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# **The Construction of Policing Efficiency and Effectiveness and the Mode of Intensive Development of China’s Public Security Undertaking**

—On the theme of the Fifth World Policing Revolution

**Zhang Fucheng**

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**Abstract:** Policing efficiency and effectiveness is the goal of the modernization of police. The development of public security undertaking lies in reform, whose ultimate goal is to improve the policing efficiency and effectiveness, ensure the achievement and optimization of the policing objectives, and promote the mode of intensive development of public security undertaking. If the fifth worldwide policing revolution has arrived, the construction of the policing efficiency and effectiveness may be one of the important signs, or it is an important engine of the fifth policing revolution. Promoting the mode of intensive development of public security undertaking with the construction of policing efficiency needs not only top-level design but also active exploration and practice by public security organs at all levels, so as to provide high-quality and efficient public safety products and services, continuously improve people’s sense of security and satisfaction as well as the law enforcement credibility of public security organs, achieve the mode of intensive development of public security undertaking, and build up a scientific, efficient, modern Chinese policing upgrade.

**Keywords:** Policing efficiency and effectiveness; Public security undertaking; The mode of intensive development; The fifth policing revolution

## **Policing Efficiency and Effectiveness in Modern Policing**

Our public security organs should adhere to the problem-oriented principle and solve development

problems in order to improve the people's sense of security, law enforcement credibility and satisfaction, which is also the starting point and foothold for deepening policing reform. Entering a new stage, public security organs should adapt to the new normal, explore the new path and strengthen “four construction”(the informatization of basic work, combat-oriented policing, law enforcement standardization, team regularization), in order to promote the comprehensive policing reform and the development of public security work, which also has become the inherent requirements and irresistible trend of the mode of intensive development of public security undertaking under the new background. “People who know to use advantages can be in the lead; People who know to create opportunities can get great achievements”. This famous sayings tells us to stand in the strategic level of ensuring the national security and social stability, seize the opportunity, innovate ideas, size up the situation, and timely adjust policing strategies for the sake of promoting modern policing efficiency and effectiveness construction and improving the ability and level of maintaining national security and social stability.

Policing efficiency and effectiveness is the goal of the modernization of police. From the perspective of management, the policing efficiency and effectiveness refers to the degree of the unity of the police object and its actual effect under certain restrictions. The achievement of the police target is the essential requirement of the policing efficiency and effectiveness. That is to say, the starting point and foothold of the construction of policing efficiency and effectiveness is to maximize the function of the public security organs, so that the public security work and team building will be more scientific and more effective. Effectiveness and efficiency are different. Efficiency emphasizes the efficient allocation and utilization of resources in order to pursue the maximum output of the minimum input. Effectiveness is the systematic management and overall cycle of input, process and output in order to pursue organizational goals and achieve their optimization. Effectiveness is the unity of organization function, behavior and effects and it has positive effect. The significance of policing efficiency and effectiveness lies in the fact that, at all levels of the police and members are able to make efforts to achieve the desired objectives and through a certain system, mechanism and way, the public security work, team building and all aspects of the process have a good performance, which also enhance the overall development and maintain a virtuous cycle of the national security and social stability and sustainable development to achieve internal and external balance.

The development of public security undertaking lies in reform, whose ultimate goal is to improve the policing efficiency and effectiveness, ensure the achievement and optimization of the policing objectives, and promote the mode of intensive development of public security undertaking. This requires the update and improvement, measuring the public security work reform and team building by effectiveness. Currently, there are many constraints in the progress of public security undertaking, namely the influence of external environment as well as the internal organizational structure, the issues of system, mechanism and security as well as the restraints of thought, concept and ideas, the reasons of team number and quality as well as the problems of management. To solve these difficulties and problems, it is necessary to deepen the reform of public security work in a comprehensive way, which should take the improvement of policing efficiency

and effectiveness as a must. Fundamentally speaking, the public security reform is to break through the shackles of ideas and institutions, establish and improve the system of modern public security work and team building, making the policing activities more scientific, more powerful and more effective.

Thus, the construction of the policing efficiency and effectiveness is not only the starting point, but also the focus and breakthrough of the public security reform. No matter it is the management system of public security organs, the reform of policing operation mechanism, or the reform of the management system of the people's police and the power operation system, the concept of effectiveness should be taken into account and taken as a measurement, and also governs the whole process of policing activities. First, the setting and achievement of the policing goals is the core of policing efficiency and effectiveness. We should design, plan and decide the policing goals and its realistic path in a scientific way based on identifying the problem; second, on the handling between the process and result, function and effect, we should note the complementary relationship between the two rather than to do one thing and neglect another, to find the unity in “effectiveness” and ensure the correctness of the result as well as the achievement of goals by process control and full playing of function; third, based on the “field division” of policing work, we should adhere to the systematic principle, overall planning, coordinative promotion, to maximize the policing efficiency and effectiveness. In addition, the construction of the policing efficiency and effectiveness needs a suitable organizational culture, so we should establish a general recognition of the value orientation, standardize the behavior of the police, and make efforts to achieve the policing goals.

### **To See the Future Policing Development from the World Policing Revolution**

Throughout the history of policing development, since the establishment of London Metropolitan Police by Robert Peel in 1829, there have been four policing revolutions exemplified by western countries. No matter it is the professionalization of the police, police equipment modernization movement, or community policing, the world policing activities have developed with the passage of the time. In a certain sense, a modern police history is also a modern world development history and modern national governance history. Starting from 1870s, the community policing movement, as a symbol of the fourth police revolution, has lasted for more than 40 years. Will the fifth police revolution come as predicted by some scholars? “Toward New Professionalism in Policing” which promoted by American scholar Christopher Stone, has been regarded as the possible policing revolution in the global scope by some scholars. And “accountability, legitimacy, innovation and coherence” which is put forward by him is also considered as the four elements of the fifth policing revolution. In this regard, some scholars in our country, who take a cautious attitude, think that it is not likely to have the global-range revolution, perhaps just some small-range ones with certain characteristics. The discussion continues. Regardless of the final conclusion, the pace of policing reform cannot be stopped. Studying the history of the world policing development, it is not

hard to find that the time, place and contents of the former four policing revolutions are all led by ideas and theories of American and European police, which is closely related to the world pattern and the economic, technological and social development at that time.

However, today, 40 years after the fourth policing revolution, the world pattern has undergone tremendous economic and social changes. Human society is entering the post-industrial age and the information age. Under the background of information socialization and social informationization, the work objects of police, used to be people, money, materials and all kinds of relations, are transformed into information. Information acquisition, processing, transmission and distribution become the basis of policing work. Scientific and effective policing work on the basis of timeliness, accuracy and sensitivity become inevitable and the policing efficiency and effectiveness has become conscious pursuit. The World Bank proposed a measure of national governance system and governance modernization, worldwide governance indicators (WGI). WGI includes a stronger government accountability, higher political stability and less social violence, higher government effectiveness, higher management quality, better rule of law and less corruption, etc.. Not to mention that this indicator system is scientific and fully realistic or not, but at least it provides us an available perspective, letting us know that to improve government effectiveness, achieve national governance systems and governance modernization is very important to the country's political and regime security, as well as social stability. As an important aspect and organic component of government effectiveness, the policing efficiency and effectiveness is an indispensable part of the national governance system and governance modernization. If the fifth worldwide policing revolution has arrived, the construction of the policing efficiency and effectiveness may be one of the important signs, or it is an important engine of the fifth policing revolution.

After 30 years of reform and opening up, China's economic and social development has made great achievements. Comprehensive strength and international status have undergone substantial changes. The Eighteenth National Congress of the CPC clearly put forward the proposition of "Party leading the people to govern the country effectively". In the Fourth Plenary Session of the eighth Party Congress, "Promoting the modernization of national governance systems and governance capability" is one of the overall goals as deepening comprehensive reform. In recent years, a variety of ideas have changed, such as the limited government, government ruled by law, good governance government, service government, seamless government and other government philosophy, and many modern innovative policing mechanisms like active policing, information policing and harmonious policing, constituting the multiple dimensions of public security work and team building target selection, which provide a diverse point of view and accumulate a variety of policing theoretical innovation experience with Chinese characteristics. In the context of globalization, information technology and internet, policing cooperation and exchange between China and other countries have further expanded. The influence of policing reform is also growing. The policing revolution theory, used to be dominated by Europe and the United States, will gradually become a thing of the past. The theory and practice of modern policing reform in China, on the basis of inheriting the

tradition and absorbing advanced experience of foreign countries, will attract the world's attention with its unique charm and contribution.

### **Promoting the Mode of Intensive Development of Public Security Undertaking with the Construction of Policing Efficiency and Effectiveness**

The public security organs, as the governmental department which performs the dual functions of the national criminal justice and public security administration, plays an important role in the realization of the modernization of the national governance system and governance capacity. Facing the new situation at home and abroad, we should be based on China's national conditions, deepen reform, forge ahead, strengthen the construction of policing efficiency and effectiveness, and promote the mode of intensive development of Public Security undertaking. In China, the public security organs is to further promote the informatization of basic work, combat-oriented policing, law enforcement standardization and the construction of team regularization. The theory and practice of policing efficiency and effectiveness provides a new perspective and powerful starting point for the promotion of the “four constructions”. From the structural dimension, the completion of police goals needs to coordinate all aspects of social resources and forces, implement social governance and promote multiple good governance, which requires us to divide the boundary between the police power and the social, market according to the law, change the past practice of taking on everything, avoid the police law enforcement of the overall public administration, and achieve the transformation from the “almighty police” to “ limited police”. From the technological dimension, policing efficiency and effectiveness involves in all aspects of policing activities. We should, according to the requirements of the "four constructions”, reform the duty system, improve the policing operation mode led by intelligence, integrate police resources, optimize the layout of the police, use the police scientifically and rationally so as to promote flat policing management and practical operation. From the mechanism dimension, we should establish a fair, reasonable and scientific incentive mechanism, innovate the mechanism of the police recruiting, training, promotion and special care, and set up a Public Security police classification management system different from other civil servants, to achieve internal and external balance. Under the new normal of the no growth or micro growth of police forces, it is more important than ever before to improve police forces by reform, enhance efficiency by management and strengthen modernization by technology application. Enhancing the policing efficiency and effectiveness and promoting the mode of intensive development is undoubtedly an indispensable realistic path.

The construction of policing efficiency and effectiveness needs not only top-level design but also active exploration and practice by public security organs at all levels. The core of the top-level design is to plan the national police system from the strategic perspective and carry out the overall planning. The core of policing efficiency and effectiveness is to solve the problem and achieve the goal. Therefore, the

construction of policing efficiency and effectiveness must always adhere to the guideline of strategy-oriented, goal-oriented, problem-oriented, performance-oriented. Proceeding from the reform and practice of some places, reforming the mode of duty system, innovating management and enhancing the quality of the team are three keys of the construction of policing efficiency and effectiveness at this stage. We should, through “process re-engineering”, establish and improve the systematic target system, standardized procedure system, precision of duty system, process control system, structured evaluation system so as to transform the police work from “extensive” to “fine”, “blind” for “precise”, “passive” to “active”, “scattered” to “systematic”, and enhance the ability to control the social security. In this regard, the Lin'an Municipal Public Security Bureau of Zhejiang province has made some useful exploration and practice. Their practice of performance management concept and improving the overall working efficiency of the public security organs, has provided a county-level successful example for the construction of policing efficiency and effectiveness.

Management theory tells us it is the basic requirement of management to be customer-oriented. It should be noted that national security and social stability is the basic public safety and public services provided by the government. People's sense of security and satisfaction is the fundamental standard to measure public security work and team building, and also the starting point and foothold of the construction of policing efficiency and effectiveness. The people's pursuit of security and justice is the goal of public security work and team building. The improvement of the policing efficiency and effectiveness is to meet people's ever-growing demand of security and justice. Since taking the people's sense of security and satisfaction as the fundamental standard, we should carry it out in the whole process of public security work and team building. For example, when setting goals, we should not proceed from our own perspective but look at the problem from the angle of the public. To enhance people's sense of security, we should be based on the prevention, strengthen the awareness of less incidence than more case clearance, taking the decrease of cases as the goal so as to reach the win-win result of less damage to the public and less burden to the police. Also standing on the perspective of the masses, we should take the masses as the key “customers”, be rational, peaceful, civilized and standardized during the law enforcement, attach equal importance to both case clearance and stop-loss, and pay attention to citizen-convenience and high efficiency at the same time.

All in all, the construction of policing efficiency and effectiveness, for the public security organs, is to provide high-quality and efficient public safety products and services, and continuously improve people's sense of security and satisfaction as well as the law enforcement credibility of public security organs, and ceaselessly enhance the policing efficiency and effectiveness, so as to achieve the mode of intensive development of public security undertaking, and build up a scientific, efficient, modern Chinese policing upgrade.

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# Reintegrating vs. Excluding Offenders from Society: How Police can Help Reduce Recidivism<sup>[1]</sup>

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**Abstract:** The criminal justice system in general, and the police in particular, play many roles. This paper deals with one of these functions: improving the reintegration of offenders into society. Well over 90 percent of current prisoners will be released into the general population at some point. I draw upon three ideas for this discussion: (1) police-community corrections partnerships, (2) philosophical differences between East and West, and (3) the work of John Braithwaite.

## Introduction

The criminal justice system of any country has to fulfill several missions: (1) maintaining order, (2) preventing crimes, (3) solving crimes, (4) punishing offenders, (5) rehabilitating offenders, and (6) reintegrating offenders into society. It is this last function I want to concentrate on today and the role police can play in reintegrating offenders into society and thus reduce recidivism rates.

The vast majority of crimes, even those that are solved, do not lead to prison sentences. They may lead to a fine, community service, or perhaps a short jail term. It is the fairly serious offenders, felons, who are punished with prison terms. Depending on the society, that can be many individuals. In America, for instance, more than 1.5 million people are currently serving time in prisons (Carson, 2014). The United States is the world leader with an incarceration rate of about 730 per 100,000 people in prison. By

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[1] An earlier version of this paper was presented at the Third International Seminar of the Polish Probation Officers Academy, entitled, “Probation in Poland and the USA: The systems of releasing convicts from penal institutions and work as a part of a social reintegration of convicts.” Gniezno, Poland. May 20-22, 2015. Subsequently, a version of that presentation has been published by Executive Exchange, the newsletter of the National Association of Probation Executives in the US (Gerber, 2015).

comparison, Russia incarcerates about 530, China 120, Germany about 86, and Japan about 58 (Center for Law and Global Justice, 2012, p. 17).

More than 90 percent of current prisoners will be released into the general population at some point. The question is not if they are released, but how prepared will they be when they are released. The general society, be it the US or Asian societies, will have to accept the released prisoners into their midst.

The main problem is that many of them are not prepared to assume law-abiding roles. In some instances, they are not prepared, in some instances, society is not prepared to accept them. In either case, failure in reintegration is predictable. While methods of calculations of recidivism vary, depending on how recidivism is defined (re-arrest, re-conviction, re-incarceration, type of offense, and length of follow-up period), and are notoriously difficult to compare, recidivism rates average about 50 percent in most societies: among industrialized nations, Australia seems to be relatively low with 39%, Ireland high with 62%, and the US in the middle with 52 percent (Deady, 2014, p. 2). In other words, half of the released prisoners end up returning to the criminal justice system. The system is therefore not very good at reintegrating prisoners into society.

This paper deals with the issue of improving the reintegration of offenders into society. It draws upon three ideas: (1) police-community corrections partnerships, (2) learning from East and West, and (3) the writing of John Braithwaite. The first two, partnerships in East and West can be combined. Braithwaite must be discussed separately.

## **Police-Community Corrections Partnerships in East and West**

Working with several colleagues, we explored the nature and extent of police-community corrections partnerships in the context of community justice (Kim et al. 2012, 2013). Such partnerships make sense because these agencies have some common concerns that underlie their responsibilities and duties:

The monitoring of offenders provides one example. After an offender has been placed under some form of community supervision he or she may be monitored by an appropriate community corrections officer as well as law enforcement officers. In theory, this requires collaboration and cooperation between community corrections and police agencies. The more the representatives of the two types of agencies are familiar with each other's work, the more efficient and effective they are likely to be in their own. For instance, community corrections officers may assist police officers in their effort to investigate crimes. Parole officers may have intelligence about community activities that police may not have--one parolee may inform a parole officer about the criminal activities of one of his friends, but may be unwilling to share this information with a police officer (Byrne & Hummer, 2004). Similarly, a police officer who arrests a probationer may assist the probationer and the probation officer with a simple

telephone call. Instead of proceeding with the usual criminal justice processes, a collaborative effort between the police and the probation department may lead to more efficient, and better, efforts to protect the community and reintegrating an offender who has transgressed again, albeit in a minor fashion (Kim et al. 2012, p. 2).

Such partnerships have existed for some time in the West. They have been fairly successful in practice, but the problem has frequently been their transitory nature. They have been in existence as a result of the interest of individual officers and have not, as a rule, been institutionalized formally. When the interested officers retired, were promoted, or moved to different agencies, the partnerships have frequently ceased to exist.

We have argued elsewhere (Kim, et al., 2012) that such partnerships can work in an Asian context:

Whereas the centralization of Asian societies has the effect of inhibiting partnerships, it is of course Asian societies such as Japan and China that have given rise to community-oriented policing. In fact, in a review of policing practices in China, Zhong (2009) simply called community oriented policing “old wine in new bottles.” Societies where there is a tradition of having the police officers being an integral part of the community in which they serve, can best respond to local pressures and opportunities. It is this very tradition that can make possible partnerships between law enforcement and community corrections agencies not only in America, but also throughout Asia, and indeed the world (Kim, et al., 2012, p. 13).

### **John Braithwaite: Crime, Shame and Reintegration**

More than 25 years ago the Australian criminologist John Braithwaite (1989) published a seminal book: *Crime, Shame and Reintegration*. In this book he explored why some societies have high crime rates, while others – most notably Japan – have low crime rates. While he spent time on explaining why people commit their first crimes, these explanations are not essential in understanding differences in crime rates, because these original reasons tend to be similar in most societies. In every society, males are much more likely than females to commit crimes, the young more so than the middle-aged and the elderly, socially and economically disadvantaged more than the privileged (at least they are more likely to be arrested), and so on. What is important is understanding how societies treat criminals once they have been caught and sentenced. Most societies try to shame offenders into conformity. However, they do so differently. Braithwaite identified two possible forms of shaming: reintegrative and disintegrative shaming. In reintegrative shaming, the offender is shamed, but the shaming episode is limited in time, bonds between the offender and the community (society) are not severed, and at the end of the shaming period there are efforts to reintegrate the offender into the community. In the case of disintegrative shaming (stigmatization), shaming is not limited in time, bonds are broken between the offender and the community, and no effort

is made to reconcile the offender with the community – the offender is made an outcast. The key idea in Braithwaite’s approach is simple: societies that practice stigmatization tend to have high recidivism rates (and therefore crime rates generally), and societies that practice reintegrative shaming have low rates of recidivism.

## The US Today

The US is a society that has been at the forefront of stigmatization for a long time. This tendency manifests itself in a variety of ways. First, there is the idea in America that once you are a convicted felon, you are always a convicted felon. It is customary that applicants for jobs and apartments have to complete a questionnaire that asks, among many other issues, about criminal convictions. While this practice is legitimate to some extent (for instance, an employer has a right to know if a potential employee has a history of theft), it becomes problematic if an applicant is routinely disqualified from any employment. If rejected enough times, a return to a criminal lifestyle becomes more likely, and as result, the society will suffer from high recidivism and crime rates.

There are certain offenders that are especially targeted: sex offenders. In all states in the US, they are required to register as sex offenders in a state registry. These registries are available publically on the internet (Federal Bureau of Investigation, no date). Convicted sex offenders are often rejected for employment and residential leases which marginalizes them. There are also many residential restrictions – for instance, they cannot live close to schools and parks – that further limit their options. There are numerous cases where families cannot live together because the father/husband is rejected on the apartment lease.

The American criminal justice system is characterized by very long prison sentences for relatively minor crimes. This is especially the case in the so-called War on Drugs. Possession of fairly small amounts of various forms of drugs constitutes a felony and leads to much longer prison sentences than in Europe. Similarly, sentences for crimes of violence are draconian in the US [at the most extreme end, the US has over 41,000 prisoners serving life sentences without the possibility of parole, while Great Britain had 41 as of 2012—Center for Law and Global Justice, 2012]. Even if eventually released, the consequence is that family ties and community ties are severed during long periods of incarceration and former inmates have a difficult time reestablishing them. In the end, they are marginalized and more likely to recidivate.

A final issue that deals with marginalization of former inmates is that in 48 states, felons lose their political rights. In some states they lose them for the duration of their incarceration, but in others they lose them for life; they may have them reinstated in some cases (The Sentencing Project, 2015). This issue is particularly important for the poor and ethnic and racial minorities. They are overrepresented in prisons (and among convicted felons) and they are therefore disproportionately affected by this loss in political rights.

The result is that politicians are less likely to hear their concerns and are less likely to devote resources to the needy. However, more generally, loss of political rights may make reintegration more difficult:

Restoring the vote to persons leaving prison could aid their transition back into community life. The revocation of voting rights compounds the isolation of formerly incarcerated individuals from their communities, and civic participation has been linked with lower recidivism rates (The Sentencing Project, 2015, p. 5)

## **Hope for Tomorrow**

There are the beginnings of changes in the American criminal justice system, a move away from stigmatization toward reintegrative shaming. The period in American history when we seek to maximize punishment for its own sake seems to be coming to an end. This is caused in part by the very high costs of incarcerating people. On average, it costs taxpayers about \$31,000 to confine one inmate per year in 2010 (Henrichson and Delaney 2012). If we then multiply this figure with 1.5 million inmates in the US at this time, the costs to incarcerate are astronomical. If we then combine these figures with the fact that about 50 percent of the inmates return after release the process becomes a vicious, expensive, and futile cycle. Fortunately, we see signs that these processes are being reversed at this time: (1) specialized courts, (2) partnerships between criminal justice agencies and community organizations, (3) partnerships between probation and parole agencies and the police, and (4) political movements each make contributions in these efforts.

**Specialized Courts.** Until fairly recently, courts were not specialized in the US. While there were courts of original jurisdiction and appellate jurisdiction, criminal courts heard any kind of criminal case. Recently, there has been a movement to establish specialized courts: domestic violence courts, substance abuse courts, and reentry courts, to name only a few. There has been a realization that some offenders have special needs and they need specialized services from specialized criminal justice professionals. Substance abuse courts are equipped to deal with the devastating effects of chemical dependency. If the addiction is not the focus of the intervention, any punishment for the crime is misdirected and represents wasted money. Similarly, when a prisoner is transitioning from the institution to the free society, he or she has a unique needs: employment, housing, reestablishing relationships with family members, substance abuse counseling, education, and mental health counseling are some of the pressing needs. Reentry courts have been established in many states to assist such transitions.

**Partnerships between Criminal Justice Agencies and Community Organizations.** Courts cannot do their work in isolation from society. Not only do they not have enough money to provide all necessary services, they also lack the resources, expertise and contacts. Community organizations, both official and non-governmental organizations (NGOs) can provide their resources. They can provide leads for

employment, substance abuse counseling, assistance with securing housing, child care, family counseling, and so on. In the US, some of these organizations are church affiliated, but many are not. In either case, they serve a vital role. For instance, community organizations such as the YMCA work with parole officers to provide returning prisoners with material support.

Partnerships between Police and Probation and Parole Agencies. Probation and parole agencies (and their officers) play several roles: they serve the functions of social work and law enforcement. Built into the position of probation or parole officer is a certain tension and even conflict: Probation officers have to supervise parolees and probationers and have to serve as law enforcement officers in this capacity, while simultaneously assist them in reentry as serving as social workers. In the first instance, probationers are potential criminals, in the second they are clients. In a society that emphasizes stigmatization, probation officers are part of law enforcement. In a society that emphasizes reintegrative shaming, probation officers are primarily social workers.

Conversely, in the US it is customary to use the terms police officer and law enforcement officer more or less interchangeably. However, there is an important difference: while the latter term implies that an officer simply performs law enforcement duties, the former, police, implies that there are duties other than law enforcement: order maintenance and service are two obvious ones. Furthermore, it is fairly standard to distinguish between roles individual police officers play. Following Wilson (1968) there are at least three styles police officers, and departments, can adopt: watchman, legalistic, and service. The second one, legalistic, is the one associated with the law enforcement function, whereas the other two are more akin to a broader policing role. While most police officers do not like the terminology, there is a social work component implied in these other two styles.

I would argue that a good police, as opposed to a law enforcement, officer SHOULD be a part-time social worker. Good and effective police work mandates that officers have good relationships with community organizations and other criminal justice agencies. Officers are much more likely to cultivate good relationships when they work with the others, rather than just enforce laws.

Restoration of Political Rights. Reformers have started efforts to restore political rights to former prisoners. For instance, Delaware eliminated in 2013 a five-year waiting period for released felons from regaining their political rights. While such efforts are not crucial in lowering recidivism rates, they are a symbolic representation that the criminal is fully admitted into civil society.

## **The Asian Context**

In a series of articles, we showed that police-community corrections partnerships have worked well in Texas and the can be used in Asian societies (Kim et al., 2012, 2013), although it is true that there are factors that inhibit the adoption of such partnerships:

In general, the empirical reality of many Asian societies is such that there are some conditions that are conducive to the existence of partnerships, but there are others that make them unlikely. In a discussion of the relative successes of community policing, Brogden and Nijhar (2005, p. 85) argued that criminal justice in Japan, Singapore, and China is characterized by: "close cooperation between police, state, prosecution, and the penal system," that "citizens are encouraged to assist in maintaining public order," that "the police are granted considerable discretion in dealing with offenders," and that "the community police have wider functions than in the West." All of these conditions are consistent with the idea of having extensive partnerships. However, a key requirement of community justice is the notion of decentralization of the criminal justice systems. In general, most Asian societies have very centralized criminal justice systems. In Japan, for instance, although some powers are found at the prefectural level, "actual control of the police rests with the National Police Agency, which coordinates the nationwide law enforcement system" (Terrill, 2003, p. 381). To the extent that the systems are centralized, extensive partnerships are not likely to evolve (Kim, et al., 2012, p.3)

We have argued that Braithwaite's concept of reintegrative shaming can be the basis of such cooperation. Partnerships can blossom in societies that are based on communitarianism and interdependency; two conditions that are listed by Braithwaite (1989) as hallmarks of societies that are conducive to reintegrative shaming. Yun (2008), on the other hand, is quite a bit more skeptical of focusing on Braithwaite and his explanation. Instead, he focuses on the role that Confucianism plays as a primary reason in maintaining low crime rates in Asian societies in general, and in East Asia in particular. Nevertheless, all of us would agree with his general conclusion:

Within the past several decades, however, an unrelenting wave of Westernized social control modes has been engulfing the East Asian landscape. Subsequently, following the western model, social control is increasingly being construed and communicated in terms of monopolization of professionalized police force and presumed efficacy of deterrence. The salience of moral education has increasingly been less visible within the discourse of social control. In light of the time-honored efficacy that Confucianism has demonstrated in sustaining harmonious and civil societies in East Asia, it will be only prudent for East Asians to pause a moment and reflect on the value of and practice the old East Asian sage's exhortation: review the old and know the new (Yun, 2008, p. 18)

## Conclusions

There is reason to be cautiously optimistic about the trajectory of the American criminal justice

system. The punitive approach is simply not sustainable from a fiscal perspective. It is too expensive and has produced very few tangible benefits. Even conservatives who have advocated a law and order approach are modifying their positions because of fiscal considerations (e.g., witness the increasing support for the decriminalization of marijuana).

There are also two personal reasons for me to want to be optimistic. From a philosophical perspective, focusing on reentry (and reintegrative shaming) is simply the right thing to do. Shutting out offenders by stigmatizing them is an unbelievable waste of human potential. While they may be criminals, they are still our brothers, sisters, spouses, neighbors, potential workers, and so on. Their potential is wasted and this waste is also our loss, not just theirs. Finally, the longer I study crime, the more apparent it becomes that the solutions to crime are not found in the criminal justice system. The system and its professionals play a vital role in managing crime and criminals, but solutions are to be found in the broader society. Reentry becomes possible when society is willing to readmit criminals, not when the criminal justice systems deems it to be the right time.

However, there is an important caveat that must be added. The police can and must play an important role in these processes. In response to the events of 9/11, the police have retreated in the US from the ideals of community-oriented policing and have increasingly emphasized homeland security concerns in policing. This in turn has led to a greater separation between community and the police. In fact, it has pushed the police in the direction of being law enforcement agencies and away from being police agencies. In turn, this has had devastating consequences for the police in terms of acceptance, particularly in minority communities. The police are no longer seen as an integral part of the community, but more of an occupying force. One of the consequences of this situation is that some police officers have regressed in their view of society: they once again see themselves as the good force, the criminals as the bad, and the majority as the ignorant ordinary citizens. In some ways, the current situation is a little reminiscent of the situation that Van Mannen (1978) described almost 40 years ago. It seems to me that police leaders should be cognizant of this danger and make a conscious effort to train young officers to see the communities they serve as their communities. If they see themselves as having a stake in the community, they will serve and protect, to use a common US police slogan (that is not always practiced). If they don't, they see themselves as agents of law enforcement—a role they will not be very good at because they no longer will have the support of the community.

Following the admonition by Yun (2008), it is my hope that East Asian police forces do not follow the US on this journey.

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# Police Reforms and Social Governance

## —Lessons from Japan

**Taisuke Kanayama**

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**Abstract:** Fifteen years ago, the Japanese police took intense criticism due to a series of scandals including cases involved a commissioner of a local police department. Gravelly concerned that situation, an independent committee for police reform was set up and delivered the urgent recommendation on police reform in July 2000. Received the recommendation, the National Public Safety Commission and the National Police Agency established the Charter of Police Reform (the Charter) that aims to improve the Japanese police’s accountability and self-redress, citizen oriented activities, readiness for a new era and human resources, and that also included measures to enhance social governance on police. Immediately, the all local police departments had started their reform in accordance with the Charter. This paper briefly describes the Japanese police system and the back ground situation of the police reform, and explains strategies of the Charter, followed by evaluations of implementations of the Charter, especially from the view point of enhancement of social governance of police.

## Introduction

Fifteen years ago, the Japanese police came under intense criticism because of a series of scandals that included a case involving the commissioner of a local police department. <sup>[1]</sup> Highly concerned about the situation, the National Public Safety Commission and the National Police Agency established a Charter of Police Reform (KeisatsuKaikaku Yoko) that aimed to improve accountability of the Japanese police

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[1] Yoshimura pp1-24

force through self-redress, citizen-oriented activities, increased human resources, and the readiness for a new era in the new millennium. Soon after, all local police forces initiated reforms based on this Charter. In this paper, an overview of police reforms and the outcome of reform programs will be introduced and explored from the perspective of restoring public confidence in the police force, and details of reforms, including the emphasis on social governance.

### **Outline of the Japanese police system**

There are 47 local police departments in Japan, one in every prefecture in the country, which are under one national police force. These 47 Prefectural Public Safety Commissions (PPSC) and the National Public Safety Commission (NPSC) are geared to securing democratic control and political neutrality of the police force. Local police forces are governed by the prefectural police headquarters (PPH), which are organized under the jurisdiction of each prefecture, under the prefectural governor, and the indirect control of the PPSC.

Each PPSC is comprised of three to five members, depending on the size of the prefecture. These members are appointed by the governor of the prefecture. The NPSC comprises of six members that are nominated by the Prime Minister with the consent of the Diet. The chairperson of the commission is a cabinet minister.

The national police force of Japan is known as the National Police Agency (NPA). The head of the NPA is appointed by the NPSC, with the consent of the Prime Minister of Japan. NPA is engaged in planning and budgeting public safety policies and coordinating the activities of local police forces.

Local police forces in principal are independent of the NPA. However, the NPSC has the authority to appoint and dismiss senior local police officers above the rank of assistant commissioner, including the heads of prefectural police headquarters. It also has the authority to regulate police activities. The NPA on the other hand has the authority to decide the budgets, as well as to inspect local police forces. Thus, the NPSC and the NPA control local police forces through the management of personnel and control over the budget.

### **Background to police reforms<sup>[2]</sup>**

In the years 1999 and 2000, approaching the end of the second millennium, a series of serious

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[2] ditto

scandals involving local Japanese police forces unfolded. One scandal concerned illegal investigative maneuvers to conceal a drug offense committed by a police officer. This affair involved the commissioner and assistant commissioners of a large PPH, which led to the prosecution of the commissioner. The other scandal was a serious misconduct committed by the commissioner of a PPH and the director-general of the regional police bureau of Niigata prefecture; they had dinner and discussed an upcoming official inspection to be conducted by the regional police bureau. This case led to the voluntary resignation of the two people concerned, as well as disciplinary measures by the NPSC against the commissioner-general of the NPA, which was exceptional. Moreover, investigative misconducts had resulted in the death of crime victims, which resulted in criticism of negative attitudes held by police investigators involved in individual investigations. The responsible police officers in the above cases were disciplined and some were prosecuted.

### **The committee on police reform and its urgent recommendations**

Gravely concerned about the seriousness of the situation, the NPSC established the Police Reform Committee (PRC) on March 2000 consisting of prominent individuals. The PRC conducted intensive discussions and adopted urgent recommendations on police reform<sup>[3]</sup> in July 2000. They highlighted the lack of transparency, self-righteous nature, and the lack of flexibility to change with social changes of the police force, and made the following eight recommendations.

(Remove red tape!)

(1) The PRC emphasized the need for the enhanced disclosure of information, especially negative information, including information on disciplinary procedures.

(Deal sincerely with citizens' complaints!)

