of arrest) as a part of maintaining order.
- Public Police work as private security in all three spaces.
- Joint public/private investigation of crimes (relevant to the private business).
- BIDs generate funds to pay for additional public/private formations to police (limited and maximum police activities) in specific spaces.

Off duty public police act in traditional police roles

Private police conducting limited and full contact police activities

- Three types of occurrences:

Public spaces patrolled by private police

Private spaces patrolled by private police

Public police engaged as private security

- Brooklyn BID private police patrol (stationary and mobile) public space with limited responsibilities (surveillance, visual presence, crime scene security).
- Patrol neighborhoods, same day-to-day crime prevention activities as public police.
- Reduce crime by preventing and addressing quality of life offenses, leaves public police to address more serious problems
- 4 Types: Official police, official mercenaries, arms of the State, private mercenaries. All except private mercenaries are constitutionally and necessarily public safety agents.
- Activities such as guarding police HQ, transporting prisoners or patrolling streets and other public spaces.
- Traditional patrol and criminal interdiction functions (patrol officer w/ marked vehicle on private property).
- Traditional patrol and criminal interdiction functions (patrol officer w/wo marked vehicle) on private property public spaces police insiders and those outside of the organization.
- 3 types: Security officers with citizen arrest powers. Security officers with legislatively authorized arrest powers. Security officers who are also police officers.
- Examples of full police powers in specific communities and public places (hospitals and malls: South Carolina, Virginia, Oregon, Tennessee, Pennsylvania and Michigan are privately controlled, paid, and attired & court sworn with full capacity to arrest, search and seize.
- Contract out to fill support roles.
- Agencies can outsource other duties that do not require the authority to make arrests or use

deadly force. Such tasks include directing traffic, guarding prisoners, assisting at crime scenes, transporting prisoners, processing reports, and investigating accidents.

-Lakewood's current privatization efforts include the use of trained citizen volunteers for police administrative work, such as fingerprinting citizens and issuing parking tickets to violators of handicapped parking. Graduates of its citizen police academy volunteer with the Lakewood Police Department and serve as a surveillance unit regarding specific crimes, such as graffiti.

-The Lakewood Police Department contracts with a private security firm to guard prisoners hospitalized in facilities in the Denver metropolitan area and to provide assistance in protecting crime scenes.

- Public police officers with public police equipment conducting traditional non-emergency police functions (bar-fights, open air drug dealing, vehicle and foot patrol, interaction with residents and business owners) paid by donated private funds.

-Minneapolis, MN. Focused application of real-time crime related information exchange.

- Joint public/private investigations.

-Public agents hiring or delegating authority to private police.

-Private interests hiring public police.

-New organizational forms in which the distinction between public and private is blurred.

- The circulation of personnel between the public and private sector. Although these five forms are described using examples of undercover investigations, they represent more generic forms of interdependence.

-Private detective agency specializes in providing contract undercover services to small public police agencies.