(2), The PRC recommended the need for making positive response to citizen's complaints. The PRC urged the police force to establish a system for responding to complaints, which would facilitate reporting any type of complaint against officers in the field to the commissioner of police. Such a system was considered indispensable to follow-up problems within the police force and correct to them.

(Strictly inspect yourself!)

(3) The PRC recommended improvement of the inspection system. As was made obvious by the incident that happened in Niigata described above, the police inspection system did not function adequately, due to the familiarity between inspectors and the inspected.

(Let PPSC work!)

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[3] PPSA home page: <http://www.npsc.go.jp/sashin/suggestion/index.html>

(4) Public safety commission was inaugurated, because the PRC pointed out the need to enhance the democratic control of the PPRC over local police forces, by taking the perspective of citizens into consideration.

(Be nice to citizens!)

(5) The PRC proposed that the police force should in general accept citizens' requests for consultations about problem and enhance trouble-shooting activities. Cases of investigative misconducts had highlighted that the police had a tendency not to intervene in problems between citizens before criminal charges are made, because many police officers had a traditional resistance against interfering in private affairs of citizens due to concerns about citizens' rights. However, changes in society, including the emerging concept victim support, resulted in requests being made of the police to act affirmatively to prevent crime.

(Be disciplined!)

(6) The PRC emphasized personal responsibility for all police officers. Intensive education about police ethics and the wearing a name-plate were required for all police officers.

(Face with your community!)

(7) The PRC recommended establishing a dialogue between police stations and the community they serve, in order to facilitate the communication of the opinions of communities to police stations.

(Be flexible about changes in society!)

(8) The PRC recommend that the police force should become more receptive to changes in society through educational reforms and reforms in the promotion system of executive officers, as well as through organizational reforms.

The concept of social governance was not been deeply established in Japan when these recommendations were made. The basic concept embedded in the recommendations was the enhancement of external control of the police force, which was reflected in the major recommendations, including the enhancement of transparency, appropriate responses to public complaints, and expanding the role of PSCs, especially in relation to the inspection and establishment of a dialogue between police stations and their communities.

## **The Charter of Police Reform**

The Charter of Police Reforms<sup>[4]</sup> (the Charter) was established after receiving the urgent recommendations of PRC, NPSC and NPA, and consisted of four major sections.

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[4] PPSA home page: <http://www.npsc.go.jp/kaikaku/youkou.pdf>

(1) The enhancement of transparency and self-reforming functions that included disclosure, affirmative responses to citizen’s claims, strict inspection and enhancement of the control and power of PSCs over the police.

(2) The establishment of a “police force for the people” was declared. In order to realize this, the police were expected to listen to the demands of the citizens and sincerely respond to the demands, reinforce activities to ease citizens’ fear of crime, and promote the support of crime victims.

(3) Responding appropriately to the demands of the modern era, including taking strong measures against organized crime and cyber crime.

(4) The reinforcement of human resources, including education and training, as well as burden reduction by introducing cutting edged technologies and increasing personnel.

### **Evaluation of the police reform program**

The NPA and the local police forces in the 47 prefectures conducted various reform programs in line with the new Charter. It is suggested that the following programs enhanced social governance of the police.

(A) Improving transparency. The NPA and local police forces established guidelines for the disclosure of information. Based on these guidelines, they disclosed 14,543 internal regulations in 2009, compared with just 356 (NPA only) in 2001. The NPA and local police forces also disclosed guidelines for conducting strict and fair disciplinary measures<sup>[5]</sup> against misconduct by police personnel.

(B) Attitude to dealing with complaints. An article regarding complaints against the police was included in the Police Law of 2000.<sup>[6]</sup> After the police reform program started, the police introduced an intensive recording system of citizens’ complaints, such that every complaint was handled carefully with an obligation to respond to each individual petitioner. This system effectively improved the quality of police activities, which resulted in a decrease in complaints against the police (see Figure 1).

The police established a problem consultation system at every police headquarters and police station, not only to respond to complaints, but also to appropriately fulfill various needs of citizens. This system was developed into a more comprehensive consultation system than the existing consultation system for crime prevention.<sup>[7]</sup>

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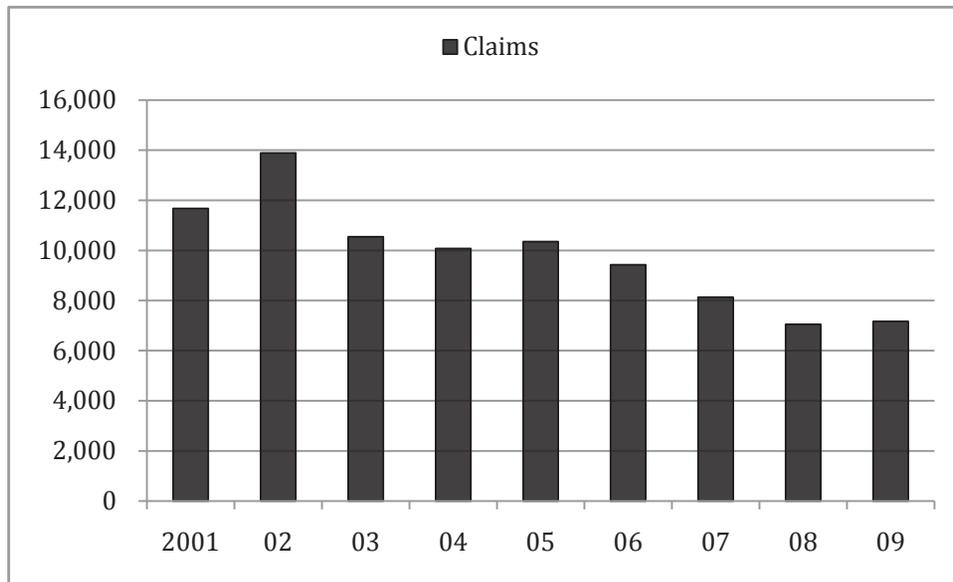
[5] “Chokaishobun no shishin ”

NPA home page: <https://www.npa.go.jp/pdc/notification/kanbou/jinji/jinji20090326.pdf>

[6] Yoshimura pp

[7] “Komarigotosundan no kyokanite suite (Enhancement of consultation of peoples trouble) NPA homepage: <http://www.npa.go.jp/pdc/notification/seian/seiki/seianki20000304-1.pdf>

**Figure 1: Number of complaints received by the police**

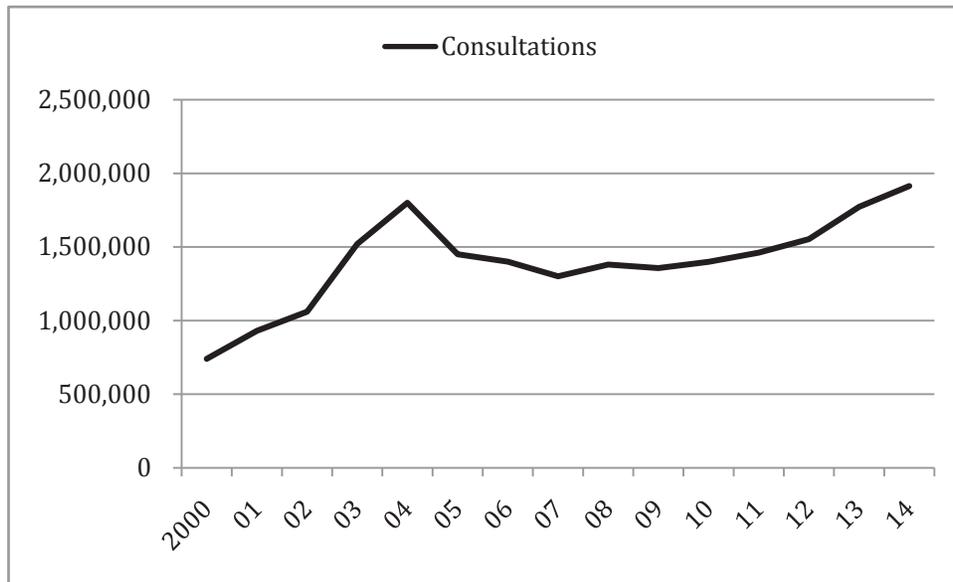


**Source: NPA**

The police force established a police problem consultation system at every police headquarters and police station, not only to respond to complaints, but also to appropriately fulfill various needs of citizens. This system was developed into a more comprehensive consultation system than the previous consultation system for crime prevention<sup>[8]</sup>. The outcome of this system is shown in Figure 2. It can be seen that the number of consultations more than double in five years.

[8] “Komarigotosoundan no kyoukanitsuite (Enhancement of consultation of peoples trouble) NPA homepage: <http://www.npa.go.jp/pdc/notification/seian/seiki/seianki20000304-1.pdf>

**Figure 2: Number of consultations about problems about police**



Source:NPA

(C) Improving the function of NPSC and PPSC. After the Second World War, originally NPSC and PPSC were established as independent commissions to fulfill the political need for democratic control over the police force. Members of these organizations were nominated from people without connections to the police, or law enforcement agencies. However, the police scandals described above exposed the vulnerabilities of this system. Therefore, the system was amended by lawmakers, and the new Police Law enhancing the role of NPSC and PPSC in inspecting the police was developed. As a result, the NPA and local police departments now make annual inspection plans and conduct inspections after obtaining the approval of NPSC and PPSC.<sup>[9]</sup> Furthermore, in case of serious misconduct NPSC and PPSC are able to give directions to the NPA, and to local police departments.

According to a survey on public confidence in the police that was conducted in 2010<sup>[10]</sup>, the chief reason for public confidence in the police was the efforts made by the police to improve public safety, as supported by the decrease in crime over seven consecutive years from 2003 to 2009. On the other hand, the main reason for distrust in the police was police misconduct. The results of this survey suggested that not only the achievements in policing, but also decreasing misconduct on the part of the police are important for improving and maintaining public confidence in the police. Therefore, NPSC and NPA have stressed measures against police misconduct, including the enhancement of social governance, such as expanding

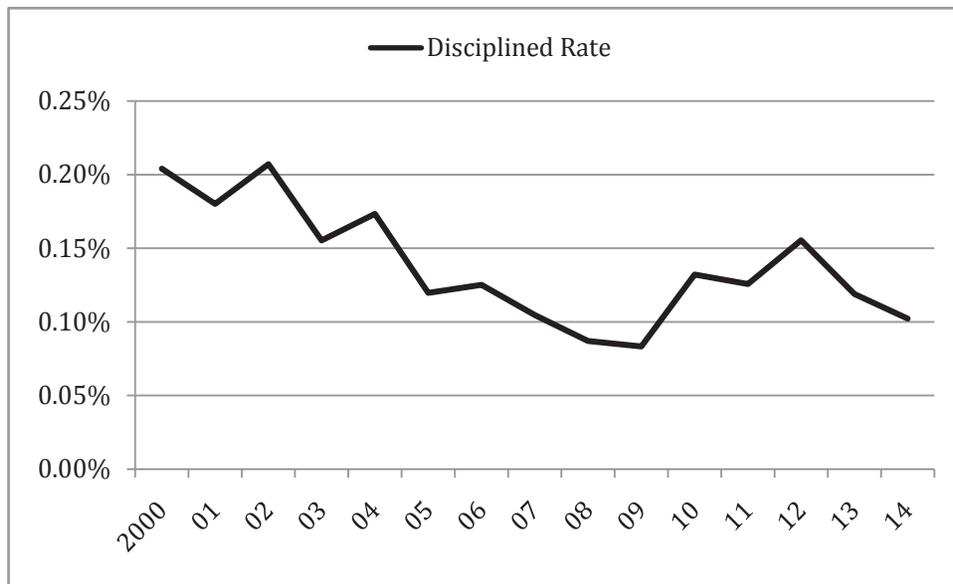
[9] “Kansatsunikansurukisoku” NPSC Regulation 12, Jan. 2000

NPA home page: <http://www.npa.go.jp/pdc/notification/kanbou/jinji/jinji20000125-2.pdf>

[10] NPSC·NPA2010 appendix pp1-3

the inspection roles of NPSC and PPSCs, as well as reporting cases of misconduct to the PSC. The need for disciplinary action against police personnel has decreased gradually following the above improvements in the functions of NPSC and PPSCs, especially with regard to inspecting police misconduct, (see Figure 3).

**Figure 3. Rates of disciplinary action against police personnel**



**Source: NPA**

(D) Establishment of the police station councils(PSC). PSC were organized by citizens appointed by the PPRC, living in the communities near every police station. The responsibility of the PSCs is to give advices regarding the policies of a police station, from the perspective of the community. Later in 2015, the NPA directed local police departments to report all major cases of misconduct in each police stations to its respective PSC <sup>[11]</sup>.

In survey of PSC members conducted in 2010, <sup>[12]</sup> 85.6% of the members responded that opinions they presented at their police station council meetings received positive responses from the police, and that their opinions were incorporated in the policy of the police station. Moreover, and 80.8% of members responded that their police station councils functioned well.

[11] NPA home page: <http://www.npa.go.jp/pdc/notification/kanbou/soumu/soumu20130110.pdf>

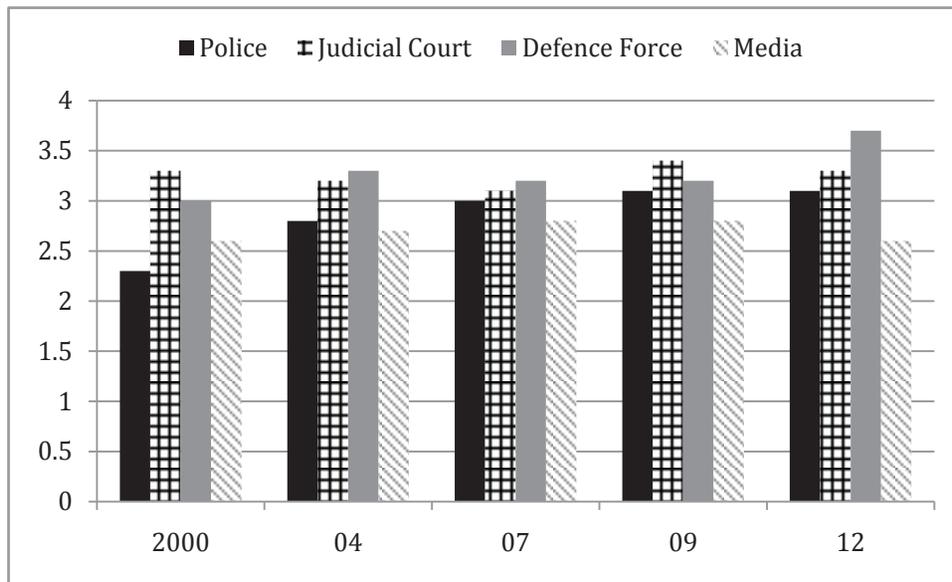
[12] NPSC·NPA2010 appendix pp4-5

## Conclusion

As described in this article, the basic philosophy of police Japanese police reforms was “citizen orientation,” which was clearly defined in the Charter as the “establishment of a police for the people.” This citizen oriented policy logically lead to measures including the enhancement of social governance, such as improving transparency of the police force, and better responses to complaints, as well as expanded functions of NPSC and PPSC that included the role of inspectors of the police.

Figures 4 and 5 show the results of efforts made by the Japanese police in the decade following the inauguration of police reforms. It can be seen that public confidence in the police force has been restored, and the sense of security held by citizens of Japan has increased (Figure 6). Nevertheless, another survey <sup>[13]</sup> indicated that 13.8% of citizen do not trust the police, or do not trust the police enough. Therefore, the police force in Japan has a continuing need for conducting reforms.

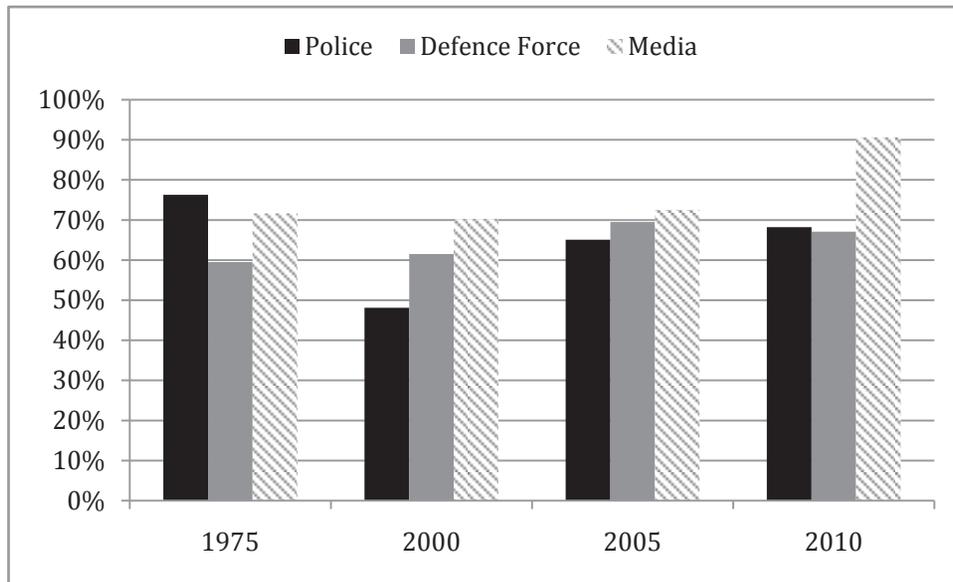
**Figure 4: Public confidence in public organizations**



Source: Central Research Inc.

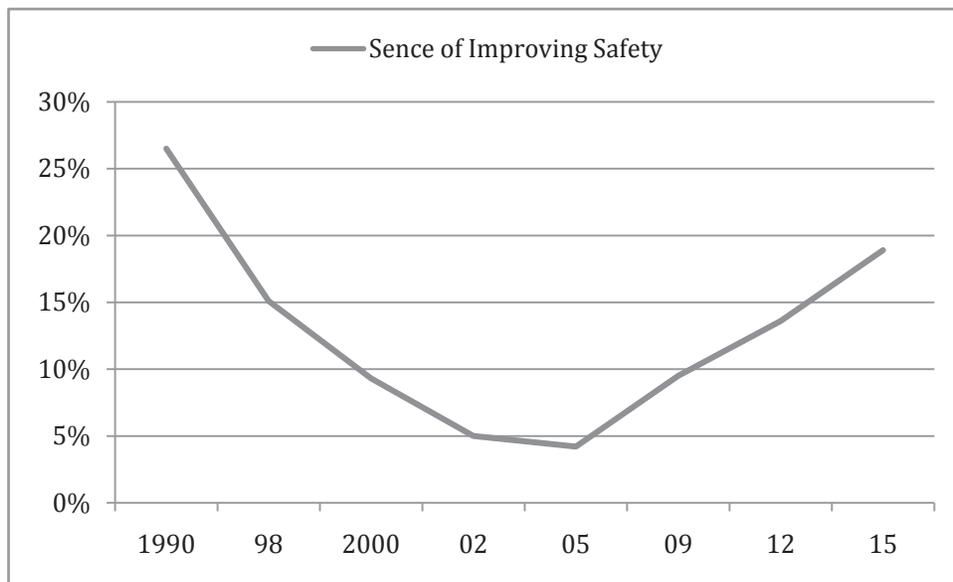
[13] NPSC·NPA2010 appendix p2

**Figure 5: Rate of confidence in public organizations**



Source: Honkawa Data Tribune

**Figure 6: People feeling positive about public safety in Japan (National Poll 1998-2009)**



Source: Cabinet Office

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Before the current position, he served as the commissioner of police departments at Saitama P.D from 2012 to 2014, Tochigi P.D. from 2007 to 2009 and Yamanashi P.D. from 2002 to 2004. Between these commissioner’s posts, he lead the Police Policy Research Center, a thinktank of the National Police Agency (NPA). Before the Director of Police Policy Research Center, he engaged a research on the US criminal justice process as a visiting scholar at Harvard University. From 1998 to 2000, he served as the chief of the International Firearms Office, NPA, and participated in elaboration of the UN convention against transnational organized crimes. He had experienced various fields of police work such as white-color crime, scientific investigations, counter terrorism, education and training. Besides police organizations he also worked at the Japanese Embassy in Bangkok as a first secretary from 1991 to 1994 and the Office of National Security Council as an assistant councilor from 1991 to 1993. He was born at Kyoto city, Japan in 1957, and received L.L.B from Tokyo University and joined NPA in 1980.

# Whose Environmental Crime?

David W Webb

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**Abstract:** The paper poses the question, “what is environmental crime, and how does it impact the police?” Theoretical bases from which to study different aspects of environmental crime are discussed before examining the scope and nature of environmental crime, examining why it is important – looking at the degrees of violence and causation of deaths – and comparing it what we regard as the more commonplace crimes. The challenges of enforcement and prevention will be discussed, at the global, state and local level, as will policy implications, especially in the light of today’s higher profile of environmental crime and its consequences.

**Keywords:** Environmental crime, policing and policy

It is so good to be in China again with so many old friends and some new ones. Thank you for tolerating me for so many years. My paper this week is not so much an academic paper per se, but a think piece that poses the question “whose environmental crime?”

Let me describe how this question arises.

A few semesters ago I taught a new course on “spatial policing.” In this course, students were asked to consider different physical areas within communities, streets, parks, car parks, play areas and so forth – then to consider the emerging fact that these areas are “owned” by different groups within our society at different times of the day. So, a high-end business street may be occupied during the 9-5pm work-day by suit clad professionals. On their departure to their suburban enclaves, ‘their’ street is taken over by other groups in our society – between 5- 8 pm it may be by skateboarders – and after 8pm it may be the homeless who will be making their overnight accommodation in the warmer doorways of the business offices.

The point is this – whatever the space – numerous people or groups of people will lay claim to that same space during the course of any one day. That thought provoked the question in my mind, how, in policing, do we change or modify our policing style to account for the very changes that are happening in

front of our eyes, yet perhaps we do not really see.

Let me now take you forward to an opportunity I was presented with about two years ago. In the United States, the Environmental Protection Agency (EPA) is the lead Federal Government Agency on environmental protection, including inspections and enforcement of regulations. The EPA published a solicitation inviting applicants to submit proposals to provide training and professional development for environmental protection inspectors and investigators.

Knowing virtually nothing about this form of public service, but believing it to be an important component of policing, I worked with a small team to submit a proposal that was subsequently accepted by the EPA and resulted in a substantial contract being awarded.

I wonder if, at this moment, I asked every member present at our meeting to write down what they believe environmental crime to be, and whom they believe is responsible for managing this type of crime in their respective country, there would be a well-informed response? I will not ask the question at this time.

Having won what was nearly a one million dollar contract, many questions went through my mind. What is environmental crime? Who polices it? How big is my target audience? Can I just go to one source to get the answer to all these questions? The answer, of course is no! Therefore, like the special policing question, I asked “whose environmental crime?”

From our policing perspective you would think the answer would be pretty easy to answer, but believe me, it is not. Or should I qualify that and argue that at the local level it is not simple to quantify.

So, what is environmental crime? Let us look at some examples:

## **International/Trans-national**

### **Example 1.**

George Mason University has a Terrorism, Transnational Crime and Corruption Center (TraCCC). They are conducting a project that began in Oct. 2014 and was completed by Sept. 2015. They are conducting an Analysis of Transnational Crime in Wildlife Poaching and Trafficking in Africa.

### **Example 2.**

The National Strategy for Combating Wildlife Trafficking produced by the White House in 2014. President Obama took to executive action to combat wildlife trafficking on a global level. This report details many facts about the illegal trade as well as what the US is planning to do now and in the future to weaken the strength of this trade.

So, the level of analysis is global, it involves world leaders and international politics.

## National and Local

What types of environmental crimes do we witness at the national level? I am sure that this becomes much easier to identify. When a farmer discharges noxious fluids into our national rivers is it a crime? Do people get ill? Do some people die? Is there negligence? What is the level of culpability? Do not these types of crime warrant a criminal investigation, as much as we would investigate a murder? Or should we treat them like so many white-collar crimes where non-police investigators levy a nominal fine on the offenders? This becomes the focus of my paper. And it poses the question “whose environmental crime?”

Working with practitioners in the United States, it soon became apparent that the process for dealing with environmental crime varied from jurisdiction to jurisdiction. Our small project team identified over 22,000 people that were directly or indirectly engaged in environmental inspection and enforcement in the United States.

Our first year program aimed to reach the largest proportion of this community that we could do in the first year, and so we attempted to introduce some quality standards in the first year. To meet the conditions of our award we wrote, and put on-line, over fifteen hours of free training and professional development for our new environmental protection community.

### **The courses included:**

1. Ethics for Environmental Enforcements Inspectors
2. How to investigate the illegal dumping of Non-Hazardous Waste
3. An Introduction to Environmental Investigation (Basic)
4. A Road-map for Environmental Crime Investigation (Intermediate)
5. Safety for Environmental Enforcement Inspectors

### **Here is an example of a basic syllabus**

An Introduction to Environmental Investigation (Basic)

### **This course will take Inspectors and Investigators through twelve components of basic environmental investigation. The components are:**

- I. A discussion on the definition of environmental crime
- II. A background and history of environmental crime
- III. An explanation of the categories of environmental crime
- IV. How to recognize environmental crime
- V. Investigator safety
- VI. Good practices to use when collecting evidence
- VII. Specialized investigative competencies for the environmental investigator

- VIII. Where to find investigative resources
- IX. Technology and investigations
- X. Civil and criminal process
- XI. Interagency cooperation and jurisdictional issues
- XII. Ethics and investigations

The task we took on was enormous, but so was the challenge, and the tangible outputs from this enterprise are the transferability of those outputs. With minimal cultural tailoring, the method of investigating events, like the dumping of toxic waste into our public drainage system, will be virtually identical in each of our countries.

With the safety and well-being of our environment, from global warming, to the consumption of fossil fuels, to the demise of our rain forests becoming the talking points at the international level of politics and international relations, we, should be formulating responses on how we can support and contribute to these important debates.

Whose environmental crime? It is ours. We own it. It affects us. It endangers us and it can kill us, and our neighbors. When I was working and living in Texas, I went on patrol with an Environmental Police Officer. He drove me to location and asked me what I could see. I said to him, “Well, there is a pretty old house, and a few old trucks in the yard, and lots of old truck tires standing around.” “And what do you see in the truck tires,” he asked. “Rain water,” I said. “And what breeds in rainwater in Texas? Mosquitos,” he responded, “and especially the killer mosquitos with West Nile Virus.” That night I emptied every flower-pot containing standing water in my garden. But the officer had made a very valuable point.

In the recent past we have been able to observe not only the growth in laws that are designed to protect us from those that would contaminate our environment, but we have seen the growth in what we call green criminology and environmental justice. And, like any “new” discipline, contributors have arrived with their perspectives from a plethora of backgrounds, be they sociological or legalistic. Hall (2014:97) argues that green criminology has achieved broad usage as an “umbrella concept” and cites White (2013:17) arguing “those who are doing green criminology define it in ways that best suit their own conception of what it is they are doing.” This in one reason that I thought it would be useful to start our own discussion, perhaps either to develop our thinking on the subject or to clarify our positions. I would argue that while it is important, to be cognizant of the critical and radical criminological schools of thought, the issues they attach to the green criminology debate tend to focus on socio-political issues. For example, Taylor (2014:148) having examined the impacts of environmental hazards on minority communities, cites them as being part of the residential segregation in the United States. Now whether this is a traditional ecological model, developed through competition for housing, or, as some would argue, a dual housing model, where whites take the best housing, as well as monopolizing new constructions in the suburbs, leaving the minorities with

the poorer housing stock where environmental contamination may be present. So, I would invite you to agree that what may seem pretty straightforward does share some identity issues that have been experienced in previous emerging disciplines.

How we view this really depends on our level of analysis. In our business of policing, most of the things that we do tend to be geared towards individuals – whether they be offenders or victims, while on the other hand the green criminologists focus heavily on the actions of corporations (Hall, 2014:99). And generally, in our policing business, our offenders are prosecuted using the criminal law, whereas for the most-part, corporations are prosecuted under provisions of the civil law. In the United Kingdom, much “civil” type legislation has a component that actually shares the power it confers with the police, for example, certain animal related offences, and immigration offences.

Policing environmental crime is difficult, as are the discussions, the dialogues that seek to clarify them. In order to try and draw some of these disparate strands together we might well look to Brisman’s (2014) four leaf clover analogy, cited in the *International Journal for Crime, Justice and Social Democracy* Vol. 3 (2) 2014:22. His four leaves he describes as distinct but connected. They are:

(1) “Green criminology’s substantive engagement with various environmental crimes, harms and issues;

(2) Green criminology’s engagement with different criminological theories usually employed to explain street level crime;

(3) Green criminology’s interaction with theories and orientations originating and residing outside criminology; and

(4) Relationships between (the) environment and other phenomena that could contribute to its demise (for example, in the case of conflict) or its protection (for example, in the case of rights)” (p.22).

Brisman’s four leaf clover-leaves are supposed to represent faith, hope, love and luck.

So, whose environmental crime is it?

Brisman cites White (2009:483) arguing that “ environmental crime is studied for a reason; naively, we need to understand the genesis and dynamics of such crime so that we can adequately respond to it.”

Environmental crime – the pollution of our air, our earth, or our lakes, rivers and seas – the indiscriminate slaughter of our protected animals, the criminal disposal of waste, affects us all. Our challenge remains the question, whose environmental crime?

Hall (2014:100) makes the point that “despite the developments in criminal law in many national and international jurisdictions, as a matter of legal theory, attributing criminal blame for an environmentally destructive activity remains a challenging proposition.”

For these reasons I bring this question to our annual meeting to listen to ideas and plans from our pacific rim community to help develop my own thinking on this important and challenging subject.

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# “War on Drugs” in Thailand: with A Focus on Methamphetamine

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**Abstract:** The drug problem is massive and difficult to combat in many countries. Thailand is not exceptional. A 2003 survey in Thailand indicated that the youth drug use increased in all top five categories: methamphetamine, marijuana, inhalants, ecstasy, and tranquilizers. To fight drug-related crimes and to help people from drug addiction, Thaksin Shinawatra, the prime minister from 2001 to 2006, launched the “War on Drugs” in 2003. This paper examines Thailand’s “War on Drugs” policy and looks at the drug problem in Thailand before, during, and after the country’s war on drug by using official data. Quantitative methods such as linear line and ANOVA are used to find out whether significant changes existed in the trend of drugs from 2000 to 2010. Policy implications are discussed and comparative perspectives are provided accordingly.

**Keyword:** War on Drugs, Methamphetamine, Thailand

## Introduction

The War on Drugs policy has been used in the United States since Ronald Reagan established it in the early 1980s (Bagley, 1988). This policy creation and implementation was a direct result of the pains of citizens during the crack cocaine epidemic in the urban areas. In the United States, this meant shifting law enforcement's response to one of strict enforcement (Lynch, 2012). Additionally, the federal government created strict sentencing schemes for violators of drug laws, as well as creating mandatory minimum sentences for violations (Sevigny, 2009). While the effort to combat the drug problem was noble, the methods used resulted in many unintended negative consequences. The states, and the federal government, saw a gigantic increase in drug arrests and prosecutions, which resulted in overwhelmed court systems and overcrowded jails and prisons (Kuziemo& Levitt, 2004). Early on in the War on Drugs, scholars recognized

that drug problems were not solely a criminal justice problem, but rather a combination of criminal justice and public health (Gerstein & Lewin, 1990). While crimes can result from drug use (Foster, 2000), finding a way to treat addicted offenders can get to the root of the problem.

Gerstein and Lewin (1990) argued for more drug treatment facilities and for the criminal justice system to treat offenders' addictions rather than simply punish. The criminal justice system took notice. Around that time, the first drug treatment court was founded in Dade County, Florida (Goldcamp & Weiland, 1993). Rather than punish these addicted offenders, drug treatment courts instead treated their addiction and many ex-offenders refrained from criminal activity once their addiction was treated. Drug treatment courts have been classified as a success and have become one of the tools in the War on Drugs Policy (Belenko, 1998). Some scholars argue that minor successes, such as drug treatment courts, do not render the War on Drugs successful. In fact, drug offenders still clog up the courts and prisons and jails are still filled with drug offenders (Pfaff, 2015). The War on Drugs in the United States may be considered a failure, but that hasn't stopped other countries from adopting the policy or creating a similar policy to fit its needs. It is not too difficult to observe the influence of the American “War on Drugs” model in Canada (Gordon, 2006), Mexico (Chabat, 2002), and Britain (Gyngell, 2009). Other countries, like China (Huang, Zhang, & Liu, 2011), Sweden (Goldberg, 2004), and the Netherlands (Leuw, 1991) have adopted varying policies to fit the needs specific to their own country, rather than relying on the United States model. Antonopoulos and Papanicolaou (2010) argued that while the United States' War on Drugs model is seen as a failure that would not stop other countries from adopting it. According to the authors, this is what happened in Thailand (Antonopoulos & Papanicolaou, 2010).

## **Solving the Drug Problem**

Before discussing Thailand's policy, one question should be asked. What makes a successful drug policy? Scholars tend to agree on some points. Understanding that drug problems do not occur in isolation is a positive first step. Drugs and crime are often interrelated. Sedden (2000) explains that drug use can cause crimes when the offender is searching for money to buy drugs, crime can cause drug use as criminal offenders start buying, selling, and using drugs while involved in the criminal subculture, and crime and drug use can develop in parallel as the criminal subculture and the drug subculture often overlap. Societal problems and drugs are often interrelated as well. Drug infested areas are often also characterized by high social disorganization, poverty, high unemployment, high crime, and poor educational opportunities (Abadinsky, 2008; Levinthal, 2008). Even macro level variables like cultural changes and technological advances can affect drug use (Golub, Bennett, & Elliott, 2015).

One major point of agreement among scholars is to recognize the public health aspect of drug use and abuse. Through increased use of intravenous drugs (heroin, methamphetamine, and cocaine)

countries have also seen an increase in Human Immunodeficiency Virus (HIV) because of shared needles (Bluthenthal, Lorvick, Kral, Erringer, & Kahn, 1999). As Blumenthal and colleagues (2009) explain increased punishments and zero tolerance policies for drug paraphernalia may exacerbate the HIV problem by forcing addicts to continue sharing needles while avoiding detection of law enforcement. Recognizing drug addiction as a health problem is also important. According to Wallace (2012), community based treatment needs to be expanded as the softer alternative to the strict enforcement of the War on Drugs Policy. Additionally, more evidence based practices should be incorporated into community drug treatment and the knowledge of what works should be widely disseminated (Wallace, 2012). Drug treatment courts, as mentioned earlier, could be used as a prison alternative for a number of offenders (Lynch, 2012). Even in prison drug treatment can be implemented (Lurigio, 2015) to target the serious offenders' addictions. Gyngell (2009) concludes three principles that a successful drug policy should follow: (1) reduce the supply of drugs, (2) recruit addicts to drug abuse treatment, and (3) encourage people to give up their drug abuse. Two countries, Sweden and The Netherlands, have been successful using these principles, albeit in different ways (Gyngell, 2009).

Leuw (1991) found that law enforcement was still utilized for higher levels of hard drug trafficking but was rejected as a primary strategy of drug abuse in the Netherlands. In the Netherlands, the use of illegal drugs had been accepted from its people and government. The government focused on the reduction of social and personal harm. Basically, the Dutch drug policy is based on the country's Opium Act of 1976, which treats soft (e.g., marijuana) and hard drugs (e.g., heroin) differently. The government views the use of hard drugs as a public health problem and heavily used law enforcement to limit the use of hard drugs. Furthermore, the Netherlands' drug policy harm reduction emphasizes accessible social assistance programs, methadone maintenance, drug treatment facilities, and needle exchanges. Leuw (1991) argued that heavy punishments, such as the death penalty in Singapore or Malaysia, will not help to solve the drug problems in the Netherlands. This notion of treating drugs differently is called "Geoden" by Uitermark (2004). Because not all drugs cause the same societal ills, Uitermark (2004) found the Dutch policy of focusing on hard drugs to be successful.

Sweden is another good example of a successful drug policy. Goldberg (2004) stated that human nature, culture, politics, differences in activities of interest groups, tradition, and theoretical frameworks are the components that influenced the policies about drugs and alcohol in Sweden. Sweden recognized that alcohol was a part of their culture and legalized alcohol with strict controls, focusing on prohibition of secondary harms such as organized crime, corruption, and illegal production and sales (Goldberg, 2004). By the same token, Sweden's drug policy focuses on harm reduction. For example, the Swedish drug czar instituted needle exchange programs in two major cities, making them permanent. Also, the National Board of Health and Welfare (Socialstyrelsen) recommended making methadone and buprenorphine substitutions treatment more accessible and available to more people in the country and Sweden has followed through on this recommendation (Goldberg, 2004).

China is one of the latest countries to adopt a harm reduction approach to drug problems. While China certainly has strict drug laws, the country recognized the need to incorporate into their laws and policies a harm reduction and treatment aspect. China adopted a new law in 2008 (the Drug Control Law) that was a part of its broad reform movement, which created community based treatment for first-time drug offenders (Huang, Zhang, & Liu, 2011). China has gone further by introducing the methadone maintenance treatment (MMT) and needle and syringe exchange programs (NSEP) to be a part of the strategy to prevent HIV for drug users (Smith, Bartlett, and Wang, 2012).

Another country that changed its focus by offering more treatment options is Thailand. Thailand is formally known as the Kingdom of Thailand (Siam) and is located in Southeast Asia. The population in Thailand was 61,661,701 in 1999, and increased to 65,124,716 in 2014 (DPA, 2015). Thailand has 510,890 square kilometers of land and 2,230 square kilometers of water (TAT, 2006). Thailand is bordered by four countries which are Myanmar (north), Laos (northeast), Cambodia (east), and Malaysia (south). In addition, Thailand has the Gulf of Thailand located on the southeast side and the Andaman Ocean located on the southwest side. Thailand has had drug problems since the 1960s, but in the past 20 plus years, Thailand has been plagued by methamphetamine. A War on Drugs in Thailand was launched by Prime Minister Thaksin Shinawatra in 2003.

### **Thailand's War on Drugs**

Before Thaksin Shinawatra became Prime Minister in 2001, Thailand was already suffering from drug problems as evidenced by the creation of the Office of Narcotics Control Board (ONCB) in 1961 and the passage of the Drug Act in 1979 (Aramrattana, Areesantichai, Chittrakam, Jarubenza, Kanato, Perngarn, Thaikla, & Sirivongs Na Ayuthaya, 2014). The philosophy toward drugs was definitely punishment as Thailand is one of the few countries that allows for the death penalty to be used for drug offenders (Khruakham, 2011). Because of the widespread drug problems in the country, it was natural for Shinawatra to make the drug issue a big part of his campaign and one of his major policies once elected. Having been educated in the United States, Shinawatra was unavoidably influenced by the American War on Drugs policy, including its strict enforcement. However, the strict enforcement was only part of Shinawatra's policy.

The War on Drugs policy in Thailand, under Shinawatra, was a policy that covered drug enforcement, drug prevention, drug rehabilitation and treatment, and international cooperation. Followings are brief descriptions of the policy elements:

1) Drug enforcement required the police and law to be stricter on drugs and people who are involved with drugs. For example, police in Thailand were allowed to set up a checkpoint with permission from a commander rather than going through the courts

2) Drug prevention established antidrug campaigns and policies, such as the “To Be Number One”

Campaign developed by Princess Ubonratana. The program supported youth and family's participation in sports, movies, and other alternatives to drugs. The Power of People policy was also created and encourages people to find out more about drugs' information.

3) Drug rehabilitation and treatment was a system that would help people who are addicted to drugs. The treatment programs accepted both court ordered individuals and volunteers. For court ordered individuals, they had the choice to enter treatment or go to prison. Many chose the treatment option.

4) International cooperation emphasized working and consulting with others countries about drugs and drug problems. There were bilateral cooperation, sub-regional cooperation, cooperation with international organizations, and international meetings and conferences on drug matters. The Thai government encouraged the use of this information as a tool to fight with drugs and social problems.

One can definitely see the similarity between the United States' War on Drugs and Thailand's. However, Shinawatra added Thai elements to the policy. Under strict enforcement, police officers and government agents were offered a bonus for arrests of drug offenders and seizures of drugs (Exec. Order No. 119). There was also an effort to improve economic conditions under Shinawatra and a byproduct of that would be lower drug use and abuse (Exec. Order No. 119). Finally, Shinawatra emphasized drug treatment and education, which also included a job skills training for unemployed individuals (Exec. Order No. 119).

The War on Drugs policy may have been popular, but once Shinawatra was removed from his position in 2006, the policy was discontinued. The purpose of this paper is to evaluate whether or not Shinawatra's war on drugs policy helped Thailand. Did the policy reduce drug crimes in the country? That is the question this paper seeks to answer.

## **Data and Methods**

Data for this paper comes from the Thailand's Office of Narcotics Control Board (ONCB). Upon request, one of the researchers was able to obtain official ONCB data on the numbers of drug suspects (arrests), the number of drug cases (convictions), and the number of patients in rehabilitation for the years 2000-2011. While the data only goes back to 2000, the researchers believe that the data can show patterns, especially when breaking the data down into three time periods: before the War on Drugs policy (2000-2002), during the policy (2003-2006), and after the policy (2007-2011).

Because this is an exploratory study and there is limited official data available, the researchers utilized fairly uncomplicated quantitative techniques. The predictable line (also called linear line) is used to examine if the War on Drugs policy showed a difference in the three time periods (before, during, and after) by using the ONCB report of the number of suspects, cases, and patients. The predictable line will illustrate the drug trends of the three time periods. R squared measures the predictability of the number of drug

suspects, drug cases, and patients in rehabilitation over the three time periods. The closer to 1.0, the better the fit of the predicable (regression) line. In addition, the slope number will be observed to see the direction of the line which can predict the drug trend for each time period.

Additionally, this research will examine suspects, cases, and patients in three time period groups (before, during, after) to determine whether there is a significant difference across three time periods by using Analysis of Variance (ANOVA), a statistical technique being employed to analyze the differences of variability (variance from the mean) across more than two groups. Fisher’s LSD post-hoc analysis is also used when the ANOVA F-test is significant. Fisher’s LSD post-hoc analysis provides specific information on which means are significantly different from each other.

### Analyses

Figure 1 illustrates the predictable line for the total number of drug suspects. The R2 of the predicable line of the time before the policy was close to 1 (R2 = 0.84). This meant that the predicted line between the time period before the policy and the total number of drug suspects was a good fit. The slope (-7543) was negative, which suggested that the total number of drug suspects decreased from 2000 to 2002. The R2 of the predicable line of the time during the policy was not close to 1 (R2 = 0.52). It showed that the predicted line between the time period during the policy and the total number of drug suspects was not a good fit. The slope (-27255) was negative, which indicated that the total number of drug suspects continuously decreased from 2003 to 2006. Yet, the R2 of the predicable line of the time after the policy was close to 1 (R2 = 0.98). It made the predicted line between the time after the war on drug policy and the number of drug suspects for methamphetamine again a good fit. The slope (29384) was positive, which indicated that the total number of drug suspects increased from 2007 to 2011.

Figure 1: Predictable line for the total number of drug suspects from 2000-2011 (before: blue, during: red, and after: green)

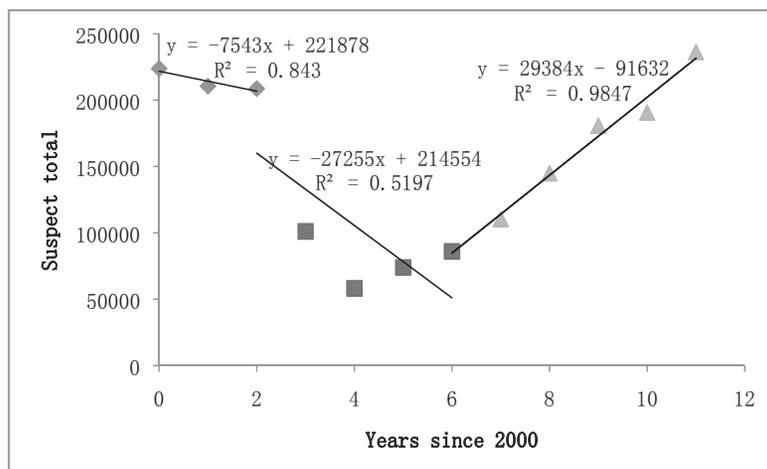


Table 1 shows the total numbers of drug suspects in the time periods before, during, and after the war on drugs policy. The column “Number of Suspects” presents that the smallest mean of the total number of drug suspects was associated with the time during the policy ( $\mu = 79747.8$ ) whereas the highest mean of the total number of drug suspects was associated with the time before the policy ( $\mu = 214334.7$ ).

Homogeneity is one important assumption of using ANOVA. It spells out that the variance within each group should be equal for all populations ( $\sigma_1^2 = \sigma_2^2 = \sigma_3^2$ ). In table 2, the Levene’s F test ( $F = 3.1$ ,  $p=.1$ ) suggests that the homogeneity assumption is not violated. Both Welch ( $F = 76.9$ ,  $p=.00$ ) and Brown-Forsythe ( $F = 21.7$ ,  $p=.00$ ) F-tests suggest a significant difference across three time periods. The Fisher’s LSD post-hoc analysis shows that the difference between the time before and during the policy and the difference during and after the policy were statistically significant ( $p=.00$ ), but not the difference between before and after the policy ( $p=.12$ ).

**Table 1: Mean of total of drug suspects in three time period groups (before, during, after)**

	Year	Number of Suspects	Standard Deviation	Skew	Kurtosis
Before(2000-2002)	3	214334.7	8215.4	1.63	
During(2003-2006)	4	79747.8	18224.9	-.05	-.6
After(2007-2011)	5	172559.4	47698.7	.01	-.22

**Table 2: Results for the total number of drug suspects in three time period groups (before, during, after)**

		F	df	Sig.
Homogeneity-Levence		3.1	2	.1
ANOVA		15.2	2	.00
F-test	Welch	76.9	2	.00
	Brown-Forsythe	21.7	2	.00
Post Hoc	Before(2000-2002)-During(2003-2006)			.00
	During(2003-2006)-After(2007-2011)			.00
	After(2007-2011)-Before(2000-2002)			.12

Figure 2 illustrates the predictable line for the total number of drug cases from 2000 to 2011. The

R2 of the predicable line of the time before the policy was not close to 1 ( $R^2 = .5012$ ). This meant that the predicted line between the time period before the policy and the total number of drug cases was not a good fit. The slope ( $-3880$ ) was negative, which suggested that the total number of drug cases decreased from 2000 to 2002. The R2 of the predicable line of the time during the policy was not close to 1 ( $R^2 = .541$ ). It showed that the predicted line between the time period during the policy and the total number of drug suspects was not a good fit. The slope ( $-29645$ ) was negative, which indicated that the total number of drug cases continuously decreased from 2003 to 2006. Yet, the R2 of the predicable line of the time after the policy was close to 1 ( $R^2 = .9682$ ). It made the predicted line between the time after the war on drug policy and the number of drug cases for methamphetamine a good fit. The slope ( $32741$ ) was positive, which indicated that the total number of drug suspects increased from 2007 to 2011.

Figure 2: Predicable line for the total number of drug cases from 2000-2011 (before:blue, during: red, and after: green)

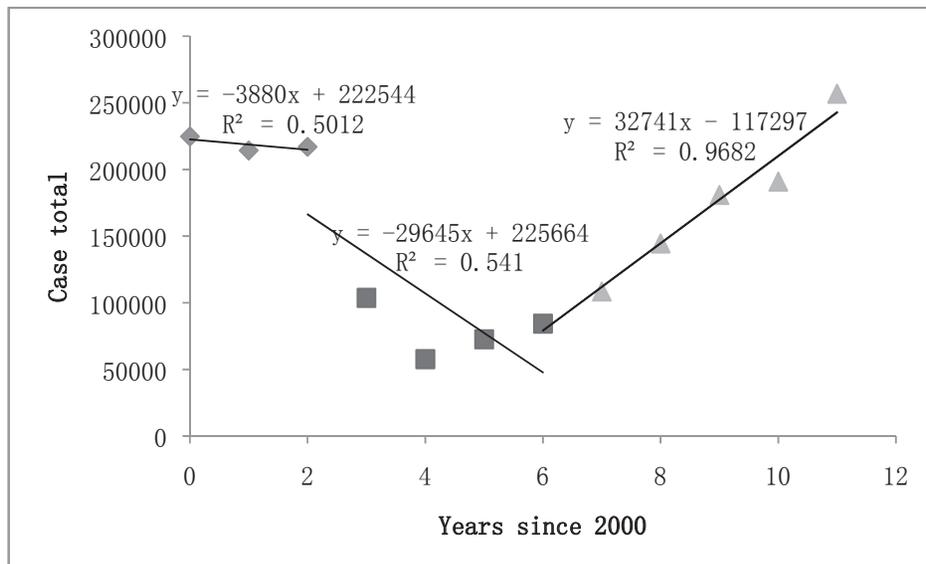


Table 3 presents the total numbers of drug cases in the time periods before, during, and after the war on drugs policy. The column “Number of Cases” shows that the smallest mean of the total number of drug cases was associated with the time during the policy ( $\mu = 79602.3$ ) whereas the highest mean of the total number of drug cases was associated with the time before the policy ( $\mu = 218664.3$ ). In Table 4, the Levene’s F test ( $F = 2.7, p = .12$ ) suggests that the homogeneity assumption is not violated. Both Welch ( $F = 82.3, p = .00$ ) and Brown-Forsythe ( $F = 17.9, p = .00$ ) F-tests suggest a significant difference across three time periods. The Fisher’s LSD post-hoc analysis shows that the difference between the time before and during the policy and the difference during and after the policy were statistically significant ( $p = .00$ ), but not the difference between before and after the policy ( $p = .17$ ).

**Table 3: Mean of total of drug cases in three time period groups (before, during, after)**

	Year	Number of Cases	Standard Deviation	Skew	Kurtosis
Before(2000-2002)	3	218664.3	5480.5	1.2	
During(2003-2006)	4	79602.3	19461.8	.3	-.15
After(2007-2011)	5	176330.4	55519.2	.44	.45

**Table 4: Results for the total number of drug cases in three time period groups (before, during, after)**

		F	df	sig.
Homogeneity-Levence		2.7	2	.12
ANOVA		12.4	2	.00
F-test	Welch	82.3	2	.00
	Brown-Forsythe	17.9	2	.00
Post Hoc	Before(2000-2002)-During(2003-2006)			.00
	During(2003-2006)-After(2007-2011)			.00
	After(2007-2011)-Before(2000-2002)			.17

Figure 3 demonstrates the predictable line for the total number of patients in rehabilitation from 2000 to 2011. The R<sup>2</sup> of the predicable line of the time before the policy was close to 1 (R<sup>2</sup> = 0.929). This meant that the predicted line between the time period before the policy and the total number of patients in rehabilitation was a good fit. The slope (8743.5) was positive, which suggested that the total number of patients in rehabilitation increased from 2000 to 2002. The R<sup>2</sup> of the predicable line of the time during the policy was not close to 1 (R<sup>2</sup> = 0.1472). It showed that the predicted line between the time period during the policy and the total number of patients in rehabilitation was not a good fit. The slope (-26921) was negative, which indicated that the total number of patients in rehabilitation decreased from 2003 to 2006. Yet, the R<sup>2</sup> of the predicable line of the time after the policy was close to 1 (R<sup>2</sup> = 0.9539). It made the predicted line between the time after the war on drug policy and the number of patients in rehabilitation for methamphetamine a good fit. The slope (28441) was positive, which indicated that the total number of patients in rehabilitation increased from 2007 to 2011.

Figure 3: Predictable line for the total number of patients in rehabilitation from 2000-2011 (before; blue, during; red, and after; green)

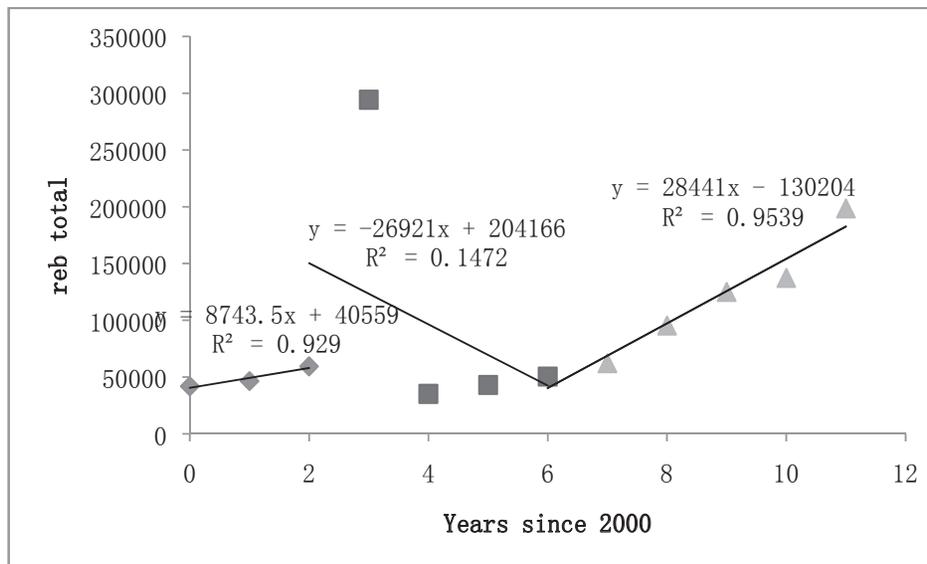


Table 5 presents the total numbers of patients in rehabilitation in the time periods before, during, and after the war on drugs policy. The column “Number of Patients” shows that the smallest mean of the total number of patients in rehabilitation was associated with the time after the policy ( $\mu = 19144.8$ ) whereas the highest mean of the total number of patients in rehabilitation was associated with the time during the policy ( $\mu = 33251.3$ ). In Table 6, the Levene’s F test ( $F = 7.3, p=.01$ ) suggests that the homogeneity assumption is being violated. Both Welch ( $F = 5.3, p=.33$ ) and Brown-Forsythe ( $F = 3.1, p=.31$ ) F-tests suggest no significant difference across three time periods.

**Table 5: Mean of patients in rehabilitation for other drugs in three time period groups (before, during, after)**

	Year	Number of Patients	Standard Deviation	Skew	Kurtosis
Before(2000-2002)	3	23249.7	2072.5	1.6	
During(2003-2006)	4	33251.3	42963.8	1.9	4
After(2007-2011)	5	19144.8	4761.3	-3	-1.8

**Table 6: Results of the number of patients in rehabilitation for other drugs in three time period groups (before, during, after)**

		F	df	sig.
Homogeneity-Levence		7.3	2	.01
ANOVA		.36	2	.7
F-test	Welch	5.3	2	.33
	Brown-Forsythe	3.1	2	.72

## Discussion and Conclusion

For the number of drug suspects and the number of cases, the ANOVA analyses showed that there was a significant difference between the time periods. Inline with the results of the post hoc tests, one can see that the difference can be attributed to the time when the War on Drugs policy was ongoing. Simply looking at the means shows that drug suspects and cases dropped during this time period. Figures 1 and 2 show that prior to the policy implementation, the numbers of cases and suspects were trending down. However, the sharp drop once the policy was enacted cannot be explained by mere chance. The War on Drugs Policy had an impact on the numbers of cases and suspects. Once the policy was discontinued, the raw numbers continued to rise. In fact, the numbers rose past the initial measurement in 2000. It seems as if the drug problem is worse than it was prior to Shinawatra taking power.

The analyses run on the numbers of patients in rehabilitation for the three time periods do not show significant results. According to the ANOVA (see Table 6), there was no significant change between the three time periods. However, in 2003, there were almost six times as many patients in rehabilitation than in 2002. As the literature indicates, drug treatment (rehabilitation) is a good thing for addicted offenders, so the sharp increase was a positive step forward for the country. After the initial explosion in the number of patients in rehabilitation, the numbers dropped sharply and seemed to mimic the time period prior to the War on Drugs. One of the most positive trends observed from these analyses is that the opportunity for rehabilitation did not go away when the War on Drugs policy stopped. In fact, the linear line for the period after the War on Drugs policy shows a positive slope, indicating that more people are receiving rehabilitation. However, that upward slope mimics the increase in the numbers of drug cases and suspects, so the increase in patients for drug rehabilitation may have negative connotations as well. It seems as if Thailand is starting to have more drug problems since the War on Drugs policy ended and that is indicated

by the increases of drug cases, drug suspects, and patients in drug rehabilitation.

Overall, the War on Drugs policy seemed to have a positive effect for the country of Thailand. The official numbers show less drug cases and suspects while the policy was ongoing, even with the seizure and arrest bonuses offered to police. Prior to the policy's implementation, the trend was a downward trajectory in cases and suspects, albeit a gradual decline. This can probably be attributed to the politics in the country that swept Shinawatra into power. Positive changes were already taking place prior to the War on Drugs policy, but once the policy was implemented, big changes took place and positive outcomes were the result. The numbers since the policy was discontinued show a worsening of drug problems in Thailand and this indicates that something needs to be done. Is the political mood in Thailand ready for a new War on Drugs policy? Can Shinawatra's War on Drugs policy be as impactful as it was before? These are two questions that the authors do not attempt to answer here. However, the need for an intervention is present and, hopefully, something can be done to turn the tide in Thailand.

As with all social science research, there are limitations in this article. The use of official data can become problematic because numbers can be manipulated by officials. While the authors of this paper do not believe that this occurred, nonetheless, it remains a limitation. Additionally, the lack of other information may render this analysis incomplete. There may have been other intervening factors or incidents that influenced the findings. The military coup to overthrow Prime Minister Shinawatra in 2006 may have had a big impact on the numbers, although that determination cannot be made. Generalizability also becomes a problem. The authors cannot say that this War on Drugs policy would be effective in other countries, nor can it be said that the policy would be effective today in Thailand. However, as long as policy makers make sure to adapt the policy making considerations for unique cultural issues in the country, prior research and this study indicate that it is possible for a War on Drugs policy to cause significant positive change in a country's drug problems.

Thailand's drug issues should be examined more. Future research on this issue should look to see if the trend (increasing problems) after the war on drugs continued. Additionally, other factors, including economic, social, and cultural variables, should be included in an analysis to determine if Thailand's War on Drugs policy effects were mitigated by those factors. Other country's policies toward drugs should also be examined and compared to Thailand's as commonalities may emerge. Receiving more detailed data, specifically month to month data, on Thailand's War on Drugs policy may allow for more advanced statistical analyses, including time series analysis.

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# A Spatial Exploration of Crime Concentration in Houston Downtown Police Districts I & II, 2009-2013

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**Abstract:** This study explored the spatial distribution and patterns of crime in Police Districts I and II of the City of Houston, Texas. Using discrete incident data extracted from the Houston Police Department's public records. Nearest Neighbor Hierarchical and Kernel Density Estimates were adopted to test the effect of location between 2009-2013 on criminal behavior. The study found that four major neighborhood crime hot spots moved within district I and district II. The Kernel density results showed that crime hotspots continued beyond the boundaries of the Nearest Neighbor clusters. On average,  $\geq 17\%$  of crime incidents was concentrated around  $\leq 3\%$  of the study area designated as an events quadrant. This suggests that determining the underlying causal forces for the concentration of crime in the events quadrant is significant for the development of law enforcement intervention for crime control.

**Keywords:** distribution and patterns, cluster detection techniques, Near Neighbor Hierarchical, Kernel Density, hotspots, crime, neighborhood policing, police deployment.

Though crime is often assumed as an inelastic quantity, determining and understanding the systemic sequences of ‘hot spots’ of criminal activity has become a critical concern for police strategists. The movement of crime across space and time informs a variety of theoretical assumptions about displacement and diffusion patterns (Guerette& Bowers, 2009;Ratcliffe and Breen, 2011;Sherman, &Weisburd, 1995).). Studies of crime hotspots in the city of Minneapolis provided one of the first contemporary explorations of how high crime concentrations affect policing resources and crime control(Sherman, Gartin&Buerger, 1989). Sherman et al found that about half of the calls received by the police originated from less than 4 percent of the address locations in the city. With more powerful analytic tools, spatial analysis of deviant hotspots has since become an area of interest for law enforcement policy makers, practitioners and

academia. A large number of these studies have found that focused police attention and deployment to areas of crime hotspots has a reductive effect on crime (Braga & Bond, 2008; Crank, J., Koski, C., Johnson, M., Ramirez, E., Shelden, A., & Peterson, S. 2010; National Research Council, 2004; Ratcliffe, Taniguchi, Groff, & Wood, 2011; Weisburd & Mazerolle, 2000).

Cornish and Clarke (1987) provides an explanation of crime by providing possibilities based on the character of an environment, measures of its targets and the habits of its residents. On the other hand, Wilson and Kelling's (1982) broken windows theory states that unkempt neighborhoods attract criminals, better kept neighborhoods such as centers of entertainment, and formal events also attract criminal activity. Modern geographic criminology which can be traced back to Shaw and McKay's (1942) study of juvenile delinquency in Chicago, found that downtown areas had particularly visible crime concentrations because of latent criminal values conserved through high population mobility and social disorganization. However, this assumption may not apply well to every city because, like living systems, the growth of cities is most likely fed by multidimensional non-lateral forces unique to cultures, ecosystems, and governance, individual and group temperaments. Beyond the physical, environmental condition of an area, it is always important to integrate the socioeconomic connection to more fully explore the underlying determinants of the broken windows and graffiti. Events places by implication are engines of diverse cultural activities that are likely to attract both positive and negative attention. Therefore, against the social, economic and environmental fabric of an area with a high concentration of entertainment activities and elitist businesses, crime has become problematic. In other words, irrespective of a crime containment designers' attention to Newman (1972) and Jeffery's (1971) architectural and environmental considerations in an area, crime pattern theorists explain that the social ordinances and a criminal's cognitive map of the place may integrate these systems into a platform for crime. Braga et al. (1999) observed that crime in hotspot locations is stable over time. Benign displacement as discussed by Barr and Pease (1990) may elevate the 'hot spot' dilemma by relocating crime equally across the district. Crime displacement/diffusion studies often imply that the use of police tactics, social, economic, and environmental design are related to crime mobility from one location to another over a given time in any geographic location (Bowers et al., 2011).

The assumption in the present study of crime incident hotspots is that crime is not confined to any particular geographic location and neighborhood within the boundaries of the seven police beats which constitute police districts I and II of the city of Houston Downtown. These assumptions allow us to use a variety of visual mapping tools of spatial analysis to identify: 1.) The areas where crimes are most concentrated within the two districts. 2.) The movement of these hotspots over a five year period (2009-2013). 3.) The characteristics of the boundary areas of the hot spots. 4.) The relationship between the crime incidents and the popular events center quadrant on the eastern end of the study area. While temporal analysis can be used to determine the effect of a law enforcement intervention on crime post facto, it can also be applied to examine areas of continued criminal activity irrespective of the functions of time and focused intervention. Studies exploring crime hotspots are relevant to law enforcement planning and for the

deployment of resources for crime control as well as creating community policing partnership synergies and developing problem oriented approaches to address specific area and crime related concerns.

The results of this study can be applied to planning initiatives that create safer areas in Downtown Houston. While it is not the purpose of this study to identify precise police tactical deployments for any specific crime problem or location, the hot spot literature implies that police problem oriented practices will address regions of high criminal activity, and areas of special interest such as local and international event centers. Although it is possible that the pattern of crime in an area will remain the same without law enforcement intervention, it may also be that crime mobility responds to forces other than the police problem oriented practices. Examining focused law enforcement intervention programs in Jersey City in the state of New Jersey, Braga et al. (1999) found that such programs did not necessarily result in the movement of criminal activity from one section of the city to another.

### **Normative Criminal Behavior and Spatial Governance**

In traditional criminological discourse crime is simply described as rule violative behavior. However, if we probe more deeply into the nature of criminality, it becomes clear that such simplicity can be misleading. We attempt to use the normative approach to inquire analytically into the fundamental premise and include our reflections, realizing that no single theory or intellectual position is capable of comprehending the phenomenal complexity of even a moment of experience, assuming the possibility of locating and isolating that elusive moment.

Traditional literature on crime as normative, the trend tends to support highly elitist claims that the lower-class tend to engage in delinquency. The deviance of so-called middle or upper-class is overwhelmingly ignored. The lower-class hang out frequently and lack the protection of property or privacy enjoyed by their equally deviant but largely ignored middle or upper-class counterparts. The latter group’s deviance is hidden and therefore more privileged. Therefore, traditional literature on crime as normative help us to understand the significant influences, peer associations, interactions and bonding contribute to delinquency. The frequency and quality of peer associations influence attitudes and behavior.

In brief, normative approaches consistently argue that social reality is constructed by external forces (beyond the control of the individual) that propel criminal behavior. Thus, fixed sets of norms and values set the boundary by which crime is defined. In 1979, Herman Goldstein developed the concept of problem-oriented policing (POP). This view was supported and expanded by Eck and Spelman (1987) who implemented the scanning, analysis, response, and assessment (SARA) model. These models have been widely adopted by law enforcement units across the United States. The primary strategy for controlling hot spots begins with the identification of the problem, its exact locations, boundaries and its underlying causes. The characteristics of a social and economic environment, coupled with a physical location and the

design of an environment equally informs the typology of crime and their possibilities (Eck & Guerette, 2012; Sherman, Gartin, & Buerger, 1989). In the last decade and a half, much attention has been devoted to examining the impact of law enforcement intervention on spatial crime mobility (Andresen & Malleson, 2011; Bowers, Johnson, Guerette, Summers & Poynton, 2011; Gorman, Gruenewald, & Waller, 2013; Tita & Griffith, 2005). Nevertheless, more research is needed to understand how and why certain geographical areas remain predisposed to crime in spite of new and innovative police best practices.

In this exploratory study, two spatial cluster detection methods are examined to describe the temporal distribution of crime in two police districts in the City of Houston. In particular, the impact of the triangulate events and entertainment center on the eastern end of this section of the Houston's downtown district on crime will be explored. This area is defined by the boundaries of a major events quadrant. The quadrant is bordered by a major intrastate Highway 59 and quadrant comprises some of the largest, most recognizable local and international meeting places in downtown Houston. An array of 4 and 5 star hotels makes the area surrounding the quadrant a prime leisure and business axis. Typically, crime displacement studies follow territorial, temporal, tactical, offender, target or functional perspectives (Cornish & Clarke, 1987; Guerette & Bowers, 2009). This study's primary focus is the territorial and temporal dimensions of crime mobility in Houston's Downtown police districts 1 and II. Spatially based studies provide a platform for the integration of a number of historically significant variables in the crime control analysis. Understanding the agencies of criminal behavior and crime containment through an analysis of the place has also become irrevocably attached to most contemporary rational crime theories (Eck, 2002), and remains a critical concern for policymakers and urban planners.

While lack of guardianship has been identified with areas of high criminal activity (Gorman et al. 2013; Spelman, 1995), event centers often provide reinforced guardianship. A similar relationship between tourists and robbery in the Vieux Carré, New Orleans explored by Harper, Khey, and Nolan (2013) found a strong spatial association between both variables. While that study does not specifically target "event centers" it does show that certain types of crimes are often "clustered" in close proximity to hotels, restaurants, bars and other adult venues (p.590). Furthermore, the spatial distribution of crime appears to be influenced by the reinforced guardianship of law enforcement and the proximity of socially disorganized neighborhood perimeters.

## **Methodology**

### **Accounting for Crime Patterns**

The primary purpose of this study is to account for the structure of crime patterns in police districts I and II of the city of the Houston Downtown. The use of address locations such as crime incident points and Geographic Information Systems (GIS) for crime mapping provides a diametric route comprising

descriptive and analytic sub-types. Analytic mapping extends the baseline of descriptive analysis by a spatial hypothesis conditioned on a predicted distribution which is then compared against an observed distribution (Canter, 1997; Michelle, 2009). The objective of hot spot analysis is to compare spatially distributed non-random data against a hypothetical random distribution to observe if there is a significant concentration at certain locations on the map (Canter, 1997; Michelle, 2009). Such concentrations draw attention to the high rate of criminal activity in that location. These concentrations may require a change in law enforcement strategy, reinforcements or research to detect underlying problems behind the crime incidents. The following methodology effectively combines temporal and spatial analysis applications and addresses the research questions earlier identified. The primary focus is to locate hot spots in the two downtown Houston police districts between 2009 and 2013, and in addition, visual analysis was adopted to examine the influence of land use in these crime prone areas.

The study area, Police districts I and II is a major section of Houston’s Downtown geographic patrol beats; 1A10, 2A10, 2A20, 2A30, 2A40, 2A50, 2A60, and is located between the city’s major intersections and highways, 45, 610, and 59. This part of downtown Houston covers a land area of 45.57 square miles and a combined city street network length of 1243.29 miles. The street network in downtown Houston is laid out in a Manhattan grid format. The size of the land area and the street network length are important parameters for calculating certain routines in distance analysis and kernel density estimation of point data; such as to accurately indicate the search radius, and the grid distance between the points (Bruce & Smith 2011).

To comprehensively understand and strengthen the validity of the spatial distribution of crime in the business and commercial center of the city, a combination of distance and spatial modeling tools in crime stats were used for spatial distribution, hot spots, distance analysis, and risk surface estimation. Nearest Neighbor Hierarchical Spatial Clustering (NNH) was the initial model adopted to examine the distribution of crime incidents. Subsequently, Single Kernel Density Estimation (SKDE) and was used to extrapolate a continuous density of crime incidents across the entire study area. As this study was not testing the treatment effect on crime (focused police interventions) the primary interest is to examine how land use similarity relates to the spatial concentration of crime within the study area. This is accomplished by focusing on land use, physical, socioeconomic patterns, and other cultural themes and activities.



distance between incident points G and H (Figure 2) is determined by assuming a right angle triangle with the values of the X coordinate representing the abscissa, and Y coordinates representing the ordinate sides of the triangle, and the distance from point G to H on the map is the hypotenuse. XG and XH, and YG and YH represent the coordinates X and Y for the projected systems applied in this study. Using this Pythagorean function, the distance D:

$$D = \sqrt{(XG+XH)^2+(YG+YH)^2}$$

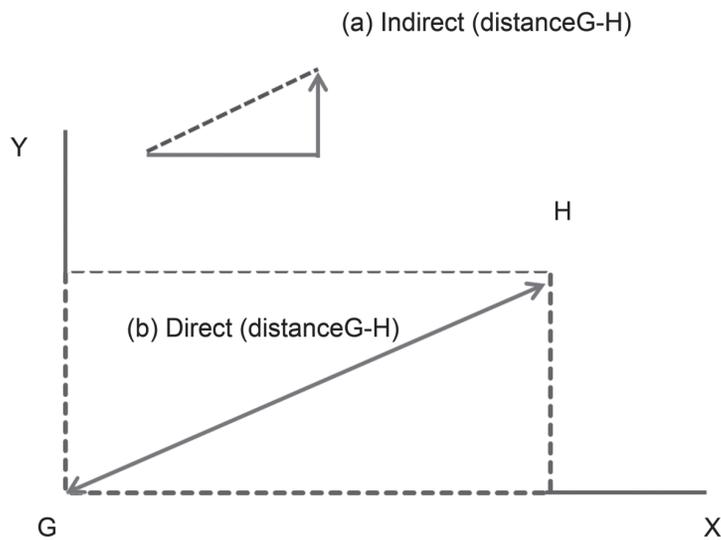


Figure 2. An illustration of mathematical Pythagorean function of NNA. Adapted from: Bruce and Smith (2011). The solid red lines represent (a) indirect (b) direct projected coordinate distance measurements (Euclidean).

The nearest neighbor index (NNI) is determined as the ratio or the difference between the mean of the two distributions, MD (observed) – MD (expected). At NNI of 1, there is no difference between the expected and observed distributions. MD represents the mean distance. For instance, in an actual distribution of crime incidents in the city of Houston police districts I and II, the mathematical functions  $\sum f_i$  will be the sum of the distance of paired nearest neighbors within the districts 45.57 square miles, where n is the number of features.

$$MD = (\sum f_i) / n$$

When the actual distribution is perfectly clustered, it suggests that all the incident points are located at the same XY geographic coordinate on the map and the MD will be zero. The same principle is

applicable for a completely dispersed distribution to an area 'c'.

$$MD=1/(\sqrt{n/c})$$

The MD of a random distribution is expected between the perfectly dispersed (1) and a clustered (0).  
As:

$$MD=0.5/(\sqrt{n/c})$$

In the crime stats program, measures of NNI give indications of a dispersed distribution when >1 and clustered when <1. At an NNI of 1, the observed distribution is random (Bruce and Smith, 2011; Cantor 1997; Mitchell, 2009)

**Nearest-Neighbor Hierarchical Spatial Clustering.** Nearest-Neighbor Hierarchical Spatial Clustering functions on the same premise of comparison between a given distribution of points and a random probability distribution. The probability that groups of paired points in an observed distribution cannot be random is used to identify a cluster. The difference between the NNH and other hotspot techniques is that the concentration of hierarchical hotspots in a particular location enables the identification of the top hotspot. Using the programs hypothetical random distribution of points on a plane as a baseline, the first order of clusters of the incident points is consolidated to a second order. It is noteworthy that what is measured is simply the distance between a pair of points to identify its nearest neighbor, therefore, whatever figure is fixed as a default nearest neighbor-distance in an analysis determine the probability and the location of clusters from one analysis to the next. Standard deviation ellipses are drawn to enhance the visibility of the hotspots on the map (Levine, 2004; Mitchell, 2009).

### **Kernel Density Estimation**

Beyond the clustering of the precise XY coordinate location of a crime incident, the kernel density map extrapolates and estimates the intensity of the crime over a wider area (Bruce & Smith, 2011; Levine, 2004). The single kernel function applies absolute densities to estimate the continuous surface densities of hotspots across the map, thus, creating a risk approximation of the incidents beyond the catchment neighborhood area of the criminal activity. The dual kernel density estimation of changes between two time periods on the other hand, is used to identify spatial trends. To estimate spatial trends using the dual kernel density method in Crime Stats, the most common interpolation used is the direct subtraction of one time period from the other or to use relative density differences. If we assume a plane map surface, the kernel density function in Crime Stats application estimates the surface density of crime by applying a reference distribution defined by the projected geographic coordinate of the square area location. This interpolation estimates and allocates weights to each grid cell by calculating the proximity of all incident points in a grid

to the grid Centerpoint. These weights are then extrapolated as a continuous density surface across the map area. Nevertheless, the method of interpolation, that is the shape of the kernel, and the size or bandwidth (radius) of the kernel used, is critical to the determination of the type of output kernel density derived. The normal kernel distribution interpolation is shaped and acts like a probability curve. It allocates surface weights according to the standard deviation relative to the radial distance from the tip of the curve defined by the position of the incident point where the density weight is highest (Bruce & Smith, 2011; Levine, 2004). In the present study the uniform kernel cell model is applied. Though the ideal method is the normal probability kernel distribution, the radius around the uniform interpolation distribution method allows us to choose a fixed search radius and so equal weight is allotted to all points within the radial circumference. In the case of the uniform kernel density, if we assume a mathematical function of incident points  $f(x_j)$ , where 'j' is any reference point within a search radius 'Sr', where (x) is constrained. Then outside the limits of 'Sr'  $f(x_j) = 0$ . Within the search radius 'Sr',  $f(x) = \sum Q$ . Q is a constant adjusted from a base value of 0.1 to always reflect the density of incident points N. All points within 'Sr' are allotted the same weights. The value of Q is dictated by Crime Stat's operational algorithm (Levine, 2004). However, positions in the grid where multiple points occur will receive higher weights comparatively. While the absolute densities in the single kernel estimate the number of incident points per square mile, the dual kernel function estimates the differences of incident points within a square mile between two time periods. The implications of other self-generating systems for the distribution of the crime incidents can further be modeled by defining and assigning an intensity variable-Z. However, the focus of the present research is the examination of land use and does not extend to direct population analysis. Thus, diversity in individual researcher motivation and articulation is likely to indicate differences in results even given similar data type. Added to the traditional theoretical underpinning of a particular analysis for the selection of parameters; practice is important in determining the best approaches and values that will be useful for avoiding and reducing the encroachment of the spatial statistical integrity of an analysis. This is of course an implied limitation to traditional spatial analysis.

### **Spatial Analysis**

An incident based Nearest-Neighbor Hierarchical Spatial Clustering and continuous Kernel Density surface estimation of the incident crime distributions were developed for the two police districts. As common with spatial analysis of population data, utilizing the address location of the entire population of crime incidents published online by the Houston police department helped to void the introduction of bias due to sampling error. Total matching of geocoded crime locations, including matched tiers was on the average 93.2 percent for the five time periods. Recorded crime incidents included all reported violent and property index crimes. The average number of each crime type indicates the prominence of theft, followed closely by robbery and burglary. The data collection and individual incident coordinate location is limited by the Houston Downtown police record management system. In spite of the limits of geographic

coordinate precision, our uniform methodological approach voided to a great extent the encroachment of errors and our analysis considered groups of clusters based on hierarchical aggregation and continuous density surface estimations rather than individual point distributions. The Nearest-Neighbor Hierarchical Spatial Clustering tools, construct standard deviation ellipses around the hot spots. The principle basis for the ellipses is to further define and make the hotspot more visible. Additionally, convex hulls, a form of the empirically determined ellipse, was also used for statistical validation. The Kernel density estimation was used to realize the continuous surface density of the spread of crime across the area. To determine the temporal implication of this ‘triangulate events arena’ on crime compared to the other hot spots in the study area, there was an examination of the distribution of crime for a 5 year period between 2009 and 2013. Esri’s Arc Editor Software was used to geocode the general crime incident data to the downtown Houston street network data, and likewise for the visualization of the consequences of both the hot spots and kernel density estimates after analysis in the National Institute of Justice (NIJ) Crime Stats software. All kernel density analysis was done using uniform interpolation with a fixed density bandwidth. The uniform interpolation spreads the densities gently from the incident points across the area. This method is more appropriate for appreciating the risk surface of crime from one area to the other compared to triangular and negative exponential methods that produced abrupt distinctions from the points of incidence, and to limit edge effects compared to the normal method of interpolation. For the density estimation an interval of 0.25 miles was chosen. This is most frequently chosen by crime analysts to examine the hot spots at closer defined micro levels. Experience shows that a radius of 0.25 miles around an incident point has a smoothing effect on the surface density estimate for small to medium city size analysis (Bruce & Smith, 2011). All the data used for mapping were initially projected into NAD\_1983\_StatePlane\_Texas\_South\_Central\_FIPS\_4204\_Feet.

## Results

Table 1, 2 and Figure 5, 6 show the distribution of crime incidents and crime clusters within the 45.5 sqmi study area in downtown Houston. An initial examination of the crime incidents using fuzzy mode analysis in crime stats showed the relative abundance of hotspots across the study area, Table 1. Because the incident points are located as radius of the circles, the tangents of the circumferences combine to form an area of incident concentrations. Fuzzy mode is particularly useful where the concentration of hotspots facilitates the identification of the location with the highest crime concentration (Bruce & Smith, 2011). The nearest-neighbor hierarchical spatial clustering was then developed. The result of the NNH consolidates this process through a step-wise development of clusters (Figure 1). Each NNH micro (primary) formed part of a larger neighborhood size macro (secondary/tertiary) cluster. In this report, we anticipated that to have a relatively reasonable coverage of about 15-20 block neighborhood dimension, we choose to use the NNH

spatial clustering up to a third order (Figure 4). Subsequently, we developed a single kernel uniform density surface for each of the five distributions to estimate the risk of crime in nearby locations. The second stage was to develop the kernel density surface estimate to show the continuous surface risk of crime in each of the crime incident distributions over the years (Figure 5). All the results of the analysis in crime stats were mapped and viewed in Esri's ArcGIS.

The major crime hotspots for the five distributions (2009-2013) occurred in police district I only. The location of most of the hot spots was within range of  $1.0 \pm 0.25$  miles north and  $0.6 \pm 0.15$  miles south of Hwy 59. The results of the NNH third order spatial clustering, Figure 5, shows four pronounced regions of crime concentration in district 1. We used a second and third cluster hierarchy to examine the extents of crime concentration. Accordingly, a descriptive analysis of the distribution, Table 1, indicates that while the four hotspots accounted for 52% of the total crime incidents for that period, they jointly comprised a land area of only 2.8 mi<sup>2</sup>, which is only 6.2% of the entire study area. The downtown sporting events quadrant on the eastern end of the Houston downtown was responsible for 25.5% of the total crime incidents, and 48.3% of the joint cluster incidents. In the quadrant area, the crime incidents were clustered on a land space of 0.88 mi<sup>2</sup>, accounting for just 1.9% of the entire study area. The intensity of crime within the events quadrant area (446 incidents to 1 mi<sup>2</sup>) was more than two times as dense as the other three combined cluster area total (212 incidents to 1 mi<sup>2</sup>).

The number of NNH clusters to the second order increased from 4 in 2009 to 15 in 2010 (Table 1). By close evaluation these sets of secondary clusters could be aligned within a set of four, distinct third order clusters. The hotspot arrangement indicates that crime hotspots were much more spread out in 2010. Similar to 2009, the land area of the hotspot zones in 2010 was near 6% of the total study area, and they returned close to half of the crime incidents (46.2%). Though the number of second order hotspots and the number of crime incidents for the hotspots increased by 400% and 370% respectively in 2010, the percentage of crime that occurred within the hotspots and the area contained by hotspots was comparable to 2009, Table 1. This means that within the hotspot regions, 1% of the total study area is responsible for 8% of the total crime incidents. Between 2009 and 2010, the shifts in the number and location of the crime incidents obviously did not impact the intensity of crime concentration in the hotspots. In addition, a single hot spot in the center of the events quadrant retained the single highest number of crime incidents (14.5%) of the joint hotspots incidents and 6.7% of total incidents in only 5.8% of the joint cluster area, and 0.3% of the study area respectively. Taking the 2010 distribution to a third order NNH, the four second order hotspots created within events quadrant accounted for 17% of the total crime incident, unlike in 2009, we notice a set of 3 microsecond-order hot spots that extend to the intersection of Hwy 610, and Hwy 59 at the southwest end of the police district I, close to the Houston city limits. Similarly, less than 5% of the study area contained more than 30% of the crime incidents in 2011, 2012, and 2013.

	2009	2010	2011	2012	2013
<i>Subject</i>					
Total no. of incidents	1557	5820	6812	5507	833
Total no. of hotspot incidents	812	2705	2543	3187	256
No. of second order hotspots	4	15			1
No. of third order hotspot	Nil	1	3	4	Nil
% no. of incidents in hotspots	52.1	46.2	37.3	57.2	30.7
Total study area (sqmi)	45.57				
Total area density (incidents/sqmi)	34	127	149	120	18
Total area of hot spots (sqmi)	2.8	2.3	2.8	5.3	1.0
%Area of hotspots	6.2	5.2	6.1	11.7	2.2
Total no. of EQ hotspots incidents					
Second order	393	1005(4)			256
Third order	Nil	Nil	1177	1072	Nil
EQ hot spot area (sqmi)	0.88	0.51	1.1	1.1	1.0
EQ density (incidents/sqmi)	446	1970	1070	974	256
EQ % of total incidents	25.5	17.1	17.2	19.4	30.7
EQ % of hotspots incidents	48.3	37.1	46.2	33.6	100
EQ % of total area (sqmi)	1.9	0.3	2.4	2.6	2.2
EQ % of hot spots area (sqmi)	30	5.8	39.2	10.1	100

*EQ is an abbreviation for the events quadrant at the eastern end of the study area  
Only January –May incident data were available for 2013 analysis*

Table 1. Summary of incident data and hotspot capture area in Houston Police Districts I and II from 2009-2013.

CLUSTERS	2009	2010	2011	2012	2013
<b>First Order</b> (Primary)	30	148	192	168	
<b>Second Order</b> (Secondary)	4	15	22	18	1
<b>Third Order</b> (Tertiary)	Nil	1	3	4	Nil

Table 2. Nearest Neighbor Hierarchical Hot Spots Ordering Variation: number of clusters. The clusters are ordered according to magnitude and their stepwise order of formation. Primary clusters are the micro clusters which form the initiating hierarchy of the NNH clustering sequence. Secondary clusters are larger and form the next hierarchy. Then followed by tertiary and larger neighborhood clusters. Analysis was based on the distribution of tertiary clusters.

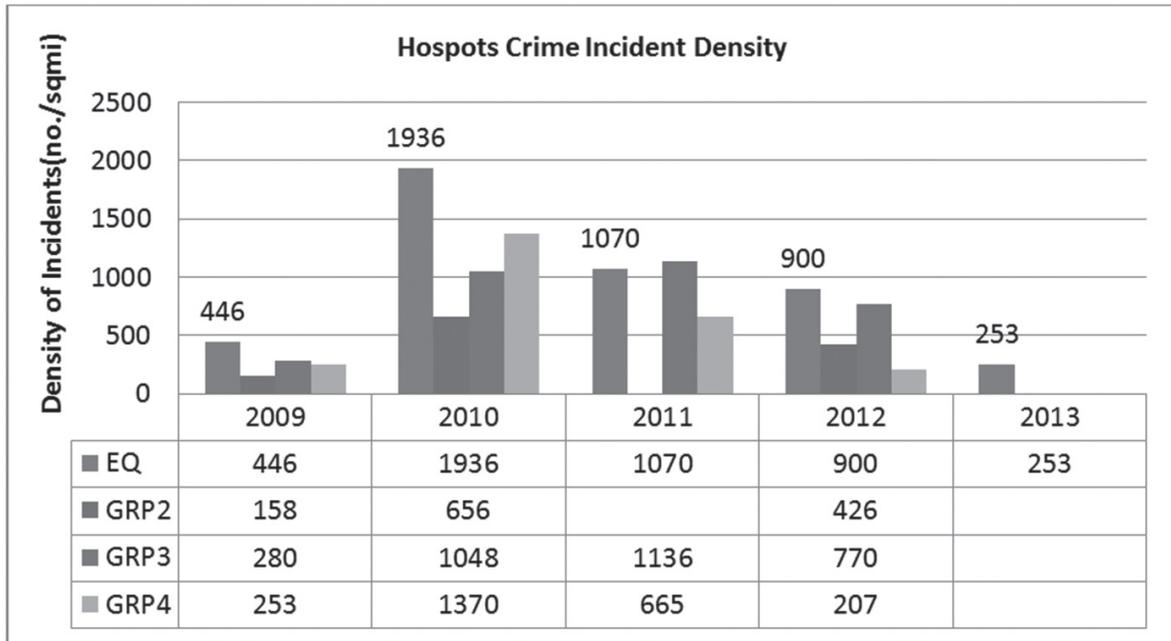
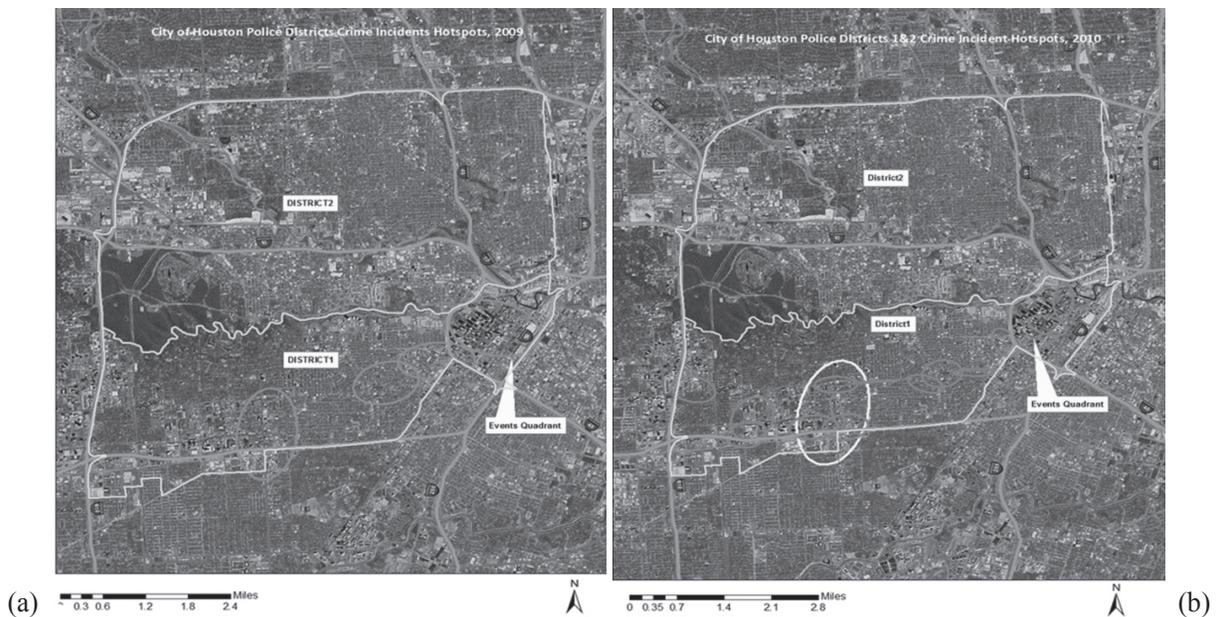


Figure 3. Plot of density of crime incidents in City of Houston Police Districts I and II Hotspots per square mile, 2009-2013.



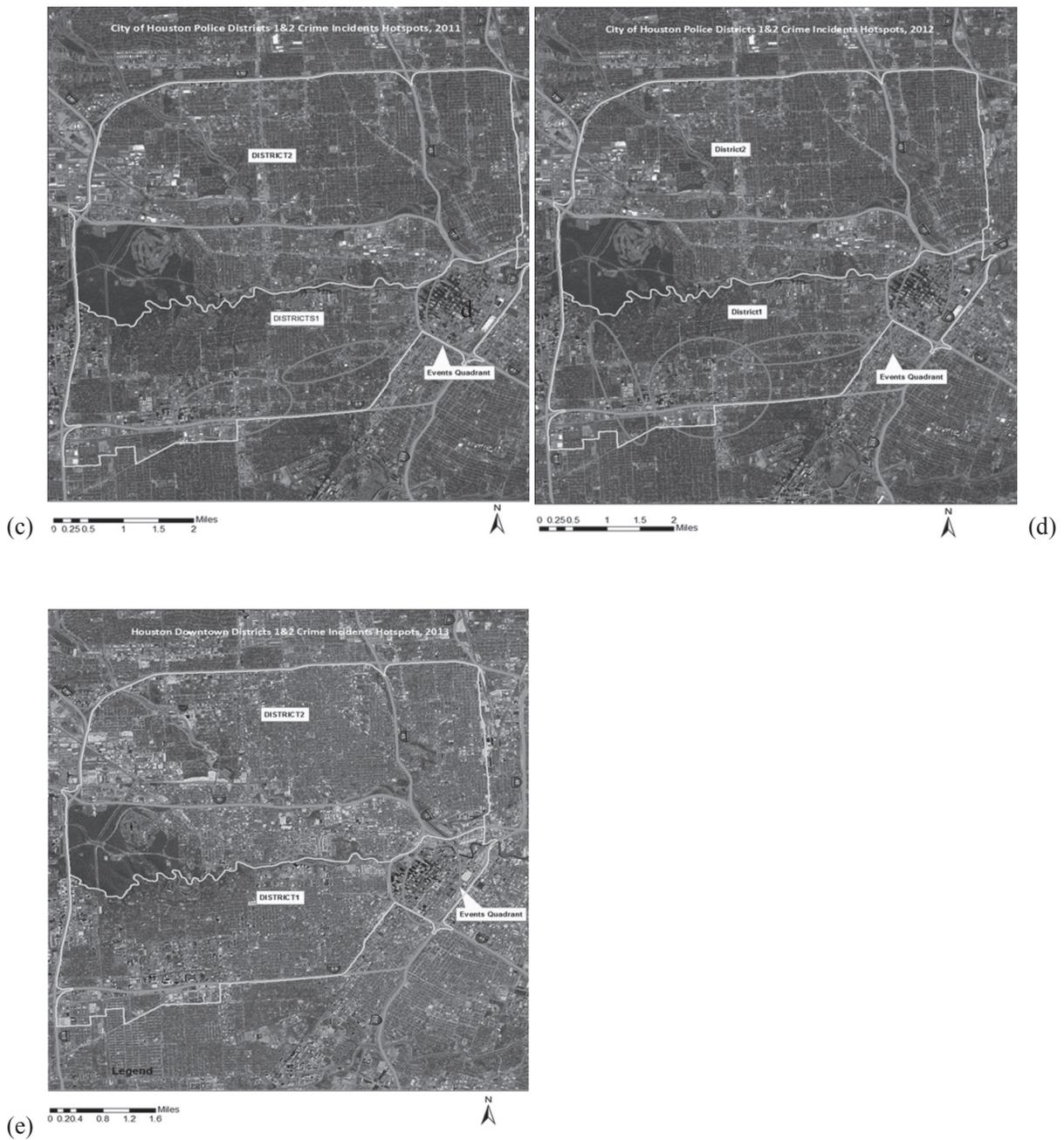
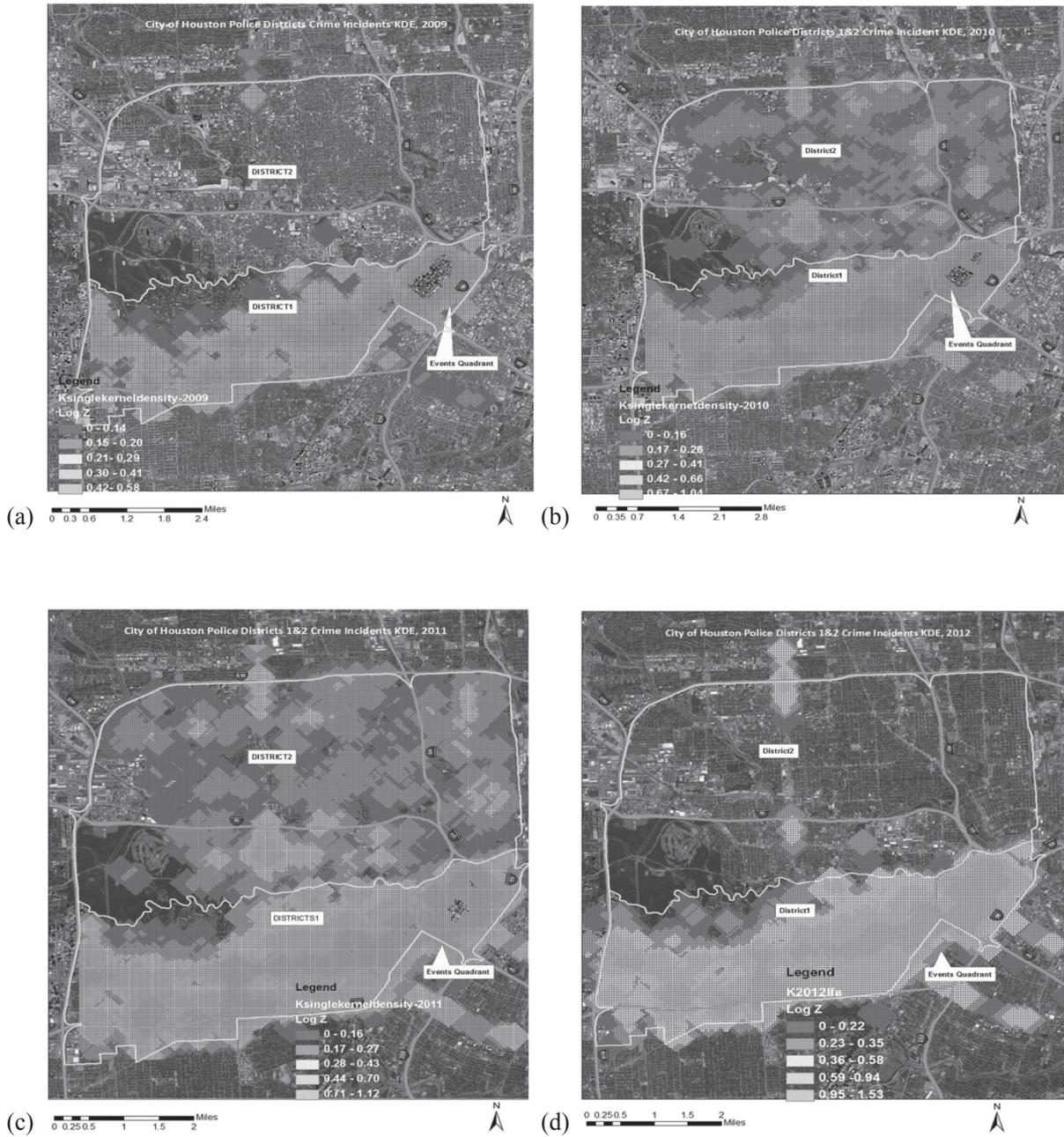


Figure 4. Nearest Neighbor Hierarchical Clustering (NNH) of crime distribution in the City of Houston Downtown Districts I and II, 2009-2013. (a) 2009 (b) 2010 (c) 2011(d) 2012 (e) 2013. The vanishing and appearance of hotspots between localities over the years is an indication of crime displacement.

The maps of the kernel density estimation results are shown below.



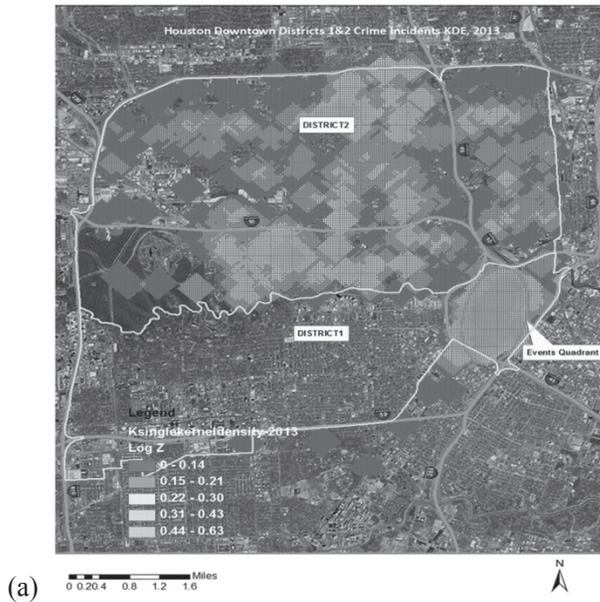


Figure 5. Continuous Risk Surface Estimation (KDE) of crime distribution in the City of Houston Downtown Districts I and II, 2009-2013. (a) 2009; (b) 2010; (c) 2011; (d) 2012; (e) 2013. Intensity of risk is higher around the hotspot areas. Risk highest at center of EQ. Hotspots extend beyond Nnh STD ellipses.

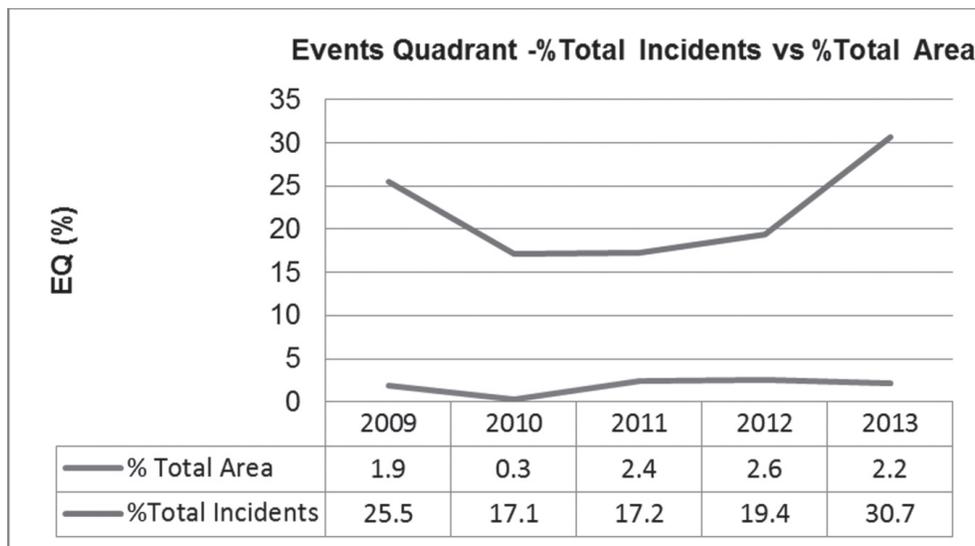


Figure 6a. Comparison of %total study area and %total incidents of Events Quadrant Hotspot, 2009-2013.

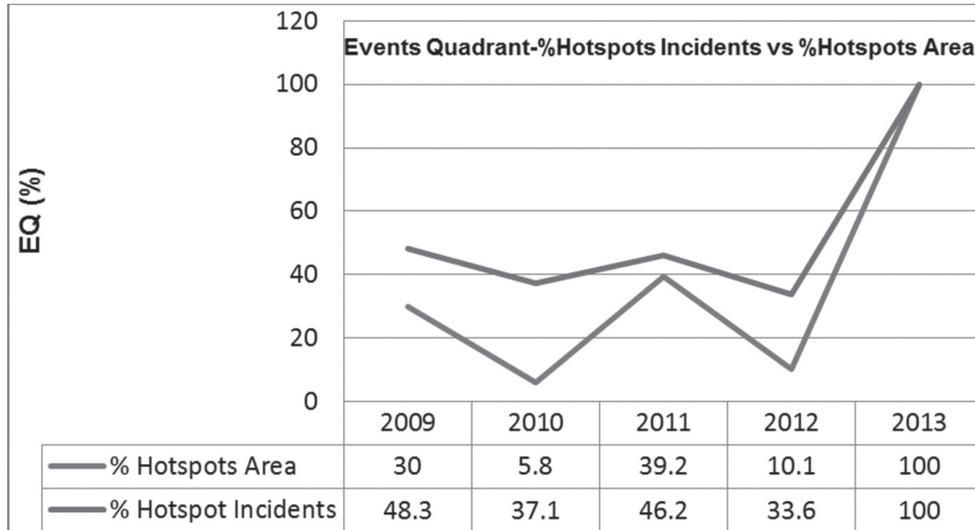


Figure 6b. Comparison of %total hot spot area and %total incidents of Events Quadrant Hotspot, 2009-2013.

## Discussion

Neighborhood related theories such as the Routine Activity and Social Disorganization inform that guardianship in a neighborhood makes crime less likely to occur because it warns the criminal. Additionally, these theories state that organized neighborhoods deter crime. But what variant of guardianship establishes deterrence? And secondly, is the movement in space bounded by political and administrative units/social and economic neighborhoods? Clearly, a lack of guardianship has been identified with areas of high criminal activity (Spelman, 1995). Consistent with the objectives explored in this study; to determine the locations of crime concentration, movement of hotspots, and the spatial distribution of risk from 2009-2013; two spatial optimization techniques were adopted to estimate the impact of location on criminal activity. Beyond the identification of census tracts as administrative units and as an incident location in previous studies (Quick, 2013), NNH analysis detected primary clusters across the study area. Secondary and tertiary neighborhood clusters were detected only in police district I (Figure 4a-e) along the route of Highway 59. With the NN hierarchical clustering techniques each category of cluster encloses the one preceding it. Thus the primary, secondary and tertiary clusters fall within the same location. The KDE analysis shows that the intensity of risk is higher around the hotspot areas. The risk of crime was particularly high at the center of EQ (Figure 6a-e), as equally evident clusters within EQ recorded the highest crime density per square mile except in 2010 (Figure 3). Generally, the intensity of risk of crime was lower in district II, where large neighborhood crime clusters did not occur. NNH cluster techniques are useful for devising tactical and strategic law

enforcement deployment for crime control, and to examine the temporal segmentation of crime hotspots. (Levin, 2004; Everitt, 1979; Canter and Tagg, 1975). In the NNH analysis, the crime incident point location determined the clusters. However, because the areas and density of an ellipse formed around the areas of crime concentration is not based on a mathematical function, but is rather a geometrical abstraction, the reliability of an ellipse was corroborated by creating convex hulls clusters of the crime incidents which represent real clusters with mathematical functions. Additionally, the STD ellipse does not incorporate all the points as the clusters obviously continue beyond ellipses (Levine, 2004). The temporal movement, vanishing, and appearance of clusters from 2009 to 2013 is an indication that crime was being displaced from one location to another between the years (Figure 5). Being an exploratory work, the study did not extend to the analysis of the location characteristics of the two districts such as a population demography, socioeconomic, land use characteristics.

Following similar past studies, visual analysis of the cluster locations on the map were used to explain the possible spatial relations that could determine the concentration of crime in particular locations (Quick, 2013). This has shown that the crime clusters for each of the distributions are located in the following areas in district I (Figure 4 and 5): (1.) In 2009, four major tertiary clusters were identified as EQ, GRP1, GRP2 and GRP 3 (Figure 3). One of the clusters was specifically located within EQ. EQ is located within a trapezoid formed by the intersections of Hwy45 and Hwy 59 on the eastern end of Houston Downtown, and bordered by Avenue de la Americas. The second cluster is located around the intersection of Hwy 45 and West Gray, Smith and Louisiana streets; north of Hwy 59. The third cluster is bordered on the north by the intersection of Gray street and Studemont street, and on the south by Alabama street/Studemont. This area specifically surrounds the Westheimer road and Studemont street intersection. The fourth hot spot was located around the Kirby drive area just north of Hwy 59. (2.) The crime clusters were broken up into smaller secondary hot spots in 2010. Though broken into three non-distinct crime cluster regions, the GRP2 yet followed along the Westheimer Road and Studemont street intersection. GRP 3 cluster relocated to four hot spots in the area within the intersections of (a) Kirby street and Westheimer road, (b) Kirby and West Alabama, (c) Richmond street, Kirby and Hwy 59. However, the GRP 4 hotspots (Figure 4) followed the Wesleyan and Richmond street intersections. A fifth hotspot encircled the intersection of Hwy10 and Westheimer road. (3.) While EQ retained its tertiary crime cluster, GRP 2 hotspots vanished in 2011. The GRP3 hot spot stretched from the McGowen street and Hwy 527 intersection in the area around the Dunlavy street and the West Alabama street. A third hot spot for this distribution continued from the Dunlavy street and West Alabama intersection, across the Kirby street to the Buffalo Speedway and Richmond Avenue intersection. (4.) The hot spots in 2012 followed a similar pattern of location as the year 2011 with the exception of GRP4 which stretched across Hwy59 close to the Buffalo bayou border with district II. This area surrounds the intersection of Westheimer road and Wesleyan street, and Richmond Avenue and Wesleyan street. (5.) Only one tertiary hotspot located within EQ was formed by the NNH analysis in 2013. (6.) In all the five distributions, clusters were not detected close to the Buffalo

Bayou route which physically separates Districts I and II. From this visual analysis, the crime hotspots appear to run along and cut across Hwy 59.

Some very significant questions arise from these determinations; especially in relation to EQ. Why is crime permanently located within EQ? What determines the high risk estimate within EQ? What factors determine crime displacement within the two districts? Why is there not a second or third order hotspot in district II? The concentration of crime along the areas north of Hwy 59 may suggest the impact of this very important transportation route to the possible inflow of offenders into district I. Additionally, the concentration of crime in EQ from year to year may suggest that the pop culture reflected by the events held within the area has a high attraction for criminal offenders. It is then logical that EQ will have the potential for crime concentration. It is implied that these sporting cultures and its motivation for offenders could possibly be withstanding additional guardianship by law enforcement interventions often required in such event areas. Additionally, the Hwy 59 transportation belt bordering the EQ could serve as an access route for the unemployed across the state and from outside, who seek work in Downtown Houston. While the crime incidents concentrated in EQ in 2013, showed a single tertiary neighborhood hotspot for that year, the crime was more spread out in district II compared to district I (Figure 6e), and the previous years. This indicates a likely displacement of crime from 2012 hotspots in district I to district II. However, as evident from the previous years, EQ maintained a crime hot spot which comprised 30.7% of the total crime incidents in 2013 (Table 1), and a crime density of 446 per square mile which compares to the previous years (Figure 4). In comparison to the concentration of pop culture centers in district I, district II comprises a concentration of arts centers within the popular City of Houston Museum District. It is not unlikely that the nature of socioeconomic activities and land use in this area contributed to its limited crime incident concentration. It will be interesting to further examine the relationship between the crime incidents and differential policing plus the exact time in the year when major events are held within the two districts. With the exception of the 2013 distribution which returned a single tertiary cluster located at EQ, it is evident that each of the distributions returned almost equivalent land area and number of crime incidents in the hot spots in district I (Table 1, and Figure 7a & 7b). This indicates that though the location of the crime hotspots with the exception of EQ moved between the years, the total area occupied by the hotspots remained almost the same. Further confirming the results of numerous studies on the shared reality of crime displacement (Barr and Pease, 1990; Bowers, 2011; Cornish & Clarke, 1987).

In the kernel density maps, colors are used to represent the crime densities on a continuous surface. The peak areas of crime incidents are shown in green, and followed in the order of decreasing density by the light green and yellow areas. The areas with less concentration of crime incidents are represented with the maroon red color. The colors show that the density of crime varies across the study area. The green representation of crime density within EQ from year to year further confirms that EQ returned peak crime density in all the five distributions studied. But the KDE maps for 2009, 2010 and 2011 highlight some areas within the EQ with zero crime risk. It is possible that even within EQ a measure of differential policing and

guardianship occurs that may lead to disparate crime rates. In the KDE maps the peak risk areas of crime followed the order of hot spots in Figure 4 along the route of Hwy 59 from the eastern end of the Houston Downtown in District I to the city of Houston limits at the western end close to Hwy 610. Though, in the KDE continuous risk surface maps, second and third NNH clusters were not evident in District II, some peak green colored crime locations were evident in that district in 2010, 2011 and 2013. The KDE allowed us to visually determine crime density at all locations, including areas beyond the arbitrary designation of NNH hotspots. The determination of the crime density is a useful tool for saturated policing interventions (Sherman and Weisburd, 1995). Evidently, these crime hotspots follow the major street arteries and intersections in the district I along Hwy 59. Quick (2013) observed a similar pattern of clustering of crime incident along the intersection of Hwy 400 and 401 and south of the Gardiner expressway in the city of Toronto in Canada. The visual determination of the location, density and mobility of these hotspots over the past five years invokes further inquiry into the forces behind the distribution of crime in this important hub of business, entertainment and high-income residence in the city of Houston.

It is possible that crime in EQ is responding to other factors from nearby neighborhoods in addition to the concentration of events. While, crime concentration is commonly identified with demographic variables such as population density (Quick, 2013), it has been especially prominent in metropolitan areas. Illegal drug crime in downtown areas has been associated with the high population of prospective customers for the proceeds of crime such as the young and unemployed (Rengert et al., 2000). The disaggregation of the data, used in the present study, will most likely reveal the crime types that are principally responsible for these hotspots, and the forces that are shaping the concentration and movement of crime within these districts. Being an exploratory examination on Houston Downtown there are still many questions that need to be asked. For instance, why does district II have a lower concentration of crime? The museum district is as active as district I with approximately 8.7 million visitors per year. However, based on data observation, crime is not as dense or comparable to those committed in district I. Weisburd et al. (2006) discussed spatial displacement and the effect of saturated policing on crime diffusion into other neighborhoods. Supplemental demographic data will be needed to determine whether this is a factor between the two districts or a new phenomenon taking place (Weisburd et al., 2006, p. 551). Moreover, this particular neighborhood is surrounded by high-end housing, multiple museums, zoo complex, green space, CCTV on private and public property, and a transient visitor population comparable to district I. Other questions which must be raised align with another study by Konstantaki and Wickens (2010). Konstantaki and Wickens addressed resident perceptions concerning London's involvement with the 2012 Olympic Games. London is primarily one of the top tourist destinations in the world; however, the study indicated a lack of government and public communication to assure residents of their safety. Houston attracts many large events and in 2016 will once again host the National Football League's Super Bowl. The research of public perceptions of city safety and policing is now a fixture in tourism journals. Robin Nunkoo and DoganGursoy (2012) suggest that a response to tourism by residents are of great importance and is often

overlooked. Future research for this exploratory article will extract pertinent citizen attitudes toward tourism and large event venues to consider replicating their various outcomes (Andereck&Nyaupane, 2011).

### **Conclusion: Appraising Crime Control Practices**

In this exploratory study of forty-five and one-half square miles of the city of Houston Police Districts I and II, a measure of crime displacement between 2009-2013 was evident in District I. Four primary large neighborhood clusters are identified. Equally, we find a high concentration of the crime incidents within a popular events quadrant at the eastern end of the study area where the crime density remains high between the years. A closer comparison of crime control practices at the crime clusters location would require an analysis of land use and demographic attributes not covered in this exploratory study. The cluster techniques adopted allowed analysis of smaller units. Weisburd et al. (2006) similarly identified the importance of analyzing small area units like street intersections and street corners for crime control purposes as compared to large administrative and political units like census tracts and zip codes. Smaller administrative units like intersections and blocks and block groups would be relevant to the determination of the role of neighborhood characteristics to the concentration of crime in the clusters observed in district I, and the lack of development of similar secondary and tertiary clusters in district II. Additionally, a more detailed analysis should explain the neighborhood characteristics of the few peak crime locations revealed by the KDE analysis, and why those few areas had such peak crime concentration. For law enforcement purposes, the KDE process is useful for locating at risk populations in crime prone areas (Bruce and Smith 2011; Levine, 2004). Most importantly, the determination of the underlying causal forces for the concentration of crime in these two police districts in the city of Houston Downtown is important for the development creative crime control solutions such as land use policy modifications, population mobility and community involvement beyond the single factor of law enforcement interventions.

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# Chinese Cadets’ Perception of Police Training and Education

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**Abstract:** Police colleges and universities have been established in China to assure that aspiring police officers are both well-educated and well-trained. Broadening the educational scope of police cadets for modern policing methods is clearly a significant advancement. By liberalizing police education, however, there is a potential for high school graduates to view police colleges as a way of obtaining a bachelor’s degree, rather than as a gateway into the policing profession. This paper examines the perceptions of training and education of a sample of Chinese police cadets in order to assess their relative appeal. We hypothesize that students who are committed to a policing profession will show greater favor for training-related curricula, and those who favor more academic subject matter will find training regimens less appealing.

## Introduction and Literature Review

The association between attitudes and behaviors in professional training and education can be seen as involving the relationship between attitudes that trainees bring to their training and its impact upon their internalization of professional roles (Zedeck, Middlestadt, and Hayes, 1981; Phillips, Sobol and Varano, 2010) and also on the impact of learning on shaping their attitudes toward professional standards and practices. These relationships are commonly repeated in the literature regarding the education and job performance of police officers (Johnson, 2011; Paterson, 2011; Karp and Stenmark, 2011; White and Heslop, 2012; Cordner and Shain, 2011; Dominey and Hill 2010).

Two general theories have been proffered as explanations of occupational attitudes of police officers. The occupational attitudes perspective that new police officers bring into the professional training has been labeled “predisposition theory” (Roberg et. al. 2000, Sun and Payne, 2004). By contrast, the differential socialization/experience theory views police officer’s attitudes as shaped by experiences in profession

(Roberg et al. 2000). Oberfield (2012) references these perspectives as “self-selection” and “socialization

Chinese police cadets’ attitudes toward police roles and practices have not been the subject of much empirical research. One study was conducted by Sun, Cretacci, Wu and Jin, (2009), which applied importation and socialization concepts in examining the attitudes of Chinese police cadets toward four general police roles. The resulting models provided weak statistical support explaining between 6% and 12% of the total variation among cadets and produced no statistically significant model explaining their level of support for the police tasks of order maintenance, preventative patrol, law enforcement and community building. A second study, conducted by Cuvelier, Jia and Jin (2015), produced significant results that explained 17% to 22% of the total variation among cadets for each of the four police roles. The value cadets placed on practical (skills) education and academic education were the primary predictors for the most contemporary police roles (preventative patrol, law enforcement, and community building).

Police training and education in China has advanced from training academies to colleges, which has introduced a broader academic base to the curriculum. This has resulted in a more well-rounded educational experience and has been instrumental in shaping prospective and incumbent police officers for contemporary policing strategies and methods.

## **The problem**

With the transition from academy to college, the emphasis on police skills have broadened to include a richer, liberal arts education. With this educational experience, applicants to the police colleges may see the police colleges as a means of obtaining a bachelor’s degree with less interest in entering the police profession. To address this issue, we state the following proposition; the value respondents place on education or training reflects their expectations of their future role and the value of their learning experiences in preparing them for that role. This implies that those cadets who seek a policing career should place greater value on training and internships while those who seek a college degree will place less interest in police training and internships.

## **The Instrument and sample**

The survey instrument consisted of 48 items organized into five parts. Part one consisted of twenty questions covering the reasons why the respondent had chosen policing as a profession (Motivation). Part two consisted of five questions covering cadets’ perceptions of order maintenance as a policing priority. Part three consisted of ten questions which asked cadets to prioritize a set of policing goals. Part four consisted of respondents’ opinions on six educational and training priorities. This was the most important data for this

study. And part five consisted of demographic and social information on respondents.

The data were collected from a provincial police college. The College is recognized as one of major institutions of China in police education and training of new police officers as well as provincial, national and international programs for continuing education and training. Data collection was conducted by the college administration and permission was granted to the authors for its use in this study. Anonymous surveys were distributed to second year police college student volunteers and were administered by assembling the students in two groups, seating the students under exam conditions, and administering the surveys. A total of 385 surveys were collected from a stratified sample by major, including the Pilot program participants, who had already obtained a college degree elsewhere and were taking courses to qualify them for police work.

## Analysis

Sun et al. (2009) used two items which were “fight against the crime” or “enforcing the law” to represent the variable “job motivation.” The present survey provided 19 possible motivations for respondents choosing a law enforcement as their career (see Table 1). Factor analysis produced the same two items used by Sun, et al. (2009) into a single scale but in addition, the other items loaded into five distinct components with eigenvalues of 1 or greater. Those five distinct components are “outside influence”; “protect and serve”; “economics”; “authority” and “no other choice”. The Cronbach’s  $\alpha$  of each component showed that each of them had very high reliability: the Cronbach’s  $\alpha$  of the scale of outside influence equals to .869, the Cronbach’s  $\alpha$  of the scale of protection orientation equals to .838; the Cronbach’s  $\alpha$  of the scale of economic orientation equals to .865; the Cronbach’s  $\alpha$  of the scale of prestige orientation equals to .830 and the Cronbach’s  $\alpha$  of the scale of no other choice equals to .701.

Responses to Part four items showed a generally high value among cadets. The averages and standard deviations for “Basic Literacy” was  $\bar{x}=4.72$ ,  $sd=0.621$  (Very High), “Paying Attention to the Study of Police Professional Work” was  $\bar{x}=4.18$ ,  $sd=0.418$  (High), “Enhance Practical Skills” was  $\bar{x}=4.87$ ,  $sd=0.350$  (Very High), “Cultivate Ideation” was  $\bar{x}=4.47$ ,  $sd=0.668$  (High), “Individualized Education Methods” was  $\bar{x}=4.74$ ,  $sd=0.500$  (Very High), “Internship Length” was  $\bar{x}=2.68$ ,  $sd=1.329$  (between 3-6 and 6-9 months). When combined into two scales, the result was a Cronbach’s alpha of .589 for “Education” and .666 for “Skills.”

**Table 1 Factor analysis of reasons why cadets choose police as a career (N=382)**

Components	Items	coefficient
Family socio-economy status	Father's education	.869
	Mother's education	.866
	Parents' combined monthly income	.653
Cronbach's $\alpha$		.718
Outsideinfluence	influence of parents	.637
	influence of siblings	.871
	influence of relatives	.868
	influence of teachers	.847
	influence of classmates or good friends	.806
Cronbach's $\alpha$		.869
Protect and serve	the chance to fight crime	.896
	the opportunity to help people	.847
	the enforcement of the law	.874
Cronbach's $\alpha$		.838
Economics	need for a steady salary	.865
	the security of the job	.827
	good salary and fringe benefits of the job	.829
	early retirement and good pension	.879
Cronbach's $\alpha$		.865
Authority	working on your own with autonomy	.827
	the authority and power associated with the job	.914
	the prestige and status of the occupation	.851
Cronbach's $\alpha$		.830
Notherchoice	no other choice	.877
	just try it to see if I fit into the work	.877
Cronbach's $\alpha$		.701
Educational perceptions	paying attention to the study of basic courses	.613
	Using traditional speculative teaching methods to cultivate ideation	.578
	paying attention to interactive and independent educational methods,	.753
Cronbach's $\alpha$		.589
	paying attention to the study of police professional work	.739
	using the practical training teaching methods	.615
Cronbach's $\alpha$		.666

Table 2 shows the summary information for other variables entered into the analysis. Family SES was calculated by factor analysis including both father’s and mother’s highest level of education ranging from 1 = illiterate to 6 = college degree and above and total family income, ranging from 1= under 1,000 RMB (approximately 170 USD), 2 = 1,000 to – 3,000 RMB, 3= 3,000 to 6,000 RMB, 4 = 6,000-10,000 RMB, 5 = above 10,000 RMB. These three items loaded into a single factor, shown in Table 2, with loadings ranging from to .653 to .869. Chronbach’s alpha was .718 and the factor explained .644 percent of the variance across items.

Five named majors and one undeclared group was included in the present study. The majors included “International police cooperation”, “Order maintenance”, “Traffic Control”, “Anti-terrorism”, and “Public security intelligence”. The majors were measured as a categorical variable that 1=international police cooperation, 2=order maintenance, 3=traffic control, 4=anti-terrorism, 5=public security intelligence, and 6=unknown.

Cadets’ perception of existing educational programs was included to reflect cadets’ orientation toward police work. For example, the level of importance respondents place on police skills, basic literacy, critical thinking, etc., may reflect different orientations toward specific policing styles. An orientation toward community building or applying contemporary models of law enforcement, for example, may be associated with greater emphasis on education, whereas more historical models of policing, involving order maintenance or preventative patrol may be associated with less education, shifting cadets placing greater emphasis on practical training.

Cadets’ perception of their educational experience was measured as an scale constructed from a principal components analysis of five items where respondents were asked whether they (1) paying attention to the study of basic courses, and to cultivate basic literacy of undergraduates; (2) paying attention to the study of police professional work, and to master policing skills; (3) using the practical training teaching methods, enhancing practice and cultivating practical ability; (4) using traditional speculative teaching methods to cultivate ideation; (5) paying attention to interactive and independent educational methods, and to stimulate students’ studying. The responses to these items were categorized into four levels with the scores ranging from 1 to 4: most important (4); a little important (3); less important (2); least important (1). Items 1, 4 and 5 produced a factor for education, and items 2 and 3 were factored to produce a score for skills.

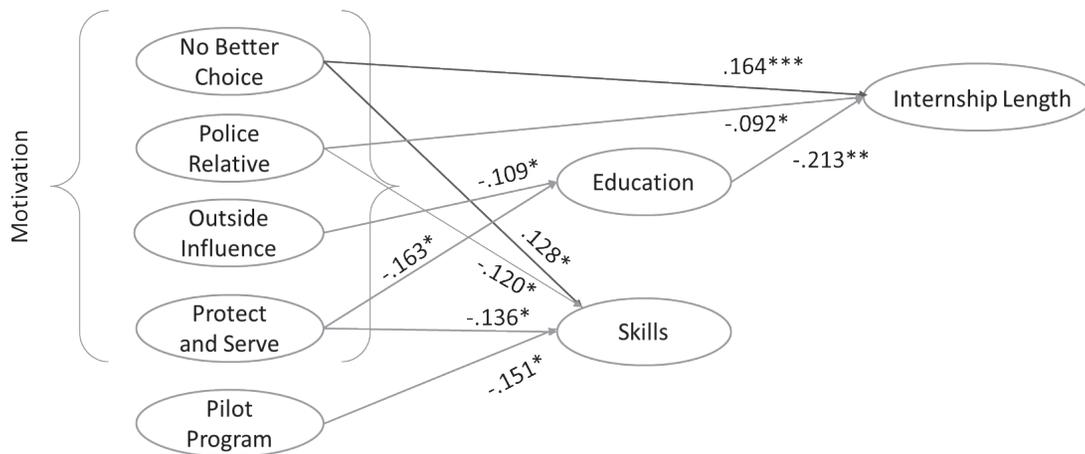
**Table 2 Descriptive statistics**

Variable	N	Mean/percentage	SD	Minimum	Maximum
<b>Dependent variables</b>					
Preventive patrol	382	1.20	0.44	1	3
Order maintenance	382	8.16	2.62	4	16
Law enforcement	382	3.40	0.87	3	9
Community building	382	4.01	1.42	3	12
<b>Independent variables</b>					
<b>Original Sun et al. (2009), (Block 1)</b>					
Age	382	22	2.62	18	29
Relative a Police Officer	382	1.67	0.47	1	2
Outside influence	382	12.84	5.13	4	25
Protect and Serve	382	5.32	2.40	3	15
College Graduate	162	42.4			
Gender	382	100	0.00	0	1
Female	59	15.4	0.00		
Male	323	84.6	0.00		
Family SES	382	9.56	2.91	3	20
<b>Majors (Block 2)</b>					
International police cooperation	30	7.9			
Order maintenance	156	40.8	0.00		
Traffic control	72	18.8	0.00		
Anti-terrorism	17	4.5	0.00		
Public-security intelligence	23	6.0	0.00		
Others	84	22	0.00		
<b>(Block 3)</b>					
<b>Reasons</b>					
Economic	382	8.05	3.46	2	20
Authority	382	7.42	3.08	2	15
No other choice	381	7.33	2.36	2	10
<b>(Block 4)</b>					
Educational Perceptions	382	6.52	2.01	5	17

## The Findings

Path models were constructed, which trace the significant relationships through a sequence of independent and dependent variables. The social, demographic and motivational variables were used to predict the level of support for education, training, and internship length. Education and training variables were the initial dependent variables, but were added to the independent variables when internship length was modeled. Figure 1 shows the complete path model with only the significant variables.

Figure 1. Path Model for Cadet’s Perception of Education and Skills Training and Internship length.



Only the motivational variables and respondents who are college graduates (Pilot Program) were the only significant attributes. Cadets generally value both education and skills training highly. Within this generally high value we make the following observations: (1) education valuation is inversely related to internship length preferences, (2) support for skills training is not associated with internship length preferences, (3) cadets’ motives for studying at the police college provide the best predictors of their valuation of education, skills and internship length, and (4) motives predate exposure to learning, which supports importation theory.

Cadets who have a police officer relative tend to show lower than average valuation of skills training and internship lengths. These relationships are both significant ( $p < .05$ ) but weak. No attempt to interpret these findings has been made.

Cadets who express motivation to protect and serve the public show a diminished valuation of on-campus curriculum, both academic and skills. The inverse relationship with education and education’s inverse relationship to internship length preference suggests that these cadets are more likely than average to favor longer internship lengths. Likewise, those cadets who were influenced by others to enroll in the police college, show a lower than average rating of the value of their education, which would in turn suggest that they are more supportive of longer internship lengths.

Pilot program cadets (entering with a college degree) are not differentiated from the other cadets with regard to education, however, they do appear to be less supportive of their skills training. Skills training would be their primary focus, as they already have a college degree. Entering with a college degree would possibly set their expectations more toward academic education, with their practical police training being slightly devalued.

Respondents’ valuation of skills training and internship length preferences are not associated, contrary to our initial belief. However, their valuation of education was found to be inversely related to internship length preference, as expected. However no relationship between Education and Skills training

was not found. It would appear that cadets are differentiating somewhat between on-campus and off-campus learning.

## Conclusions

While survey respondents generally rated the value of both academic and skills education high, and internship length preferences close to current practice, some systematic differences emerged. The inverse relationship between respondents' valuation of education and internship length preference supports the perception of cadets favoring one over the other, though the expected direct relationship between skills training and internship length was not observed. Remarkably, social and demographic variables were not associated with curriculum preferences. Only the motivations for applying to the police college and prior college experience were found to be significantly associated with learning and internship preferences. While the results provide evidence of a bifurcation in cadet's interest between college education and police training, the observed differences are minor.

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# **Transnational Crimes and Police Cooperation: The policing of Chinese Organised Crime in the UK in Cooperation with China**

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**Abstract:** This paper reviews the conventional policing approaches to the problem in the UK and in China, and argues they are limited in their scope and could be substantially improved. It suggests this is possible by employing police specialists here and in-country. The evidence for the paper has been collected from interviews with the relevant law enforcement and government personnel in the UK and in China in (2010) and again in (2014/15)

It is argued the label Chinese organised crime covers several types of crime and obscures four distinct types of criminal networks which can operate independently or join together. First, there are smuggling networks who profit solely from the journey and from lending money to the migrants for the journey (Pieke 2004; Soudijn 2006; Zhang 2008). Secondly, there are business entrepreneurs who manufacture tobacco, DVD's and designer drugs in China and look to trade with legal migrants residing in the UK who might then enlist illegal migrants to distribute them. Thirdly, there are elements of the diaspora population who offer illegal services which can make a migration successful, such as in the provision of illegal employment or false documents. Then finally, there is a revolving population of at least 80,000 migrants, all desperate to earn back their smuggling fee and then make their journey worthwhile. It is these disparate, opportunistic and transnational groups which British law enforcement has to tackle.

## **Enforcement**

Unsurprisingly, given the complexities outlined above, the policing of organised crime has proved a vexing issue for British policing. Since the 1970s successive governments have acknowledged that local police units are unable to deal with the investigative complexities that it presents. Instead they have re-

positioned the threat from organised crime as a threat to national security<sup>[1]</sup> (Sheptycki 2007) and therefore deserving of national policing organisations. First came the National Crime Squad (NCS) followed by the National Criminal Intelligence Service (NCIS); then the Serious Organised Crime Agency (SOCA) and during the course of the research the arrival the National Crime Agency (NCA).

At the same time, between the years 2009 and 2013, the attempt to effectively tackle organised crime has also had to situate itself within the politics of policing austerity. In relation to the specialist policing of organised crime; the budget for SOCA was £476 million in 2009-10 while in its first year funding for the NCA will be approximately £407 million (Sproat 2014;255), with the latter having a far broader remit than its predecessor. There has also been a substantial reduction in police numbers as there are 7,000 fewer police officers at the time of writing since 2010 (TEV 2015).

These ongoing changes in the constitution and nomenclature of those tasked with policing organised crime obscure three broader and longstanding tensions which underlie the endeavour. There has been a concerted response from successive governments to increase the legislative powers available to those tasked with policing organised crime in the UK<sup>[2]</sup> thus creating a centralised national policing resource indisputably more powerful than its predecessors. Simultaneously though, there has also been a countervailing narrative that stresses the Peelian policing principles of community policing and local accountability. For example, on the one hand the same Labour government which created the post of Police Community Support Officers, on the other, created SOCA. The latter of which included former senior members of the security services and guarded its intelligence in a similarly defensive way.

The second general tension has been between those who argue that organised crime is best tackled by multi-agency approach, (be they Police, HM Customs and/or Private industry) focusing on a specific problem (such as organised immigration crime ); and those who think it be best tackled by a singular organisation with its own bespoke organised crime agent. What follows from this debate is a third tension concerning the expertise those agents. Should there be country specialists, with core expertise in for example China, or generalists who are able to tackle organised crime wherever it appears in the globe? Although there has been a clear move towards more multi-agency working (as clearly set-out in the 2013 Home Office Serious and Organised Crime Strategy), none of these three tensions had been resolved and during the course of the research it was evident that there were both specialist agents and multiple agencies, generalists and country experts (both local and national) all tasked with tackling the different manifestations of Chinese organised crime.

To unpick these broader issues, in relation to understanding and improving the policing response

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[1] Indeed the latest Home Office organised crime strategy deliberately utilises the same language of Pursue, Prepare, Prevent and Protect as is used in CONTEST its counter-terrorism strategy(HMG 2014)

[2] The most recent example being The Serious Crime Act (2015) which contains both new legislative measures to combat organised crime and also strengthens and deepens several existing measures.

Chinese on organised crime it is helpful to briefly outline the National Intelligence Model(NIM). The “NIM is a business model for law enforcement” and provides an intelligence-led approach to policing (Centrex 2005). The NIM configured criminality with a tiered hierarchy reflecting law enforcement territorial infrastructure. “Level 1 Criminality is that which occurred within Basic command units; Level 2 criminality was that which occurred at the level of the force and /or region; whilst level 3 criminality was that which occurred at national and international level” (Harfield 2008). Although much admired (James 2013) it has been recognised that the implementation of the NIM model can leave gaps in enforcement and therefore every effort should be made to join up the policing of each level. Drawing on recent interviews with law enforcing personnel working at all levels of the NIM model we will review the effectiveness of this current placing response.

### **Policing at NIM Level 1**

The policing of ethnic minority communities has proved especially problematic for the British police service (Bowling & Philips 2002), characterised by an enduring lack of trust between communities and a stubborn inability for the police service to make it visibly represent the communities which it polices’(Rollock 2009). As a minority community, the Chinese are extremely unusual in having had a specialist units dedicated to their welfare. During the 1980s the police service took the unusual step of setting up specialist units in Manchester, Liverpool and London to police their Chinese communities. By 2009, these units had been reduced to single unit, the Metropolitan Police’s Charing Cross Chinatown Unit. This unit, which had six full-time officers, was active in the borough of Westminster. Despite its immediate policing role being geographically conscribed the officers’ expertise was highly sort after nationally (Dees 2012) and continues to be so. An in-depth knowledge and understanding is vital in tackling Chinese criminality shielded by language and culture that is not well understood by the mainstream Police Service. The unit and its officers were singled out as having provided significant help, advice and assistance to national forces which were unable to make progress investigations owing to cultural and linguistic barriers (Law Enforcement Interviews 2014-15). The research revealed that their community-led approach had also proven effective from 2000, in reducing the impact of existing Hong Kong Triads, as restaurant owners reported any efforts by them to extort their profits (Dees 2012).

This is despite the fact that it is, only in the last three years that the Metropolitan police appointed a Chinese (Cantonese) speaking officer to please Chinatown, the first officer with this skill in 26 years. However rather than building on this acknowledged success and looking to recruit mandarin speaking officers who can communicate with the new diasporas from Fujian, there has been a recent retraction of the unit’s size and is now declined to the point where even the Chinatown unit in London has been dismantled. It is argued that this lack of culturally attuned language skills is not inconsequential. If, for example, a

Chinese person is stop checked by police and gives ‘Li’ as their name it will be recorded as such. However ‘Li’ can be translated into 30-40 different Chinese characters with different meanings; the value and accuracy of the intelligence collected is then greatly diminished. If this information is subsequently shared or used to cross reference information with Chinese authorities it will have no value whatsoever. In a recent interview the challenges faced by the ‘average PC’ in investigating foreign organised criminal were described as ranging from working out if documents in mandarin are of evidential value when doing a raid, to understanding if the person speaking to you in the street in Chinese is asking for directions or trying to report a crime (Research interviews 2015). From this year, as reductions to police budgets are implemented, there remain just two officers to police Chinatown (down from 6 in 2009) and they form part of a wider West End neighbourhood policing team.

## **Policing at NIM level 2**

According to recent research recent research, “the establishment of SOCA exacerbated the problem of intelligence gaps. The organisation deliberately distanced itself from policing. Its leaders chose to distance it from the NIM and in doing so created a Level 2 gap, then attempted to plug it by leaving police forces to fill in” (Stanier 2012;121). The Government has responded to this gap by establishing and resourcing, ‘Regional Organised Crime Units’ (ROCU) which operate across England and Wales on a regional basis. These units comprise mainly of police officers and staff but can also have embedded representatives from other agencies such as the NCA, HMRC and Border Force. When locally based uniform / CID officers in a force identify criminality that they believe ranks highly enough on the National Intelligence Model (NIM) they can request the ROCU to continue the investigation. As the connection between the majority of police officers and the NCA the ROCU plays a vital role in countering organised crime. In practice though it seems that the links between the ROCU and NCA are not always as strong as the multi-agency theory would suggest. An interviewee commented that while the NCA has equipment stationed in an adjacent office to the ROCU, it does not seem to have the personnel resource to use it (Research interviews 2015). It is also unclear how well equipped these units are to tackle threats from Chinese, and, more widely, non-English speaking organised crime groups (OCGs) as this recent, seemingly successful, case study illustrates.

A ROCU investigation involved an estimated £14 million pound money laundering operation. The modus operandi of the OCG was to control bank accounts setup in the name of Chinese nationals (many of whom were illegal migrants) who worked for the OCG in brothels, on cannabis farms and elsewhere. Money was paid in at locations across England and Wales and withdrawn from specific cashpoints in central London. The investigation found one of the individuals in the OCG had access to over 15 different accounts which had money paid into them from over 60 locations across England and Wales. This money was then almost all withdrawn from a specific location in central London, with particular proximity to London’s

Chinatown. Over the course of two years the same individual who controlled these 15 accounts spent an estimated £4.4 million in one Leicester Square casino – potentially as a means of laundering the money (Research interviews 2015).

Two significant challenges were noted by law enforcement involved in the operation: the impact of austerity on policing and barriers posed by language difficulties. For example, when one of the homes of one of the men involved in the OCG was raided it was found to have 300 mobile phones. It was thought these were being used to manage advertisements for sex services and other criminal activity. However, only a small number of the phones were investigated for information or links to other criminality / criminals. According to the lead officer in the case this was because it is expensive and can take three months for a phone to be forensically examined and the information downloaded. Perhaps more challenging still, the information on the phones was in Chinese. The force did not have the finances to pay for translation and it would take a significant time for each phone to be examined. As such, a wealth of potential intelligence and information contained on the phones was not thoroughly investigated (Research interviews 2015).

Nevertheless, the operation resulted in the prosecution of 26 Chinese and Hong Kong nationals with the sentences ranging from 18 months to 5 1/2 years for offences including money laundering and brothel management. Additionally £1.6 million was recovered through the Proceeds of Crime Act. This would then seem to be a successful operation with a large number of convictions and money recovered while investigating a Chinese OCG operating nationally. However, despite the operation and prosecution continuing over several years and a large number of arrests it would seem the operation of the OCG itself was not affected. Within days of the raids which led to the prosecutions, raids which saw brothels closed down and ‘key’ figures in the operation seized, the same advertisements for brothels and other services reappeared in the papers. For the operation to resume within such a short period of time indicates either the large scale of the group, or that the police did not identify the key players in the organisation. Equally whilst a large amount of money was confiscated, it was acknowledged a larger amount of money was not, and was suspected of having been remitted to China (Research interviews 2015). The futility of trying to repatriate this money once it left the UK and reached China was also openly acknowledged. Even if a court makes an order to recover the money, this will not happen as the Chinese do not currently have the legislation, resources or necessarily will to recover it on behalf of British law enforcement.

### **Policing at NIM Level 3.**

The NCA came into being in October 2013 and is described as:

“...an intelligence-led agency driven by a central intelligence hub. This provides a single picture of all the threats from serious and organised crime. This collective intelligence directly informs the decisions of the NCA, allowing it to have maximum impact when it comes to fighting crime” (NCA 2014;1).

Its remit is also to improve coordination. The extended powers it has to task local law enforcement in tackling organised crime infers that there were weaknesses in the performance of its predecessor. Certainly within the academic community the general efficiency of SOCA has been cast into doubt from its inception until its demise (Addicott 2010; Trout 2014). Indeed the recent HMIC (2015) inspection of the NCA concludes “it inherited, mainly from the Serious Organised Crime Agency, poor information technology, analytical capability, and relationships with the police”.

In our experience the understanding of Chinese organised crime within SOCA was patchy. Its main strength was the employment of staff whom had previous experience within the China-town unit and therefore had significant operational experience within the community. Research interviews undertaken in 2010, reported that there had been some successes at this level. For example, when the Fujianese first started to arrive in the UK, there were a spate of kidnappings where local illegal migrants were attacked and then ransoms demanded from relatives in Fujian (Wang 2013). The Metropolitan’s police kidnap unit proved effective at liaising with its counterparts within the Ministry of Public Security either directly or through the SOCA international liaison network described below, to prevent the ransoms being collected and to arrest the participants. One of SOCA’s main weaknesses was the concentration on purported ‘Mr Big’s’ of organised crime meaning that it missed networks of Chinese organised criminals who were not involved in class A drugs or activity that did not merit this accolade. Additionally its air of secrecy meant there was a detachment from local policing where well informed sources and expertise are situated.

Internationally, as the NCA has enlarged in scope given aforementioned budgetary constraints, other agencies have reversed their involvement in organised crime: Her Majesty’s Revenue and Customs has reduced its workforce significantly and it lost approximately 40% of the former HM customs & exercise investigation and intelligence capacity to SOCA (HMIC 2009). Whilst with one or two exceptions<sup>[3]</sup>, the security services have moved away from organized crime, faced with the serious and sustained threat from violent extremists<sup>[4]</sup> claiming to act in the name of Islam. Finally, there are the Home Office Immigration Enforcement (Border Force) and Risk and Overseas Liaison Network (RALON). Border Force enforcement work takes place at the borders to deny illegal entry and carry out immigration enforcement raids in the UK. The RALON network consists of an international network of immigration officers seconded abroad to tackle organised immigration crime upstream. However, their mandate to combat organised crime is far more constrained than the other agencies and their ability to conduct onsite visits to companies they suspect of fraudulently sponsoring students has been curbed (Research interviews 2010; 2015).

This leaves the NCA’s liaison officers in China relatively poorly supported and already conducting

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[3] For example, Operation Trinity which involved the domestic security service (MI5) targeting career criminal Terry Adams (Gillard, Connett and Calvert 2007)

[4] The 1989 Security Service Act was amended in 1996 to allow the security service to act in support of the police in serious crime investigations” (Andrew 2009; 788).

a difficult job. As Harfield (2008; 493) has previously observed, “The role of the liaison officer is not always straightforward and is constrained by the political circumstances of the host nation and the fact that liaison officers have no authority to investigate directly in their host nation (see for instance Galeotti, 2006). The liaison community operates within a context of routine frustrations and multiple agency agenda (Bigo, 2000; Block, 2008a, 2008b)”. It could also be added that there is an element of competition between countries in their efforts to get local law enforcement organizations to co-operate. In a country such as China which has an extremely well developed security apparatus and still implements the death penalty for a declining but still wide range of offences, this job is even harder (Hogg 2011). This is especially so when some local law enforcement personnel in Fujian, are complicit in the illegal smuggling of people and celebrate their safe arrival as guests at local banquets (Pieke 2004, Research interviews 2010; 2015). Liaison officers have to be extremely careful in deciding which information to share and then managing its discrete transfer. This problem is compounded by geography: Fujian is far from Beijing and though the Chinese police are a national organisation there are significant issues in relation to forming local arrangements within the region. The nearest British base in the region is in the city of Guangzhou a city of around 10 million, over 600 miles from Fujian.

The Serious Organised Crime Strategy (Home Office 2013) suggests that overseas resources from UK government agencies will work as ‘a single virtual team’ to join up their working. However, it ought to be mentioned that SOCA, had a similar remit but research showed that working relationships either between agencies or between SOCA officers from different occupational backgrounds were far from seamless. Different occupational cultures who utilise slightly different classification systems and intelligence monitoring can result in services hoarding pyramids of information within discrete silos, despite the criminal networks they are targeting being fluid and willing to operate across multiple commodities (Stanier 2012). In this instance individual officers were distrustful of each other and not willing to share details of operations or contacts. It is not clear whether this issue was specific to China but other scholars who have commented on the role and use of police intelligence across multiple law enforcement agencies, suggest this is kind of finding is not uncommon (Sheptycki 2007; Stanier 2012).

## Conclusion

In the recent past policing scholars have been arguing that perceptions of national security threats have evolved beyond a simplistic dualism between internal and external security towards an increased focus on ‘global’ security threats (Brodeur 2005, Reilly & Ellison 2006). This is certainly, the sentiment of the latest UK organised crime strategy which, on the one hand, mentions the importance of more upstream intervention and cooperation with other countries in combating organised crime (Home Office 2013), and on the other the importance of the local, with “organised crime groups having a corrosive local impact,

particularly...among some communities which are new to this country” (Home Office 2013). However, our work would indicate that the rhetoric belies a more disquieting reality; where local policing (Level 1) resources are reduced and unless, there is investment in specialist policing expertise with the provision of a language skills’ a key component, then the ability to garner local intelligence and to link it effective action within China will be severely limited. Indeed, it is argued that if subject expertise was to be invested in and the NCA provides an opportunity for this, the variety of roles where it could be deployed could make for a varied and interesting career. Although, again, the signs are not positive, as of 2015, HMIC Observed “there was no career structure or training programme for analysts in the NCA” (HMIC 2015;6). Yet, if these warnings are not heeded, as China’s economic strength continues to accelerate and the law-abiding diaspora grows in prowess and achievement, the lack of penetration by law enforcement in both China and the UK will be ever more noticeable. Overall, unless a clear strategic direction emerges, alongside a commitment to appropriate training, it is the broader structural influences such as the macro economics of recession and the relative growth and fall in currencies that are as likely to influence the parameters of Chinese organised crime as the efforts of UK law enforcement.

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# Community Based Counter-terrorism Policing: Seven Recommendations for Practitioners

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**Abstract:** This paper presents seven preliminary recommendations for practitioners of community based counter-terrorism policing: (i) recognise the implications of policing by consent; (ii) navigate a course between high and low policing; (iii) recognise the interdependent and holistic nature of policing; (iv) recognise fundamental policing priorities; (v) engage with communities as they are; (vi) respect the legitimate religious beliefs of all communities; (vii) notify policy makers of community concerns. Each recommendation arises from the authors' engagement with the topic in London and it is in the UK capital city that the recommendations have their greatest application. That said, with care and caution, the recommendations may also have application in other cities and towns in the UK and in other democratic countries.

## Seven recommendations: background and context

This paper presents seven preliminary recommendations for the consideration of practitioners of community based counter-terrorism policing – and counter-terrorism practitioners more widely. Crucially, relevant practitioners here are not just police officers, they are also civil servants, and an assortment of individuals tasked to play a role in an increasingly diverse field of counter-terrorism policing activity.<sup>[1]</sup> As the recommendations arise from practice and research in London it is worth illustrating the significance of this broadening or shifting of responsibility. When the Provisional IRA waged a terrorist bombing

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[1] Interestingly, in the authors' experience in London, this diversity of individuals involved in community based counter-terrorism policing extends to academics and researchers with think-tanks – a fact that adds value to this article's aim of informing and stimulating academic as well as practitioner debate.

campaign in London<sup>[2]</sup> invariably only police officers engaged with London citizens to elicit support and information. In contrast, since 2006 sole police responsibility for community engagement in respect of counter-terrorism has been replaced by a multi-agency engagement, managed by civil servants, in which police play a significant but much reduced role.<sup>[3]</sup> Therein lie fundamental tensions that have not been widely addressed in either the academic, policy or practitioner literature hitherto. Taken collectively, the seven recommendations that follow are concerned to identify and resolve these tensions and to highlight fundamentally different priorities and duties that fall to police, in comparison with the other public servants involved in the same work, who generally have no prior policing experience. By doing so, as well as hoping to assist practitioners, it is intended to stimulate academic debate on an understudied but important aspect of counter-terrorism activity.

The recommendations adapt an approach adopted by Richard English in his book *Terrorism: How to Respond* in which he offers seven policy recommendations in respect of responses to terrorism more widely.<sup>[4]</sup> Whereas, English’s seven recommendations are aimed at improving policy in response to what he calls ‘the failures of the post-9/11 War on Terror’<sup>[5]</sup> the recommendations here are aimed at enhancing practitioner performance irrespective of government policy. Each of the seven recommendations arise from the authors’ engagement with the topic in London<sup>[6]</sup> and it is in regard to policing in the UK capital city<sup>[7]</sup> that they probably have their greatest application. That said, with care and caution, it is suggested that the recommendations may also have application in other towns and cities in the UK and in other democratic countries. To this extent, the project might best be described as “bottom up” and local in contrast to English’s “top down” international agenda.

Before explaining each recommendation, it will be helpful to outline the different contexts in which the term community based counter-terrorism policing might be understood and applied. Without seeking to be exhaustive, it is reasonable to suggest that there are two main areas of application. Firstly, in the academic literature, the term can be understood as a relatively new conceptual framework pioneered and articulated by BasiaSpalek<sup>[8]</sup> and which also serves to describe closely related literature that has not used

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[2] For details of the Provisional IRA bombing campaign in London, see Richard English, *Armed Struggle: The History of the IRA*. (Oxford: OUP, 2002), for example, pp. 278-279.

[3] Robert Lambert, *Countering al-Qaeda in London: Police and Muslims in Partnership*. (London: Hurst, 2011), p. 252.

[4] Richard English, *Terrorism: How to Respond* (Oxford: OUP, 2009).

[5] *Ibid.*, p. 119; see also Louise Richardson, *What Terrorists Want: Understanding the Terrorist Threat* (London: John Murray, 2006).

[6] The recommendations are grounded in the authors’ (i) respective doctoral research projects and ongoing research work in London; (ii) respective careers in policing; and (iii) respective careers in teaching.

[7] For the main part, London policing consists of the Metropolitan Police Service. Other smaller policing agencies include the City of London Police, British Transport Police, Royal Parks Police and many community, practitioner and corporate partners.

[8] BasiaSpalek, *Terror Crime: Prevention with Communities*. (London: Bloomsbury, 2014); BasiaSpalek, ed., *Counter-Terrorism: Community based approaches to preventing terror crime*. (Hampshire: Palgrave Macmillan, 2012).

the term explicitly but which is also concerned with the community impact of counter-terrorism and the role of communities in counter-terrorism.<sup>[9]</sup> This literature goes some way to bridging the gap between separate literatures on community policing on the one hand<sup>[10]</sup> and counter-terrorism policing on the other.<sup>[11]</sup> Secondly, there is an extensive literature that surrounds the Prevent strand of the UK Contest counter-terrorism: written by policy makers;<sup>[12]</sup> think tanks;<sup>[13]</sup> as well as by academic researchers.<sup>[14]</sup> While there is an overlap between the two literatures, this second strand is more focused on government policy – whether explanatory, supportive or critical. Indeed, while there is a lively debate in both the think tank and the academic literature<sup>[15]</sup> that fully articulates opposing perspectives about the merits and demerits of Prevent policy there is an absence of constructive criticism that might serve to enhance the legitimacy and effectiveness of community based counter-terrorism policing. That is a gap in the literature that this article might help to fill.

[9] See, for example, Martin Innes and Darren Thiel, “Policing Terror” in Tim Newburn, ed., *The Handbook of Policing* 2nd ed. (Cullompton: Willan, 2008), pp. 553-579; Sharon Pickering, Jude McCulloch, David Neville-Wright, eds., *Counter-Terrorism Policing: Community, Cohesion and Security*. (London: Springer, 2010); Lambert, *Countering al-Qaeda in London*.

[10] See, for example, Nigel Fielding, *Community Policing*. (Oxford: OUP, 1996); M. Brogden and P. Nijhar, *Community Policing: International Concepts and Practice*. (Devon: Willan, 2005).

[11] See, for example, Andrew Staniforth, *Blackstone’s Counter-Terrorism Handbook*. (Oxford: OUP, 2013); David Lowe, *Policing Terrorism: Research Studies into Police Counter-terrorism Investigations*. (London: CRC Press, 2015).

[12] See, for example, the following three UK government strategy papers: (i) *Contest: The United Kingdom’s Strategy for Countering Terrorism* (London: Home Office, 2011a), available at

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/97994/contest-summary.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/97994/contest-summary.pdf), accessed 22 April 2015; (ii) *Prevent Strategy*, (London: Home Office, 2011b) available at [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/97976/prevent-strategy-review.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/97976/prevent-strategy-review.pdf), accessed 20 March 2015; (iii) *Contest: The United Kingdom’s Strategy for Countering Terrorism: Annual Report for 2014* (London: Home Office, 2015), available at [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/415708/contest\\_annual\\_report\\_for\\_2014.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/415708/contest_annual_report_for_2014.pdf), accessed 15 April 2015.

[13] See, for example, three competing reports from three distinctively different London think-tanks: (i) Jamie Bartlett, Jonathan Birdwell and Michael King, *The Edge of Violence: A Radical Approach to Extremism* (London: Demos, 2010); Martin Bright, *When Progressives Treat with Reactionaries: The British State’s Flirtation with Radical Islam* (London: Policy Exchange, 2005); ArunKundnani, (2009): *Spooked. How not to prevent violent extremism*. (London: Institute of Race Relations, 2009).

[14] See, for example, TufyalChoudhury and Helen Fenwick, “The Impact of Counter-Terrorism Measures on Muslim Communities”. *International Review of Law, Computers and Technology*, (25:3, 2011), pp. 151-181; Martin Innes, Colin Roberts, Helen Innes with Trudy Lowe and SurajLakhani, *Assessing the Effects of Prevent Policing: A Report to the Association of Chief Police Officers* (Cardiff: Universities’ Police Science Institute, 2011) available at

<http://www.acpo.police.uk/documents/TAM/2011/PREVENT%20Innes%200311%20Final%20send%202.pdf>, accessed 12th March 2015.

[15] Of course there is significant overlap between the think tank and academic worlds in terms of personnel, just as there is an overlap between academia and the policy world with several academic researchers being recruited to the Research, Information and Communications Unit (RICU), a cross-departmental strategic communications body based at the Office for Security and Counter-terrorism (OSCT) at the Home Office in recent years. RICU “aims to coordinate government-wide communication activities to counter the appeal of violent extremism while promoting stronger grass-roots inter-community relations”. Counter-Extremism.org, “Role of Research the Research Information and Communications Unit (RICU)”. Available from:

<https://www.counterextremism.org/resources/details/id/413/research-information-and-communications-unit-ricu> accessed 2.6.15.

Moreover, with the emergence of community based counter-terrorism initiatives aimed at inhibiting London citizens – and citizens of other towns and cities in the West – from leaving home to fight for Islamic State in Syria and Iraq<sup>[16]</sup> it might be argued that the problem now extends beyond counter-terrorism and overlaps with counter-insurgency.<sup>[17]</sup> In addition, counter-terrorism continues to overlap with projects designated “counter-extremism”, “counter-radicalisation” and “de-radicalisation”.<sup>[18]</sup> Both overlaps - with counter-insurgency on the one hand and counter-extremism / radicalisation on the other - raise particular problems for practitioners engaging with local communities in towns and cities where they live and work. Our seven policy recommendations therefore focus on the area where terrorists and counter-terrorists compete for degrees of support in the same communities and the same neighbourhoods – a competition that can be characterised as being for “hearts and minds”.<sup>[19]</sup>

To recognise that police officers often perform duties that are not fundamentally influenced by government policy is to identify another thread that connects the seven recommendations introduced here. Perhaps the most obvious manifestation of this comes in the immediate aftermath of a terrorist bombing when all strands of counter-terrorism policing is geared towards supporting an emergency response and government policy plays little or no part in it. Only later, will counter-terrorism policing become embroiled in policy responses that might, for example, include lobbying for new anti-terrorism measures.<sup>[20]</sup> Here to, whatever police might think of particular measures, they are duty bound to abide by them and to perform their roles regardless. This is similar to the role of government civil servants but also significantly distinct, in so far as the latter are tied to the implementation of policy and generally have no further remit. Given that government policy has granted increasing responsibilities to civil servants to engage in the field of community based counter-terrorism policing an important and interesting tension with policing has arisen. To help illuminate this tension the recommendations that follow highlight how an essential and relevant experience in policing is likely to be alien or remote from the experience of civil servants drafted in to

[16] See, for example, RikCoolsaet, *What drives Europeans to Syria, and to IS? Insights from the Belgian case* (Egmont Paper. Brussels: Academia PressAcademia Press, 2015).

[17] See, for example, David Betz, *ISIS, The Slow Insurgency – KOWcast, Vo.1, Kings Of War*, 16 June 2014, Department of War Studies, King’s College London, Available from: <http://kingsofwar.org.uk/2014/06/isis-the-slow-insurgency-kowcast-vol-1/> accessed 1 June 2015

[18] See, for example, Mark Sedgwick, *The Concept of Radicalization as a Source of Confusion. Terrorism and Political Violence*.2010, 22, pp. 479–494; Anthony Richards, *From terrorism to ‘radicalisation’ to ‘extremism’: counter-terrorism imperative or loss of focus?* *International Affairs*.91 (2), 2015, pp. 371-380; Anthony Richards, *Characterising the UK Terrorist Threat: the problem with non-violent ideology as a focus for counter-terrorism and terrorism as a product of ‘vulnerability’*. *Journal of Terrorism Research*.(University of St. Andrews, 2012).3 (1), pp. 17-26; Alex Schmid, *Radicalisation, Counter Radicalisation and De Radicalisation: a conceptual discussion and literature review*. ICCT Research Paper (The Hague: ICCT, 2013).

[19] Lambert, *Countering al-Qaeda in London*, pp. 270-272.

[20] See, for example, Robert Lambert, “Counter-terrorism and its effectiveness in the UK since 1969: does it pay to be tough on terrorism?” in Marie Breen-Smyth, (ed.), *Ashgate Companion to Political Violence* Aldershot: Ashgate, p. 742.

undertake specific community based counter-terrorism policing roles.<sup>[21]</sup>

## **Recommendation 1 – Recognise the implications of policing by consent**

As Sir Richard Mayne noted in *Principles of Policing* at the founding of the Metropolitan Police in 1829, “the power of the police to fulfill their functions and duties is dependent on public approval of their existence, actions and behavior and on their ability to secure and maintain public respect”.<sup>[22]</sup> Mayne did not suggest that public approval was confined to one particular community in London but rather that the principle of policing by consent was the bedrock of the relationship between the police, who were drawn from the citizens of London, and all their fellow citizens. For sure, London’s most influential citizens have often had the greatest influence on policing in London but it is when the principle of policing by consent has been seen to also take account of the city’s least vocal citizens that it has served the capital best.<sup>[23]</sup>

Very soon after leaving training school all probationer police officers necessarily encounter situations where they ask for the help of a fellow citizen to enforce or uphold the law. A common example would be where a probationer police officer is the first to arrive at the scene of a street robbery and, having obtained a description of the assailant from the victim, asks a nearby shopkeeper if she saw the attack take place and whether she can add to the assailant’s description or help provide any useful information. This is part of a fundamental policing duty that is not fully replicated in any other public role, least of all in the day to day duties of most civil servants. It is also what might be called a neutral duty, one that is central to a police officer’s sworn oath to uphold the law, and which is impermeable to policy change. The point, for the purposes of this article, is to highlight the extent to which this quintessential and formative policing experience informs police engagement with the communities they police. In this sense policing is always neutral, oriented towards upholding the law. It follows that when a police officer asks a fellow citizen for help in identifying a suspected terrorist, the same basic duty is being invoked. When a fellow citizen assists a police officer in either duty – catching a street robber or catching a terrorist – they become party to the discharge of a shared civic duty designed to uphold the law and to protect the wider community.

In both scenarios – urgent police-citizen engagement to tackle street crime and terrorism – the identity of the individual police officer and individual citizen is largely immaterial, both are discharging

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[21] Here we have in mind roles managed by the Office for Security and Counter-terrorism (OSCT) that fall under the remit of Prevent (a strand of the UK Contest counter-terrorism strategy) including training roles where representatives of think-tanks guide the delivery of Prevent programmes for police and multi-agency partners.

[22] Quoted in Robert Reiner, *The Politics of the Police* (Brighton: Wheatsheaf, 1985), p. 49; also discussed in Lambert, *Countering al-Qaeda in London*, p. 18.

[23] See, for example, Lambert, *Countering al-Qaeda in London*, p. 9.

24 *Ibid.*, pp. 8, 221, 239.

a duty that potentially obligates all citizens. This is the sense in which it is helpful to describe such a fundamental police-citizen engagement as neutral and unique – beyond the reach of policy makers. Notwithstanding policing imperatives that require consideration of the special needs of particular victims (victims of sexual offences and hate crimes for instance) there remains a strong sense in which policing remains blind when seeking the immediate help of fellow citizens to prevent and detect crime and to apprehend suspected offenders. To be otherwise would be to deny some citizens a fundamental right they share with police officers – a right to defend themselves against unlawful violence and harm, to defend fellow citizens and to arrest individuals committing crimes. To be sure, situations will arise where these fundamental rights are exercised improperly by a citizen – just as they might be by a police officer – and sometimes by a citizen who is unsuited to the task but neither eventuality invalidates the general right. The London policing adage “communities defeat terrorism”<sup>[24]</sup> articulates the aspiration that citizens – either collectively as part of a neighbourhood watch, or individually when going about their daily business, will assist police in tackling terrorism (and other kinds of political violence) no less than they might do in regard to more routine crimes.

Without this formative policing experience it is understandable that civil servants entering the burgeoning business of community based counter-terrorism policing should seek to determine the identity of citizens so as to vet them before choosing to engage with them in a shared enterprise. Understandable too, that they would wish to select citizens who share the views of the government ministers they represent, about the nature of the terrorist threat to be tackled. In contrast, police officers are more inclined to allow community perspectives that differ from government policy, especially when the citizens in question display skill and aptitude for the task at hand.<sup>[25]</sup> To recognise and appreciate the implications of policing by consent is to begin to address a necessary tension between a fundamental police duty, on the one hand, and a necessary policy imperative on the other. In turn, this is to encourage police independence where necessary, and also to foster an understanding amongst civil servants of the importance of adopting a more neutral and even handed approach to citizens who offer to help with the task of tackling terrorism.

## **Recommendation 2 – Navigate a course between high and low policing**

“Navigate a course between high and low policing”, develops the rationale that underpins the first recommendation and serves to capture a necessary and fundamental tension between the principle of policing by consent and the need to protect the state from terrorist and other forms of political violence. To be sure, a tension - sometimes characterised as arising between “hard” and “soft” and between “high”

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[24] Ibid., pp. 8, 221, 239.

[25] Ibid.

and “low” policing<sup>[26]</sup> - has at times been palpable and significant for London policing during the last five decades<sup>[27]</sup> and remains so today.

For example, when observing attempts by the Metropolitan Police to simultaneously address the terrorist threat to the UK posed by returning jihadis and the need to support London families whose children have left the UK to join Islamic State it is not unreasonable to suggest that the problem is now more acute than it has ever been. On the one hand, the Met’s Commander Walton adopts an empathetic and supportive tone when addressing the departure of three London teenage girls suspected of joining Islamic State. “We are extremely concerned for the safety of these young girls”, he tells Londoners, “and would urge anyone with information to come forward and speak to police”. “Our priority”, he explains, “is the safe return of these girls to their families”.<sup>[28]</sup> On the other hand, the Met’s Commissioner, Sir Bernard Hogan-Howe, adopts a more hardline approach when addressing the parallel concern that the risk of “a further rapid influx of dangerous militants into the capital as the battle with Islamic State escalates”. He calls on ministers “to respond by considering the return of control orders and new legislation to strip British fighters of their passports to stop them coming back to this country”. Speaking wholly in terms of high policing, Hogan-Howe argues that “there should be an automatic legal presumption that anyone returning from Syria or Iraq had been engaged in terrorism” and “requested a major injection of extra funding to help police and intelligence agencies cope with the rise in terror suspects”.<sup>[29]</sup>

Although Hogan-Howe might be criticised by civil rights campaigners for his hard-line stance, it is worth recalling that in different eras individuals suspected of returning to the UK with intent to cause harm on a similar scale would have been interned. It is also worth noting how in this contemporary example of returning Islamic State jihadis, London policing might enjoy the support of a majority of its citizens for Hogan-Howe’s hard-line high policing approach while at the same time suffering deficits of trust and legitimacy in sections of the community where Walton’s soft, empathetic low-policing approach is most likely to be welcomed. For now, these are the kind of competing demands between high and low policing – and competing perspectives amongst London citizens – which London policing has always had to negotiate when seeking to counter terrorist threats. No doubt it will only take one serious terrorist incident carried out by returning Islamic State jihadis in which numerous Londoners are killed to tip the scales firmly in favour

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[26] The concepts derive from seminal texts by Jean-Paul Brodeur, in particular see, “High Policing and Low Policing: Remarks about the Policing of Political Activities”. *Social Problems*.30 (5), 1983, pp. 507-520; and “High policing and Low Policing in post 9/11 times”. *Policing: a Journal of Policy and Practice*. 1(1), 2007, pp. 25-37.

[27] See, for example, Lambert, “Counter-terrorism and its effectiveness in the UK since 1969”, pp. 728-754.

[28] Martin Evans, (2015). “Three missing London schoolgirls ‘travelling to Syria to join Isis’”. *The Telegraph*. Available from: <http://www.telegraph.co.uk/news/uknews/crime/11424884/Three-missing-British-schoolgirls-travel-to-Syria.html> accessed 2.6.15.

[29] Martin Bentham, (2014). “Met chief Sir Bernard Hogan-Howe: London is home to hundreds of ‘militarised’ jihadi fighters”. *London Evening Standard*. Available at: <http://www.standard.co.uk/news/uk/met-chief-sir-bernard-hoganhowe-warns-of-londons-200-militarised-jihadi-fighters-9693477.html> accessed 2.6.15.

of high policing. That certainly has often been the experience after terrorist attacks in London in the past.<sup>[30]</sup>

The need for London policing to negotiate a path between these two critical imperatives – to police by consent while ensuring the protection of the state and its citizens – is the premise on which this second recommendation is based and seems to be crucial to achieving the twin goals of legitimacy and effectiveness that underpin any successful policing endeavour. This is not to claim that London is unique in respect of such a negotiation – it has, for example, been vividly evident in the US where “the many commissions that investigated why the US policing agencies of every stripe failed to prevent 9/11 came up with findings that stressed the gap between high and low policing”.<sup>[31]</sup> That said, London policing is perhaps an ideal case study given that it has been required to balance the two competing requirements in the face of repeated terrorist bombing campaigns and terrorist threats more generally.

Neither does the London experience suggest that the notion of policing by consent will always be at odds with the requirements of counter-terrorism policing, merely that an important and fundamental tension exists. In fact, on countless occasions during the two centuries since Sir Richard Mayne first enunciated the principle, both London’s police and the capital’s diverse citizens<sup>[32]</sup> have been beneficiaries whenever it is has been applied effectively and legitimately. Depending on the circumstances, benefits have been various: either major, minor, direct, indirect, demonstrably visible, publicly acclaimed or sometimes largely unremarked. In all contexts, however, benefits have arisen by virtue of the collective standing of the police in the eyes of its citizens.<sup>[33]</sup>

For the authors’ of this article, the public approval of Londoners first became significant in a counter-terrorism context during the bombing campaigns of the Provisional IRA in the 1970s.<sup>[34]</sup> “Communities defeat terrorism” became a police maxim, premised on the aspiration that Londoners would provide information to police to help prevent acts of terrorism in the capital and to identify wanted and suspected terrorists.<sup>[35]</sup> Suffice to say, even strong public approval of police would not necessarily translate into active co-operation of the kind being sought – most typically the reporting of suspicious behaviour that might

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[30] Lambert, *Countering al-Qaeda in London*, pp. 3-28; “Counter-terrorism and its effectiveness in the UK since 1969”, pp. 728-754.

[31] Brodeur, “High policing and Low Policing in post 9/11 times”, pp. 29.

[32] According to the 2011 census 2,998,264 people or 36.7% of London’s population were foreign-born. When added to a significant number of Londoners whose parents were foreign born a sense of London’s diverse and evolving population emerges. See for example, Sarah Kyambi, *Beyond Black and White: Mapping New Immigrant Communities*. London: Institute for Public Policy Research, 2005.

[33] 62% of adults in England and Wales ‘thought the police in their area were doing a good or excellent job’ – Office for National Statistics. *Focus on Public Perceptions of Policing: Findings from the 2011/12 Crime Survey for England and Wales*. London: Office for National Statistics – Statistical Bulletin, 2012. [http://www.ons.gov.uk/ons/dcp171778\\_289210.pdf](http://www.ons.gov.uk/ons/dcp171778_289210.pdf) – accessed on 10.5.15.

[34] The Provisional IRA continued to mount bomb attacks in London throughout the 1980s and 1990s. From the 1970s onwards Londoners also became familiar with occasional terrorist attacks carried out by organisations from the Middle East such as in June 1982 when three gunmen belonging to the Palestinian Abu Nidal group shot and seriously injured Shlomo Argov, the Israeli Ambassador outside the Dorchester Hotel in London’s West End.

[35] Lambert, *Countering al-Qaeda in London*, pp. 8, 221, 239.

relate to the preparations of an IRA terrorist cell. Put simply, there is case built on extensive experience in London that effective and legitimate counter-terrorism policing has to negotiate a pragmatic path between the requirements of the state and the principle of policing by consent.

### **Recommendation 3 - Recognise the interdependent and holistic nature of policing**

The recommendation to “recognise the interdependent and holistic nature of policing” is also concerned to help negotiate a pragmatic path between the requirements of the state and the principle of policing by consent. To illustrate the importance of this recommendation it will help to provide another example from the authors’ London research experience. Present when a civil servant terminated the contract of a community based Prevent project it was observed that there were contrasting responses of police officers and civil servants. For the civil servants, termination signalled an immediate transition from intense daily interaction with a community based group to an absolute absence of contact. Whereas, on the police side there was a recognition that a relationship with the community based group would continue on a number of levels - notwithstanding the termination of a Home Office contract. Perhaps the most significant aspect of this recognition on the part of police officers was a realisation that the community group would continue to undertake the same kind of work that had been the subject of the Home Office contract, on a voluntary basis, just as they had done prior to receiving state support.

In fact, that anticipation by the police officers proved to be well founded. Voluntary community work aimed at helping young people resist the overtures of terrorist and violent extremist propaganda certainly continued after the cessation of Home Office interest, albeit on a much reduced scale. The fact that this “counter-radicalisation” voluntary youth work was also bound up with parallel community youth work aimed at helping young people avoid or leave gang crime helps to emphasise how the realities of street experience are inherently “bottom up” and therefore characteristic of police and youth workers’ experience and generally less familiar to civil servants concerned to implement “top down” government policy. The same case also talks to other aspects of the interdependent and holistic nature of policing. Police officers, unlike civil servants, have a crucial interest in both kinds of voluntary, community work – especially when it is effective, as in this case.

Moreover, police have a responsibility to provide emergency round the clock support to community outreach work of this kind especially when serious incidents arise outside normal working hours. The case also helps to highlight the importance of the low policing, or community policing requirement to win the trust and confidence of alienated communities in the long term. It is no coincidence that a long serving local neighbourhood police officer was responsible for first introducing the key members of this community

group to specialist counter-terrorism colleagues.<sup>[36]</sup> Notwithstanding what Brodeur calls the “problematic integration of high and low policing”, during the course of the War on Terror,<sup>[37]</sup> there are examples, of which this London case is but one, of how high and low policing might work reasonably and effectively in tandem.

More generally, no amount of careful strategic planning will always prevent situations where police officers (or other actors performing a community based role for Prevent) employed in different departments, or engaged in different roles, send contradictory or competing messages or signals to members of the public. Such is the nature of policing. Consider a scenario in which a neighbourhood police officer has recently established a good rapport with a young person who lives at an address that is frequented by a far right extremist suspected of making improvised explosive devices used in a series of attacks on local mosques. Quite possibly the neighbourhood police officer will be in a strong position to nurture the level of trust that might be needed to encourage the young person to provide help to fully identify and locate the suspect. In such circumstances, it may be regrettable but wholly unavoidable if a fellow police officer in another district stops, searches and alienates the young person so as to unwittingly undermine the trust the neighbourhood police officer has begun to establish. Equally, depending on the circumstances, it may be the case that the police stop and search could have been conducted in such a way that the alienation it caused could have been avoided or significantly reduced. By the same token, again depending on the circumstances, it may be the case that the police stop and search could have been avoided altogether.

Suffice to say, it may sometimes simply be what police officers have come to understand as the blind will of “Sod’s law”, that one arm of policing inadvertently cuts across the designs and aims of another. However, it is also the case that if every effort is made to ensure that all policing interactions with members of the public are conducted courteously and reasonably that the risk of causing offence and alienation, of one kind or another, can be reduced or avoided. This is another aspect of what might be considered the interdependent and holistic nature of policing – and if it points up difficult challenges for police at least they are recognised ones. Outside of policing, in the multi-agency government led arena of Prevent - it is a much greater challenge to begin to address them.

#### **Recommendation 4 – Recognise fundamental policing priorities**

However it might be expressed at a policy level, policing at the practitioner level is always about priorities. The need to assess and respond to competing demands on police time is axiomatic to policing and applies equally well in non-urgent scenarios as it does in emergency situations where decision making

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[36] Ibid., pp. 191 – 192.

[37] Brodeur, “High policing and Low Policing in post 9/11 times”, pp. 29.

is most acute. To be sure, from the moment a member of the public makes an emergency 999 call to police, the telephone operator commences a chain of decision making that is intended to assess and respond to the call in the most efficient and expedient manner. If the emergency call is made in the immediate aftermath of a terrorist incident such as a bomb attack or a shooting, the core policing priority - in tandem with the fire and ambulance services – will be the rescue of victims and the safety of the public. While the principle is clear, in practice, difficult decisions have to be made quickly. This is intrinsic to policing as it is to the fire, ambulance and paramedic emergency response services. There is no clash here with the responsibilities of civil servants and multi-agency partners concerned with the discharge of Prevent strategies, and other community based counter-terrorism policing initiatives, but it does serve to highlight fundamentally different priorities and experiences.

So too, in regard to the prevention and investigation of terrorist offences. Clearly, in such circumstances, the police priority is the prevention of serious harm to the public. If, for example, an emergency call to police is reasonably assessed to provide reliable information that a residential address is being used for the manufacture of improvised explosive devices for terrorist purposes then police have the remit and the experience to provide an immediate emergency response – 24/7. Such an emergency response would include engagement with all areas of policing, including community based counter-terrorism, to establish whether any information can be provided to help identify the occupants of the suspected bomb making address. The key point here is that all arms of operational policing can be coordinated urgently with no notice in a way that civil servants and other multi-agency counter-terrorism partners cannot.

Equally important, is the question of resources and competing priorities for police, civil servants and their multi-agency partners. For example, the government has a priority to tackle “extremism”, whether it poses a threat of terrorism and other kinds of political violence or not. Inevitably, this entails a major focus on “responding to the ideological challenge and the threat from those who promote it”.<sup>[38]</sup> In addition, the 2011 UK Contest strategy paper states that “preventing radicalisation must mean challenging extremist ideas that are conducive to terrorism and also part of a terrorist narrative”.<sup>[39]</sup> This involves work that risks taking police officers a long way from their core functions, which can be especially problematic when there is no “typical pathway to violent extremism”.<sup>[40]</sup> Certainly in London, this core function for civil servants managing community based Prevent projects is a lesser priority for police and may help to explain why the police role has been reduced.

Limited and reduced police budgets also means that there is a real competition for resources and priority between different urgent requirements, such as between the investigation of an increased number of

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[38] Contest, p. 6.

[39] Ibid., p. 12.

[40] Institute for Policy Research and Development, cited in Communities and Local Government Select Committee, ‘Preventing violent extremism’, 30 March 2010, p. 9. Available at: <http://www.publications.parliament.uk/pa/cm200910/cmselect/cmcomloc/65/65.pdf> accessed 4 April, 2015.

rape cases and other areas of police work in London. This is the context in which the Commissioner of the Metropolitan Police, Sir Bernard Hogan-Howe warned that “the government needed to consider how it was going to fund more resources” for the police. As it stood, he claimed “that [the police] were being expected to deal with sexual offences and counter terrorism as equally important but there would have to be more money to make this possible.” In fact, he suggested, “he would need a few more hundred officers” but that he “didn't know where these officers would come from, warning they may need to be taken from front line roles on the street”.<sup>[41]</sup> Suffice to say, allegations of serious crime, whether motivated by politics, religion, financial gain or sexual gratification, will always take precedence for police resources over participation in projects intended to challenge “non-violent extremism” –especially when these projects might well prove to be counter-productive (as discussed in the next recommendation).

### **Recommendation 5 – Engage with communities as they are**

To be clear, the imperative to police by consent is not limited to particular citizens or to particular sections of the community. Nor is it conditional, dependant on a community or community representative supporting government policy in regard to counter-terrorism or any other issue concerned with crime. In effect this means police should engage with communities as they are and not as politicians might aspire for them to be. This often involves engaging constructively with hostile and critical sections of the community. This was certainly the case for the Metropolitan Police in the wake of the Stephen Lawrence Inquiry when John Grieve highlighted the importance of listening to challenging community voices and not simply talking to ‘nodding dogs’.<sup>[42]</sup> Grieve explained his rationale in this way:

In Britain after Stephen Lawrence, every individual and institution has a responsibility to examine their behaviour, perception and prejudices. The defence of unwitting racism is closed. As a member of my Independent Advisory Group explained: ‘Passive non-racism is no longer acceptable’. For the Met this is a time of profound change. We have made terrible mistakes and my determination is that, in working more closely than ever before with the communities we serve, we seek to build a police service ready to face the challenges of the new millennium - a millennium that is hostile to racists.<sup>[43]</sup>

While at the time of writing there is concern that the Metropolitan Police is still in need of

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[41] Juliet Bremner, “Lack of resources leaves Metropolitan Police in danger of being ‘overwhelmed’ by rape cases”. ITV News report. 2nd June 2015. Available at: <http://www.itv.com/news/2015-06-02/lack-of-resources-leaves-metropolitan-police-in-danger-of-being-overwhelmed-by-rape-cases/> accessed 5.6.15.

[42] John Grieve and Julie French, Does Institutional Racism Exist In the Metropolitan Police Service? In David G. Green, ed., Institutional Racism and the Police: Fact or Fiction? London: Institute for the Study of Civil Society (Civitas), 2002. p. 19; quoted in Lambert, Countering al-Qaeda in London, p. 61.

[43] Ibid., p. 61.

fundamental reform, not least in regard to its relations with minority communities,<sup>[44]</sup> it is certainly the case that London policing is actively listening to these concerns in the way that Grieve recommended.<sup>[45]</sup> The key point to the recommendation “engage with communities as they are” is that such engagement should be extended to ethnic minorities in respect of community based counter-terrorism no less than in other areas of policing. This is also to argue that there is a significant contrast and tension between the fundamental policing imperative to engage with communities as they are, and government strategy to foster significant change in communities, and in doing so to engage with community representatives who offer to help deliver that change.

In regard to community based counter-terrorism, the first time this contrast came to the authors’ attention was in 2006 when Ruth Kelly, Minister for the Department of Communities and Local Government, launched a new community engagement strategy with community leaders who shared the government’s policy agenda.<sup>[46]</sup> At least on one account, Kelly’s preventing violent extremism agenda “chose to marginalise the work of the [Metropolitan Police] Muslim Contact Unit working to empower Muslim community groups against al-Qaeda propaganda and recruitment since 2002”.<sup>[47]</sup> “Instead” her new department, “embarked on a new course of engagement.” Two years later, Kelly’s successor, Hazel Blears, made clear that this government policy was “designed to change behaviour”.<sup>[48]</sup> “Whereas” in contrast, “two relatively junior [police officers] who embarked on an initiative to empower Muslim community groups against al-Qaeda in the aftermath of 9/11 were guided by the policing principle that minority communities should be respected as they are – not as politicians and pundits might seek to mould them”.<sup>[49]</sup>

This is not to suggest that London policing has succeeded in defending its position on such a fundamental issue. To the contrary, London policing has generally tended to embrace government strategy in regard to Prevent and other aspects of Contest where it impacts upon community based counter-terrorism policing and counter-terrorism policing more generally. As a result, the approach of the London based Muslim Contact Unit has been abandoned, many of its key Muslim partners excluded from engagement in the Prevent community engagement programme, and new government friendly figures installed in their

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[44] See, for example, Courtenay Griffiths QC calling for a broader inquiry into policing in Britain. “He said it needed to cover six points: the use of undercover officers; the use and protection of informants; the use of the Regulation of Investigatory Powers Act to allow for surveillance; deaths in custody; the use of lethal force by police; and the supervision of police operations that might affect minority communities”. Damien Gayle, Mark Duggan’s family lead call for a public inquiry into UK policing. *The Guardian*, 8 June, 2015. Available at <http://www.theguardian.com/uk-news/2015/jun/07/mark-duggans-family-lead-call-for-a-public-inquiry-into-uk-policing> accessed 8 June 2015.

[45] See, for example, BBC News, Met acknowledges ‘some justification’ to claims the force is ‘racist’. 5 June 2015. Available at <http://www.bbc.co.uk/news/uk-england-london-33025853> accessed 8 June 2015.

[46] *Ibid.*, pp. 252-253.

[47] *Ibid.*, pp. 252-253.

[48] Hazel Blears quoted *Ibid.*, pp. 252-253.

[49] *Ibid.*, pp. 253-253.

place.<sup>[50]</sup> In addition, in 2011 the Metropolitan Police ended a ten year engagement with Muslim community representatives at the Muslim Safety Forum.<sup>[51]</sup> This followed the UK Prime Minister, David Cameron’s address to a security conference in Berlin in which he signalled that the UK government would come down hard on “non-violent extremism”:

It was this political imperative that made it impossible for police [in London] to engage freely with many of the groups and individuals who attended and took part in the Muslim Safety Forum (MSF) during its ten year existence. This is not to suggest that all of the Muslim organisations and Islamic institutions under the MSF umbrella were deemed uncongenial partners by the yardstick of government policy, far from it. But a significant number almost certainly were and it was one of the strengths of the MSF that it brought police into contact with vocal critics as well as enthusiastic supporters in the community.<sup>[52]</sup>

Consequently, there is a reasonable concern on the part of excluded Muslim community representatives that they are being treated unfairly and by a different criterion that which directs police engagement with minority ethnic communities. Not only does policing by consent mean that police officers have a duty to engage with their local communities as they are, it also follows that they should ensure they engage with all sections of the community. That said, this is a difficult position for police, not least when the government takes the view that they are engaging with Muslim organisations purportedly as anathema to social cohesion as the British National Party and the English Defence League.

Despite such obstacles, there are real and realisable opportunities for community based counter-terrorism police officers to both establish trusting and mutually beneficial relationships with diverse Muslim communities, and to develop a flow of accurate and up-to-date intelligence that can make a very positive contribution to the counter-terrorism effort. To be effective, such an approach should not only engage with communities as they are but also aim to accurately assess and comprehend them. This entails police making objective evaluations of strengths, weaknesses, vulnerabilities and internal tensions that occur in all communities.

Significantly, when assessing Muslim Londoners, no less than Muslims throughout the UK, it becomes clear that there is no monolithic bloc; neither is the Muslim community divisible into the rigid binary opposites of moderate and extremist. Rather it comprises of a multiplicity of distinct and different communities based upon ethnicity, Islamic doctrine, class, wealth and integration into UK society. Here, it will be useful to draw on work by Mehmood Naqshbandi in which he has sought to enhance policymakers’ limited understanding of the role played by UK mosques in confronting violent extremism within Muslim

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[50] Robert Lambert, *Competing Counter-Radicalisation Models in the UK*, in Rik Coolsaet, (ed.), *Jihadi Terrorism and the Radicalisation Challenge. European and American Experiences* (Aldershot: Ashgate, 2011), pp. 215-225.

[51] Robert Lambert, *Muslim Safety Forum: senior police and Muslim community engagement during the War on Terror*, in P. Daniel Silke, Basia Spalek and Mary O’Rawe (eds.), *Preventing Ideological Violence: Communities, Police and Case Studies of “Success”* (Hampshire: Palgrave Macmillan, 2013), pp. 67-90.

[52] *Ibid.*, p. 84.

communities, or rather, in most instances, in not confronting it.<sup>[53]</sup> Mosques in Britain, Naqshbandi points out, are generally tightly controlled by local management committees that are invariably made up of men drawn from a close-knit and ethnically distinct group, in most cases either British-Pakistani or British-Bangladeshi.<sup>[54]</sup> As a rule, these committees do not seek opportunities to widen their membership beyond the local community group, or to widen their appeal to the young or the recently converted. Indeed, quite the opposite - imams are often recruited from abroad specifically to ensure continuity of the teaching of the repetitive and unsophisticated “village-Islam” that mosque committee members will have grown up with.

On Naqshbandi’s authoritative account, it follows that it has often been the case that imams, anxious not to incur the displeasure of their employers have tended to steer clear of discussing problematic doctrinal topics, which might include how a young British Muslim should respond to the dramatic and shocking events unfolding in Iraq, Syria, Libya and Somalia. Such foreign-born imams then find themselves unable to answer even the most basic questions of doctrine, due to their own lack of knowledge, lack of education and lack of fluency in the English language. As a consequence, dissent is driven out the confines of the mosque and underground. Time and again this failure to respond to the needs of often young dissenters and most particularly young dissenting converts, has led to vulnerable individuals being drawn into the welcoming embrace of violent extremists and terrorists.<sup>[55]</sup> Whether it is 7/7 bomber Germaine Lindsay and his young wife Samantha Lewthwaite, or al-Shabab commander Tom Evans from High Wycombe who was recently killed in action by the Kenyan Army,<sup>[56]</sup> the number of British converts to Islam who have become involved in terrorist plots, is highly significant and indicative of the inability of most UK mosques to satisfy their spiritual and pastoral needs.

Into such a complex and challenging environment must venture the police community based counter terrorism officer, and here again the importance of understanding and engaging with communities as they are becomes pertinent. All too often police commanders with naïve but benign intent, assign police officers drawn from the local Muslim community to conduct this sensitive and delicate engagement activity. The rationale behind such decisions is clear: a police officer with a shared cultural, ethnic and religious background will be able to interact seamlessly with individuals and groups in the local community. Except that it is not quite as straightforward as this. For example, a sufi oriented police officer may not necessarily empathise with the management of a mosque run by salafi inclined Muslim converts. Equally, British-Pakistani, or British-Bangladeshi police officers may sometimes find themselves in highly conflicted

[53] Mehmood Naqshbandi, Tackling Extremism. Muslims in Britain.

<http://politics.muslimsinbritain.org/politics2.html>

[54] Ibid; see also Samira Shackle, The mosques aren’t working in Bradford. *New Statesman*, 20 August, 2010. Available at <http://www.newstatesman.com/society/2010/08/bradford-british-pakistan> accessed 23.6.15.

[55] Ibid.

[56] Jonathan Owen, British al-Shabaab jihadist Thomas Evans ‘killed in battle’ in Kenya. *The Independent*, 15 June, 2015. Available at: <http://www.independent.co.uk/news/world/africa/british-alshabaab-jihadist-thomas-evans-killed-in-battle-in-kenya-10320231.html> accessed 23.6.15

positions. Both loyal and committed to the police service of which they are members, whilst at the same time feeling the pervasive influence of biraderi and caste that permeates all South Asian communities in Britain.<sup>[57]</sup> All too often senior politicians and policymakers appear ignorant of the presence of these deep and complex dynamics within British Muslim communities.<sup>[58]</sup> Police, on the other hand, encounter them on a daily basis and must understand them for what they are. This theme is developed in the next recommendation.

### **Recommendation 6 – Respect the legitimate religious beliefs of all communities**

At the crux of community based counter-terrorism policing in London is a need to respect the legitimate religious beliefs of all its diverse communities. This is a vital imperative at a time when London faces a severe terrorist threat from movements including Islamic State of Iraq and Levant (ISIL), al-Qaeda and their many affiliates,<sup>[59]</sup> movements with a proven ability to recruit, “radicalise” or influence young Muslim Londoners. There is one key element to this requirement: if police fail to show respect for the religious beliefs of the communities where they are seeking support for counter-terrorism investigations then a serious trust deficit will arise and inhibit this prime policing purpose. Such a trust deficit not only inhibits effective counter-terrorism policing but also offers sophisticated terrorist movements opportunities to exploit it in their propaganda and recruitment material.<sup>[60]</sup> While significant progress was made during the ten years of the Muslim Safety Forum (2001-2011) in regard to many important issues of religious respect<sup>[61]</sup> there remain three recurring problems in need of urgent attention.

The first problem is that legitimate aspects of religious practice continue to be described as pointers towards “radicalisation”. This problematic account was first delivered to a London Muslim audience by Home Secretary, John Reid in 2006.<sup>[62]</sup> More recently, it has been developed by MakChisti, a Commander in the Metropolitan Police, who expresses concern about “primary school children defining Christmas as “haram””. Chisti explains that “while it may not be a police matter, parents and family needed to ask how

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[57] See, for example, Hilary Metcalf and Heather Rolf, *Cast Discrimination and Harassment in Great Britain*. (London: National Institute of Social and Economic Research, 2010). Available at: [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/85522/caste-discrimination.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/85522/caste-discrimination.pdf) accessed 23.6.15.

[58] See, for example, Hazel Blears and Julian Lewis, *Jihadists need to be treated like Nazis*. *The Times*, 27 August, 2014. Available via subscription at [www.thetimes.co.uk/tto/opinion/columnists/article4187835.ece](http://www.thetimes.co.uk/tto/opinion/columnists/article4187835.ece) accessed 23.6.15

[59] MI5, *Current international terrorism threat level: SEVERE (UK-wide)*, the threat comes principally from Al Qaida and related networks; and the Islamic State of Iraq and Levant (ISIL). Available at <https://www.mi5.gov.uk/home/the-threats/terrorism/threat-levels.html> accessed 8.6.15.

[60] See, for example, Lambert, *Countering al-Qaeda in London*, pp. 224-225.

[61] Lambert, *Muslim Safety Forum*, pp. 67-90.

[62] Lambert, *Countering al-Qaeda in London*, p.5.

children as young as five had come to that view, whether it be from school or their friends”.<sup>[63]</sup> “This is not about us invading private thoughts,” he argues, “ but acknowledging that it is in these private spaces where this [extremism] first germinates”:

The purpose of private-space intervention is to engage, explore, explain, educate or eradicate. Hate and extremism is not acceptable in our society, and if people cannot be educated, then hate and harmful extremism must be eradicated through all lawful means.<sup>[64]</sup>

Putting aside the issue of privacy, where Chisti appears to have been selectively quoted and unfairly criticised, there is also an important issue for policing in terms of religious belief and sectarianism. Chisti is a Muslim - seemingly a liberal Muslim - and appears to be conflating a legitimate school of Islamic belief with extremism and radicalisation that leads towards support for Islamic State. At best this is a somewhat reductive analysis and one that sits at odds with a more insightful account provided by Mehmood Naqshbandi, a former advisor to the Metropolitan Police, who is at pains to defend legitimate Islamic beliefs from the simplistic distortions offered by Islamic State and others. Naqshbandi shares Chisti’s concern that young Muslim Londoners are joining Islamic State but addresses the problem from a different vantage point in explaining that “all ISIS needs to do, and has done, is to put forward more cogent arguments in their own favour, in a format and with [Islamic] sources that the recipients are familiar with”. “Young Muslims especially”, he explains “and those who are troubled by the discordant clash between their own lives, the ideals of a simple Muslim way of life, the corruption and decadence of the society they are growing up in, and especially the compromises and hypocrisy of their own parents, the ISIS message offers a resolution”.<sup>[65]</sup> Suffice to say, if Naqshbandi is right and parents are sometimes part of the problem, Chisti’s approach may have limited application.

In fairness to Chisti, he is at least being consistent, rather than merely echoing government ministers who have often been inconsistent and selective when engaging with the topic of religious practice. On the one hand, sometimes keen to champion the right of Muslim women to wear the hijab and for Muslim communities to fast and celebrate Ramadan – all supposedly in the interests of religious tolerance and promoting diversity. Yet, on the other hand, condemning Christians and Muslims who refuse to support and endorse gay relationships and same-sex marriage, thereby pursuing a pick-and-mix approach to religious tolerance which is highly damaging in terms of trust building if it is pursued by police.

In addition, Naqshbandi is acutely conscious of inter Muslim sectarianism that is exploited by Islamic State and scrupulously avoids feeding it. This runs counter to a strand of liberal Muslim thinking that

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[63] Vikram Dodd, Jihadi threat requires move into ‘private space’ of UK Muslims, says police chief. The Guardian 25 May 2014. Available at: <http://www.theguardian.com/world/2015/may/24/jihadi-threat-requires-move-into-private-space-of-uk-muslims-says-police-chief> accessed 7.6.15.

[64] Ibid.

[65] Mehmood Naqshbandi, Why a comprehensive theological response to ISIS is desperately needed. Muslimsinbritain.org blog. 19 March 2015. Available at: <http://www.muslimsinbritain.org/blog/> accessed 7.6.15.

enthusiastically endorses attempts to link extremism to legitimate strands of conservative Islamic belief.

In fact, Naqshbandi has explained basic Islamic beliefs and practice in a guide book for London police officers which runs counter to the perspective of some liberal Muslims and key parts of government Prevent strategy. This extract dealing with sexual relationships is a case in point:

Like most faiths that have the concept of external, objective morality, Islam is deeply antipathetic to homosexuality. This highlights the social conundrum of providing inclusivity for strongly held, opposing views, and this conundrum has not yet been worked out either by liberal Muslims or community institutions, and this booklet cannot offer a solution.<sup>[66]</sup>

Whereas for London policing “diversity” generally signifies a consensus, Naqshbandi seeks to explain the importance of mutual respect for opposing beliefs:

Muslims and non-Muslims alike have to keep this in context – by analogy, Muslim law has strict penalties for possession, consumption and dealing in alcohol, yet Muslims and alcohol users are able to maintain perfectly acceptable relations in most circumstances. Indeed a far more heinous crime (to Muslims) than homosexuality or alcohol use, is that of believing Jesus to be the Son of God, yet Muslims generally maintain benign relations with Christians.<sup>[67]</sup>

“Islam is at least consistent”, Naqshbandi explains, “in that, to Muslims, overtly sexual or lewd behaviour would be offensive whether heterosexual or homosexual. In Islam, all sexual relationships are forbidden outside of marriage”. “Recent years”, he continues, “have seen dramatic changes in society's tolerance and acceptance of gender diversity, and to some extent Muslim communities in the UK have quietly accepted this”. “However”, he adds significantly, “quiet acceptance disguises an undercurrent of more ‘traditional’ views that persists within the more introspective Muslim communities”. For example, “gender re-assignment presents many challenges in society generally when work involves matters that cross ‘personal space’, e.g. in medical examination, personal care, single-sex accommodation and security situations”. “Professionals working in such circumstances”, he points out, “need to be mindful of the extra challenges that such situations will create, and accommodate them constructively”.<sup>[68]</sup>

Two key points arise from Naqshbandi’s policing guide: first, the importance of understanding religious belief and practice on its own terms; second, recognising that major, significant similarities and differences exist between the beliefs and practices of many Muslim Londoners and other faith communities in the capital. For example, on the one hand, many Jewish and Christian Londoners, share Muslim concerns about what Naqshbandi terms “overtly sexual or lewd behaviour”. On the other hand, many Jewish and Christian Londoners would concur with liberal Muslims who prefer to challenge establish norms in their

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[66] MehmoodNaqshbandi, Islam and Muslims in Britain: a guide. Available at: <http://guide.muslimsinbritain.org/guide1.html> accessed 7.6.15.

[67] Ibid.

[68] Ibid.

respective religions. Suffice to say, Islamic State, and other terrorist movements, will be less able to exploit community anger if London policing is seen to respect legitimate religious beliefs – which is not to endorse them – such as the teaching of the fundamental tenets of Islam to children in mosques and gender segregation in certain public settings. As well as denying terrorist movements propaganda opportunities, such an approach will also facilitate community initiatives aimed at tackling radicalisation. For Naqshbandi, “...the government must realise that there was no top-down solution to tackling radicalisation and reforming mosques”. “Instead”, he urges, “help was needed to make them more inclusive and accountable. [Mosques] are the only institutions of any consequence that UK Muslims possess . . . perhaps counter-intuitively, these are the places where extremism should be debated and examined.”<sup>[69]</sup>

The second urgent problem is closely related and concerns the Prevent strategy where it conflates all strands of political Islam (otherwise referred to as Islamism) and all strands of Salafism as being “extremist” and antithetical to British values.<sup>[70]</sup> This approach is ill-considered and unintentionally sends out a clear signal to London Muslims that sections of their community are being stigmatised in favour of others. It is also a proven target for terrorist propaganda.<sup>[71]</sup> Moreover, it has become an entrenched policing position since organisations that promote this approach were given major roles in police training and Prevent delivery.<sup>[72]</sup> Again, London policing’s MakChistigoes some way to endorsing it when he claims that “if someone stops shopping at Marks & Spencer or starts voicing criticism” it might be a signal for “hatred for that store” and an indicator for radicalisation.<sup>[73]</sup> The point here is that a number of young Muslims have taken part in boycotts of Israeli produce (and related pro-Palestinian demonstrations) as part of a pathway of radicalisation into mainstream democratic London politics and away from the influence of violent extremists.<sup>[74]</sup>

The third problem concerns Islamophobia and a tendency for policing to afford it less attention than it warrants.<sup>[75]</sup> This tendency came to attention in London in 2007 when Sir Ian Blair, then Commissioner of the Metropolitan Police, attended an Islamophobia conference organised by the Muslim Safety Forum at the London Muslim Centre. He stated that he did not think Islamophobia was a significant problem and that he

[69] Laura Pitel, Out-of-touch imams can’t halt terrorism, says adviser. *The Times*, 30 August, 2014. Available at: <http://www.thetimes.co.uk/tto/news/uk/article4199696.ece> accessed (via subscription) 7.6.15 .

[70] See, for example, Lambert, *Countering al-Qaeda in London*, pp. 155-158.

[71] *Ibid.*, pp. 224-225.

[72] See, for example, Quilliam Foundation, *Quilliam trains over 1,000 public sector workers*, Press release, 2009 Available at: <http://www.quilliamfoundation.org/press/quilliam-trains-over-1000-public-sector-workers/> accessed 8 June 2015.

[73] Vikram Dodd, *Jihadi threat requires move into ‘private space’ of UK Muslims, says police chief*. *The Guardian* 25 May 2014. Available at: <http://www.theguardian.com/world/2015/may/24/jihadi-threat-requires-move-into-private-space-of-uk-muslims-says-police-chief> accessed 7.6.15

[74] Lambert, *Countering al-Qaeda in London*, p. 72.

[75] See Tim Parsons, *Islamophobia: Islamic Hate Crime and the Challenge that Western Societies must rise to*, in Jonathan Githens-Mazer and Robert Lambert, *Islamophobia and Anti-Muslim Hate Crime: a London case study*. University of Exeter, 2010, pp. 45-47.

would deliver a speech on the al-Qaeda terrorist threat instead. Interviewed in 2010 “Muslim Safety Forum volunteers recalled their disappointment with this unexpected and unannounced turn of events”:

[Blair] came onto the stage and he actually decided he didn’t want to talk about Islamophobia...he said it doesn't actually exist, it’s not really a problem, and what he wanted to talk about was counter-terrorism. And most of the people there, especially from the community were a bit outraged. Loads of people commented they felt sorry, but this wasn’t what the actual conference was about, so to come on for an actual conference on Islamophobia to completely disregard it, showed that the chief of police is not even interested, and doesn't see it as a problem, so where do we go from there, and I think we were quite shocked, because we actually set the speeches.<sup>[76]</sup>

Understandably, “for the MSF community volunteers who organised the Islamophobia conference, Ian Blair’s opening statement sent out a negative signal above and beyond the topic subject of the conference”:

when that happened, that really did dumb down all of us, because ...that’s the chief of police basically coming to a conference on Islamophobia, choosing obviously, made a conscious decision that he’s not going to talk about Islamophobia – the conference was entitled Islamophobia – not to talk about Islamophobia and talk about counter-terrorism, so what... what message does that send out, and it sent out a clear message to all of us that look, this guy doesn't want to engage.<sup>[77]</sup>

From an organiser’s perspective “Blair’s approach to the event also caused problems for their fragile community credibility and legitimacy”:

I think our point from that conference is what we wanted was to broker that relationship between community and police, and I think he completely threw that out, and instead of brokering that, it made us the organisers – yeah, I think it’s quite demoralising to have spoken to [the police] extensively, just as I had spoken to all the key speakers that came on the day, ...to reassure communities, and then to have him come on and completely disregard everything.<sup>[78]</sup>

It is probably safe to say that Blair, noted for his sensitivity to policing’s diversity agenda, would not have acted this way with any other minority community in London. His position in this example is therefore helpful in highlighting how difficult this recommendation is for police to address in regard to Muslim communities.

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[76] Lambert, Muslim Safety Forum, pp. 80-83.

[77] Ibid., pp. 80-83.

[78] Ibid., pp. 80-83.

## **Recommendation 7 - Notify policy makers of community concerns**

Speaking truth to power is never a safe route to career advancement in policing – in London or in any major police service - but is clearly necessary on those occasions when government counter-terrorism policy is unintentionally proving to be counter-productive, however well-intentioned it may be. This is especially important when terrorist movements are able to exploit weaknesses or mistakes in counter-terrorism policy or practice for benefit in terms of recruitment and support. This is the sense in which this recommendation flows from English's example of offering constructive criticism to policy makers with a view to enhancing the legitimacy and effectiveness of counter-terrorism responses to formidable and inventive terrorist opponents. Three specific recommendations follow.

Firstly, London policing still needs to listen to all strands of Muslim opinion as it previously sought to do at the Muslim Safety Forum. This is to avoid being seen to talk just to John Grieve's "nodding dogs". Interestingly, in all other areas of London policing the imperative to engage with its most stringent critics appears to be alive and well.<sup>[79]</sup> The fact that it is less of a priority in relation to counter-terrorism may well indicate the level of policing subordination to government and the security services in this arena. If that is the case, it only increases the duty of police to listen to its critics in the community in regard to counter-terrorism issues - Prevent included - in exactly the same way as it does in all other areas of policing. Apart from its own intrinsic value as a method of policing by consent it has the added value of reducing the risk of bolstering sectarian divisions that are regularly exploited by Islamic State, al-Qaeda and their affiliates. At its best the Muslim Safety Forum achieved this objective and enabled police to brief government on key areas of concern in regard to counter-terrorism policy and practice.<sup>[80]</sup>

Secondly, London policing should notify government when the Prevent strategy aimed at tackling "extremism" is unfairly targeting or stigmatising Muslim groups and individuals who are not "extremist" but rather the exact equivalent of groups and individuals in other London faith communities who are recognised as representatives of conservative or radical strands of legitimate religious belief and political opinion. Again, apart from its own intrinsic value as a method of policing by consent this also has the added value of reducing the risk of bolstering sectarian divisions that are regularly exploited by Islamic State, al-Qaeda and their affiliates.

Lastly, London policing should reflect on its unique learning, especially over the last two decades, and offer an honest appraisal of the successes and failures of government counter-terrorism policy at the

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[79] See, for example, Deputy Assistant Commissioner Mark Simmonds of the Metropolitan Police listening to blistering criticism from "community activist" Lee Jasper at a police / community meeting in Brixton in episode 1 of the BBC TV documentary "The Met: Policing London" first broadcast on BBC1 at 9pm on Monday, 7 June 2015. Available (for a limited period) at: <http://www.bbc.co.uk/iplayer/episode/b05ztwsj/the-met-policing-london-episode-1> accessed 8 June 2015.

[80] Ibid., pp. 67.

community level. This will be especially valuable for the growing number of civil servants and voluntary sector employees involved in community intervention strategies in London as well as in towns and cities across the UK.

## Conclusion

To recap, there are two threads that connect and underpin these seven recommendations: a recognition that counter-terrorism policing is involved in a competition with terrorists for credibility and legitimacy in the same communities; and an understanding that the principle of policing by consent imposes responsibilities on police that are likely to be alien to, or impracticable for civil servants and other multi-agency partners. Taken collectively, it is hoped that the seven recommendations outlined in this article will help to identify and resolve some of the tensions that arise between “high” and “low” policing and thereby stimulate academic debate on an understudied but important aspect of counter-terrorism activity. Given the extent to which the terrorist movements that presently threaten London also threaten other towns and cities in the UK and the West it seems reasonable that these tentative proposals should have some export potential, so as to emulate the seven influential recommendations of Richard English that provided a model for this article.

To be sure, the emergence of community based counter-terrorism initiatives aimed at inhibiting London citizens – and citizens of other towns and cities in the West – from leaving home to fight for Islamic State in Syria and Iraq, highlights the topicality and potential value of the recommendations. In fact, even if each and every one of them is found to be wanting, a consideration of the issues raised in regard to each one might still be of some benefit when seeking to enhance counter-terrorism practice in a complex and demanding arena. To the extent that policing plays a reduced role in regard to a problem that extends beyond counter-terrorism and increasingly overlaps with counter-insurgency, counter-extremism, counter-radicalisation and de-radicalisation, practitioners should reflect long and hard on how to ensure all strands of community opinion are fully understood. To misrepresent or stigmatise the religious beliefs or political opinions of Muslim Londoners either with a track record or with potential of tackling terrorism and violent extremism in the capital is to play into the hands of sophisticated terrorist movements and networks eager to drive a wedge between the communities where they seek recruits and the police employed by the state to disrupt them.

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As a nationally qualified police trainer he has taught and lectured in twenty countries. In addition to experience in training police officers of all ranks he has also designed and delivered training courses for the following organisations: Serious Fraud Office, Bank of England, London Stock Exchange, Standards Board for England, KPMG, Ernst and Young, Price Waterhouse Coopers, Deloitte, BDO Stoy Hayward, Lee and Allen and Alix Partners.

Publications: Parsons, T. Spalek, B and Roache, R. (2014) Preventing Terrorism and Countering Violent Extremism and Radicalization that Lead to Terrorism: a Community-Policing Approach. OSCE, Vienna. ISBN 978-92-9235-023-9 )

# Measures against Stalking and Future Challenges in Japan

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**Abstract:** The number of stalking reported to the police has been increasing since 2000 when the Anti-Stalking Act was enforced, and that doubled to 22,823 in 2014. Although many perpetrators stop stalking through administrative actions such as warnings and prohibitions by the police in accordance with the act, perpetrators’ desires to rule victims are strong in stalking cases, which can easily lead to serious crimes.

In the stalking-murder case in Zushi City in 2012, the man under probation with a suspended sentence for intimidation over his ex-girlfriend murdered her after sending emails asking for compensation. In this case, although the probation office had set a special condition to prohibit the man from seeing the victim, this prohibition was not shared between the probation office and the police.

Considering this situation, the National Police Agency established a team that consisted of the community safety division and the criminal investigation division in each Prefectural Police Headquarters nationwide, while strengthening cooperation between the police and other agencies. Our future challenges includes establishing sufficient systems to counsel and protect victims.

**Keywords:** Anti-Stalking Act, National comprehensive anti-stalking measures, Multi-departmental cooperation, Support for victims, Rehabilitation of offenders, Education to prevent stalking

## Background to Japan’s anti-stalking measures

The incident that brought about a broad consensus in Japan about the importance of measures to combat stalking was the 1999 murder of a young university student in Okegawa, a city near Tokyo. Prior to the murder, the ex-boyfriend of the victim distributed numerous letters and flyers slandering the young

woman, and although she filed a complaint for libel with the police, the police were indifferent with their investigation. The suspect was not arrested, and several months after the complaint was filed, the young woman was murdered near the Okegawa Station. The police response in this case was severely and widely criticized by the public, but it also gave rise to an acute awareness of the need to establish anti-stalking legislation.

From this, in 2000, the Anti-Stalking Act was established. The Act authorizes the chief of a police station to issue a written warning to a person who is committing acts of harassment against another person<sup>[1]</sup>. If the person who has received this warning ignores this and commits further acts of harassment, the public safety commission can issue a prohibition order<sup>[2]</sup>. Any violation of this prohibition order will result in punitive action<sup>[3]</sup>.

This is based on the idea of seeking to prevent the occurrence of any harm by the early intervention through the exercise of police authority against “acts of harassment”, which are not regarded as a criminal offense. Under the Anti-Stalking Act, if the acts of harassment are persistent and the victim lodges a complaint, these acts will be subject to criminal penalty<sup>[4]</sup>.

## Current trends

The annual number of stalking cases acknowledged by the police following enactment of the Anti-Stalking Act has continued to rise sharply since 2012, and the more than 22,000 cases in 2014 is a record

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[1] Acts of harassment are any of the following acts committed against a specified person or the family of that person for the purpose of satisfying romantic feelings or other feeling of affection toward that specified person, or resentment that such feelings are unfulfilled: a) Following, lurking, and intruding b) Acts that display to the person he/she is being watched c) Demands to meet or go out together d) Aggressive language or behavior d) Silent telephone calls, and continuous telephone calls, faxes and emails e) Sending items of rubbish and the like f) Causing harm to the person’s honor g) Infringing on the person’s sexual sense of shame. The reason for Acts subject to regulation under the Anti-Stalking Act are limited to those carried out to satisfy romantic desires and the like is to minimize the scope of regulations on the general public, and to ensure that news gathering or labor union activities are not restricted.

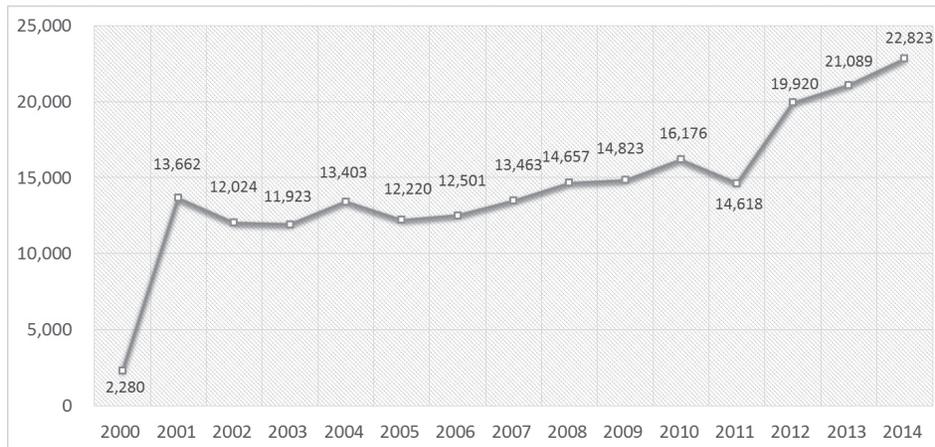
[2] A prohibition order can order the offender not to repeat the acts of harassment, and set conditions necessary for preventing such acts of harassment. Before issuing a prohibition order, the public safety commission must conduct a hearing to protect the rights of the person to whom the order is to be issued.

[3] A person who commits an act of stalking in violation of a prohibition order is stalking despite being issued the applicable order, so it is more serious than a simple “act of stalking”, and the offender will be punished by imprisonment with work for not more than one year or a fine of not more than 1,000,000 yen. The same applies to a person who commits an act of stalking by committing acts of harassment in violation of a prohibition order. A person who violates a prohibition order will be punished by a fine of not more than 500,000 yen.

[4] A person who commits an act of stalking will be punished by imprisonment with work for not more than six months or a fine of not more than 500,000 yen.

high<sup>[5]</sup>. Ninety percent of stalking victims are women, while males account for just 10%.

**[Acknowledged cases of stalking]**



\* The figure for 2000 is the number of acknowledged cases following enforcement of the Anti-Stalking Act (November 24).

The number of warnings and prohibition orders issued under the Anti-Stalking Act, too, jumped after 2012, and in 2014 there were 3,171 warnings and 149 prohibition orders issued. In contrast to the more than 22,000 acknowledged cases of stalking, the number of warnings and prohibition orders issued would appear to be quite small. Probably this can be attributed to the fact that even though they go to the police because they feel anxious, a significant number of victims are scared that the offender may feel even greater resentment and malice if they are warned by the police, so they prefer that the police do not issue a warning. Even if a warning is not issued under the Act, if it is judged necessary for preventing serious harm, the police can provide the victim with an emergency call device with a GPS function, or adopt other suitable measures<sup>[6]</sup>. Under the Act, the police issue a written warning to the offender, but apart from this, the police

[5] The reason is probably that there is now a much greater public awareness about this problem, and more victims are seeking help or reporting stalking. Together with this, prefectural police are also more proactive in their response.

[6] Under the Anti-Stalking Act, the chief of the prefectural police headquarters or the police station are required to provide all necessary assistance when a victim files a complaint, and in providing this assistance, they must work in close cooperation with the relevant administrative agencies. The chief of the prefectural police headquarters or the police station are also required to take the necessary steps to prevent any harm to the victim from these acts of stalking. The steps that the police take include: a) Advising the name and contact details of the offender, b) Referral of the victim to private organizations that can prevent harm, c) Use of police facilities as a place of negotiation to prevent harm, d) Advising and lending items that can help to prevent harm to the victim, e) Registration in the 110 emergency call registration system (\*when a call is received from a victim who has previously registered, the system automatically gives notification that the call is from the victim), f) Security advice to the victim, g) Patrols, h) Lending the victim an emergency call device with a GPS function

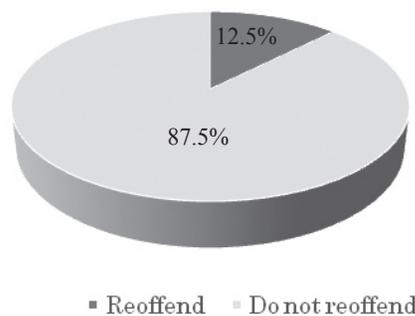
may also give a verbal warning that is not prescribed in the Act<sup>[7]</sup>.

**[The number of warnings and prohibition orders issued under the Anti-Stalking Act]**



A study by the National Police Agency reveals that nearly 90% of offenders who are issued a warning or prohibition order do not commit any further acts of harassment, but on the other hand, this also means that just over 10% of those who are warned or are issued with a prohibition order do not stop, and continue to harass their victims.

**[Recidivism]**

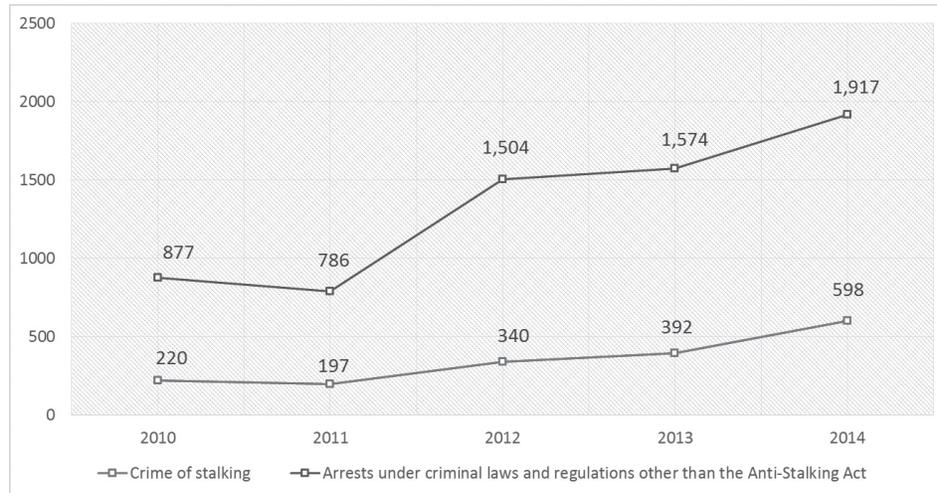


\*This pie chart shows the percentage of offenders issued a police warning or a prohibition order by the public safety commission in acknowledged cases of stalking in April–June 2014 who were known to have reoffended or did not reoffend up to the end of the 2014.

[7] The Police Act states that the police have a duty to protect people’s life, body and property, and to ensure public safety and order, and the verbal warning to offenders is given under these provisions. Under the Anti-Stalking Act, a written warning requires the victim to file a complaint, and verbal warnings are given when this requirement is not met. Between April and June 2014, police gave 2,349 verbal warnings, which equate to more than 40% of the total number of acknowledged cases of stalking for that period. Of this number, 2,070, or 90% of those who received a verbal warning, did not reoffend up to the end of 2014, so similar to written warnings under the Anti-Stalking Act, this is considered to be quite an effective approach.

Over the past few years the number of arrests under regulations by Anti-Stalking Act and criminal laws also have been rising steadily, and reached 598 in 2014. If acts of stalking violate other criminal laws and regulations, the offender may be arrested under those laws and regulations, and in 2014, there were 1,917 such arrests<sup>[8]</sup>.

**[Application of criminal laws and regulations for stalking]**



The murder of a woman by a stalker in Zushi, a city near Yokohama, in 2012 led to a revision of the Anti-Stalking Act. In 2011, a woman spoke to police about the frequent unwanted emails she was receiving from her ex-boyfriend. The police determined that the contents of the email messages constituted intimidation, and arrested the ex-boyfriend. The offender was indicted, and was handed a one-year prison sentence, suspended for three years with probation, and released. Later, he began sending the woman frequent emails again. The police found that there was nothing in the email messages that would authorize them to arrest the offender. Also, at that time, the act of continuously sending email messages did not fall under the “harassment” provisions in the Anti-Stalking Act, so the police were not able to issue a warning under the Act. The police boosted patrols around the woman’s home, but in 2012, the ex-boyfriend murdered her, then committed suicide<sup>[9]</sup>.

[8] Of the arrests made subject to the application of laws other than the Anti-Stalking Act in 2014, 465 arrests were for intimidation, 309 were for trespassing, and 213 were for bodily injury.

[9] In this case, when the investigator showed the arrest warrant for intimidation to the offender, he read out the married name and residential address of the victim that was written on the warrant, and it was possible that the offender identified where woman lived from this. As a result of this, in December 2012, the National Police Agency directed prefectural police to give consideration to how names and addresses are written in the summary of the alleged facts of the offense for the written request for the arrest warrant in cases where there is a need to consider preventing the recurrence of harm.

This case led to a revision of the Anti-Stalking Act in 2013<sup>[10]</sup>, and continuously sending email messages now falls under “acts of harassment”, and is subject to the issue of a police warning.

## Latest police strategies

### Response structure

A murder by a stalker in Zushi and Tokyo subsequent to this intensified public demands for even tougher action to combat stalking, and action was taken to drastically reinforce the police response to stalking. Incidents of stalking were previously handled by the community safety division, and when a victim consulted police about stalking, the normal process was to examine whether it could be dealt with by a warning under the Anti-Stalking Act. But in high-risk cases where the stalker held a strong grudge or felt intense malice toward the victim, there was no way that a response under the Anti-Stalking Act could prevent a serious crime.

Now, as soon as a victim consults police about a stalker, both the community safety division and criminal investigation division become involved, and if the case is determined to be a high risk, even where the victim does not want the offender to be punished, the police will act proactively to apply criminal laws and regulations and arrest the offender to ensure the safety of the victim. This change in the police response strategy is considered to be one of the factors contributing to the recent rise in the number of cases in which criminal laws and regulations are applied to stalking.

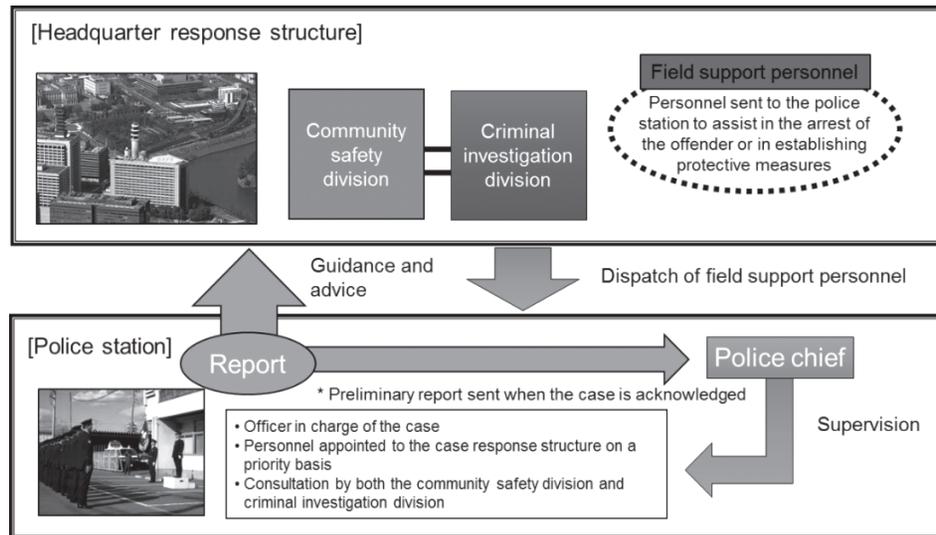
The police are also strengthening the structure for initiating an appropriate response to a stalking incident. Reports of stalking are mostly handled by the police stations<sup>[11]</sup>. These police stations range considerably in scale, and it is crucial that the headquarters with their greater resources provide support to

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[10] The main amendments to the Anti-Stalking Act in 2013 were, as mentioned, inclusion of the act of continuously sending electronic mail messages as an “act of harassment”, and also: a) Prior to the amendment, only prefectural public safety commissions and chiefs of prefectural police headquarters with jurisdiction over the location of the victim’s domicile were authorized to issue written warnings and prohibition orders, but the amendment expanded this to include those with jurisdiction over the residence of the victim, the domicile or residence of the offender, and the location where the offense was committed. b) Prior to the amendment, prohibition orders were issued under official authority, but following the amendment, a prohibition order may be issued based on a written application by the person who filed the complaint requesting the issue of a written warning.

[11] The police structure in Japan comprises the National Police Agency, and police headquarters in each of 47 prefectures. Under these police headquarters, there are 1,167 police stations as of April 2015.

the police stations so that proper risk assessments<sup>[12]</sup> can be done and timely investigations can be carried out on high-risk cases. So it was decided to set up an organizational framework in police headquarters in which the community safety division and criminal investigation division could work together to support the police stations. Along with this is an increase in police personnel<sup>[13]</sup>.



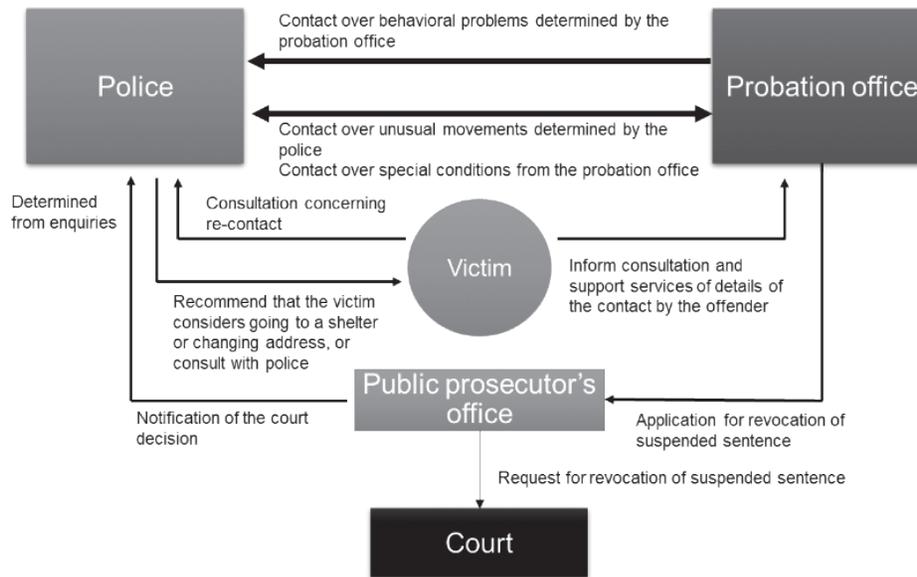
### Cooperation with the probation office concerning offenders on a suspended sentence with probation

From the lessons learned from the Zushi case, cooperation between the police and probation offices is also being strengthened. In the Zushi case, the offender was under a suspended sentence with probation<sup>[14]</sup>, but police were not aware of the details of the special conditions set by the probation office, and the police did not provide information about the movements of the offender to the probation office. These days there is a much closer exchange of information between the police and probation office, and there have been cases where the exchange of information has led to a stalker’s parole being revoked.

[12] The police interview the victim based on a checklist of items concerning the character of the victim and offender, and assess risk from the response given by the victim. The police then inform the victim of the assessment. This checklist is drawn up on the basis of external scientific expertise in forensic psychiatry. The police give a clear explanation to the victim on the risks involved in the case and the steps the police are authorized to take using diagrams to find out exactly how the victim wishes to proceed, and through this, the police have the same understanding as the victim, and can effect a prompt and specific response to the incident.

[13] In fiscal 2015, regional police strength was boosted by 680 officers to handle cases where there was a recognized urgent need to ensure a person’s physical safety in cases of stalking, DV, and other cases of violence resulting from romantic complications.

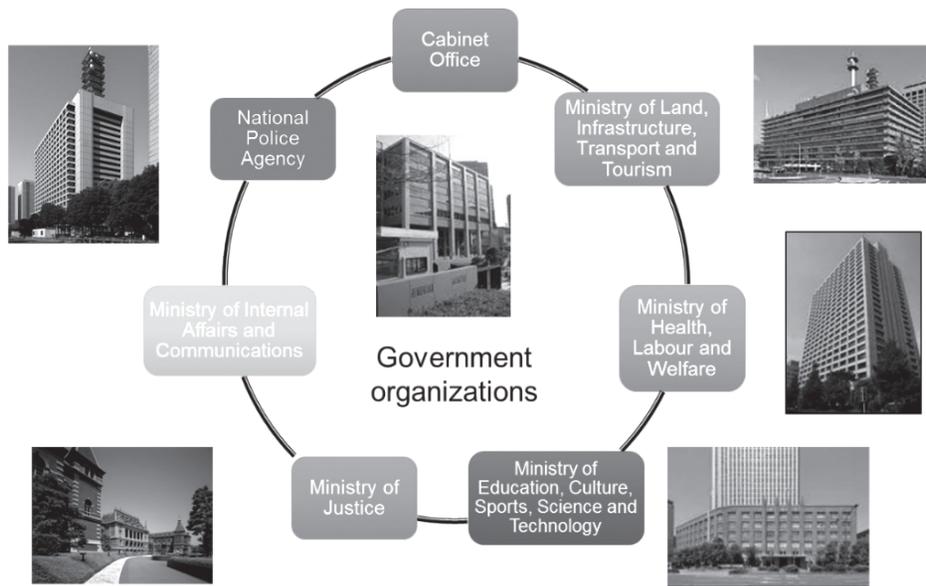
[14] There are no statistics on persons charged with stalking, but over the past few years, about 55–60% of offenders sentenced to a prison term have been given a suspended sentence. About 10% receive a suspended sentence with probation.



### Major challenges for the future

Those who are threatened by a stalker look to the police to intervene and save them from harm, and it is a duty as police to fully meet these expectations. But responding at an early stage to prevent the problem from becoming more serious, and securing the long-term safety of the victim or seeking the rehabilitation of the offender also requires action by organizations other than the police. In this light, in March this year, a conference comprising the seven ministries and agencies of the Cabinet Office, National Police Agency, Ministry of Internal Affairs and Communications, Ministry of Justice, Ministry of Education, Culture, Sports, Science and Technology, Ministry of Health, Labour and Welfare, and Ministry of Land, Infrastructure, Transport and Tourism put together national comprehensive anti-stalking measures<sup>[15]</sup>.

[15] As of March this year when the comprehensive anti-stalking measures were formulated, the ministries and agencies agreed on the following measures to be adopted urgently.: a) Establishment of a structure for responding to stalking incidents b) Temporary shelter and other support for victims c) Protection of victim's information d) Provision of information to victims e) Education to prevent stalking f) Promotion of measures concerning offenders.

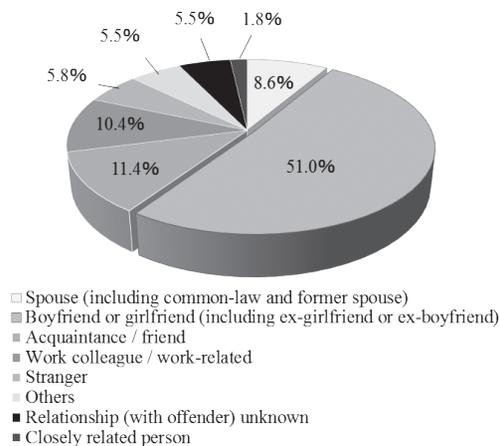


The key details of these comprehensive measures based on multi-departmental cooperation are support for victims, rehabilitation of offenders, and education to prevent stalking.

**Support for victims**

In most cases the offender is a former romantic acquaintance of the victim, and in such cases, the victim does not necessarily want the offender to be punished, and tends to be hesitant about seeking help from the police. A survey conducted by the Cabinet Office in 2014<sup>[16]</sup> revealed that one in ten women had been subject to harassment by a specific male, and 30% of those who had been harassed had felt that their life was in danger, indicating a significant dark figure relating to stalking.

[The relation between offender and victims in stalking cases in 2014]



[16] <http://www.gender.go.jp/e-vaw/chousa/images/pdf/h26danjokan-7.pdf>

In these cases, we would hope that victims seek help through the local government consultation service and women's counseling centers. They can then be referred to a lawyer or other suitable mediator who can provide advice on seeking a civil resolution to prevent the problem from becoming more serious. However, in a 2014 Cabinet Office survey of prefectures and municipalities throughout Japan<sup>[17]</sup>, only about 40% of local governments responded that they have a consultation service for victims of stalking in addition to general consultation services<sup>[18]</sup>. It is desirable that local governments set up a consultation service specifically for stalking victims with properly trained counselors so that victims can feel more at ease in seeking help. Measures such as improving temporary shelters and securing public housing to ensure medium- and long-term safety are also essential for providing support to victims of stalking<sup>[19]</sup>. This is another area where local governments have a key role to play.

### **Rehabilitation of offenders**

These days the police will effect an early arrest of an offender for intimidation or similar crime to prevent serious injury, even when the victim does not want the offender to be punished. Every effort must be taken to rehabilitate arrested offenders through appropriate treatment at the probation office or penal institution. There is a need to accurately determine and properly supervise any conditions that have been set for a person on a suspended sentence with probation for stalking, such as prohibiting any contact with the victim. There is also a need to improve programs for offenders and juvenile offenders in detention that apply psychological expertise to ascertain the problems that offenders have and address the issues that lead to stalking.

There is also a need for a medical approach for offenders who persist in harassing their victims. On this point, Japan does not yet have sufficient knowledge on the kinds of treatment that are effective, so the National Police Agency is conducting research into psychiatric and psychological methods for treating stalking offenders. As a part of this research, some prefectural police have begun urging people who have been issued a warning under the Anti-Stalking Act to attend meetings of NPOs that offer treatment for offenders. Though very few offenders actually seemed to go on to receive treatment because of a concern about police involvement in their attendance at the meetings or in the outcome of these meetings.

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[17] [http://www.gender.go.jp/e-vaw/chousa/images/pdf/h26\\_stalker\\_report.pdf](http://www.gender.go.jp/e-vaw/chousa/images/pdf/h26_stalker_report.pdf)

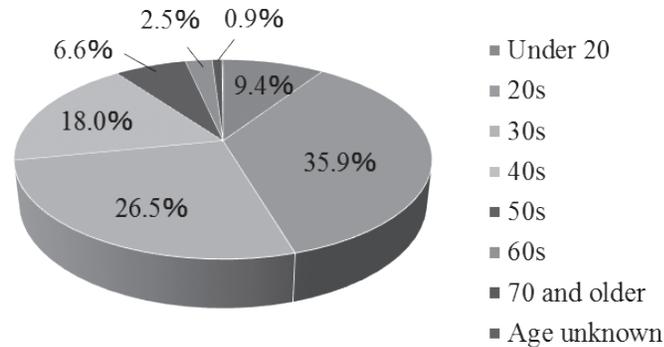
[18] Of these local government, a) about 12% have a manual or guidebook b) about 23% conduct training to improve consultation services c) about 21% have no particular internal collaboration d) about 28% do not particularly collaborate with other organizations e) about 27% provide temporary shelters using public housing. Also About 6% of local governments collaborate with private support organizations in preventing harm from stalking and support for victims, while about 67% of local government do not conduct any particular kind of public education concerning prevention of harm from stalking or support for victims.

[19] A Cabinet Office survey of prefectures and municipalities in 2014 revealed that about 27% of local governments that have a consultation service for victims of stalking provide temporary shelters using public housing. The kinds of shelters considered in such measures include women's protection facilities, mother and child support facilities, private shelters, public housing, and hotels and other accommodation facilities.

### Education to prevent stalking

Harm caused by stalking has become quite serious for young people with 45% of victims of stalking acknowledged by the police in their teens or 20s.

[Ratio of age of victims of stalking in 2014]



There is a need to educate young people so they do not become stalkers or stalking victims<sup>[20]</sup>. This includes teaching them to respect themselves and others so they know how to develop healthy human relationships and how to interact with others, and stressing to them that they should not carelessly give out their personal information, and that they should have someone with whom they can discuss any problems they may have. In this regard, schools and educational administrative organizations have a vital role to play.

There is a need to improve stalking-related consultation services, but the police are still one of the critical points of contact for victims, and there is no change to this. The police must accurately determine the facts when a person reports a stalking, judge the urgency of the situation, and properly exercise the authority granted under the Anti-Stalking Act and their powers to investigate.

There are, however, concerns about chronic personnel shortages because of an increase in the number of cases requiring an immediate or a long-term and continuous response, so the effective utilization of the resources of other organizations is necessary. For this to be effective, ongoing training for police officers dealing with stalking cases and the continual improvement of such training is crucial. The majority of victims are women, so there is also a need for a framework in which female police officers can respond

[20] Police are engaged in a range of educational activities aimed at preventing stalking, including providing information through websites, visiting schools to talk about safety and preventing delinquency, and holding classes on personal security on a regional and workplace basis. In addition, this fiscal year the National Police Agency will set up a portal site, and produce and distribute DVDs and pamphlets for use at schools to provide a broad range of information on the characteristics of stalking cases, how to prevent harm, and the need to contact police about stalking at an early stage.

to stalking cases depending on the condition and wishes of the victim<sup>[21]</sup>.

Although there has been a downward trend in acknowledged criminal offenses in Japan over the past ten years or so<sup>[22]</sup>, it is quite possible that the general public does not necessarily feel any safer due to an increase in the number of stalking cases. Naturally, it is crucial for police to detect crime that has already been committed, but it is also critical for police to work to raise the sense of safety among the community by putting effort into the early prevention of crime.

**Author Profile:**

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He graduated from Kyoto University, Faculty of Law and has been serving since 2001 for National Police Agency and Prefectural Police Force, Metropolitan Police Department, Toyama Prefectural Police.

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[21] As of April 1, 2015, there are 20,947 female police officers in prefectural police, and this accounts for 8.1% of the total police strength. There is an active campaign to recruit female police officers, and in fiscal 2014, 1,663 female police officers were recruited, and they accounted for 15.2% of all new recruits. Female police officers are also increasingly being appointed to senior positions, and as of April 1, 2015, there are 349 female police officers in prefectural police holding the rank of inspector or higher. There are also female police officers appointed to chief of a police station, and head of a police station criminal investigation division.

[22] In Japan the number of acknowledged crimes peaked in 2002 with about 2.85 million cases, and this created a sense of anxiety among the people that public safety and security had reached a dangerous level. This generated a strong awareness not just among police but throughout the government as a whole about the need to push ahead with measures to combat crime. With a view to restoring Japan's reputation as the world's safest country, from September 2003, at the initiative of the prime minister, the government held a ministerial conference on combatting crime comprising all cabinet members, and formulated a government plan for promoting a range of measures in line with the actual crime situation. Specifically, this included a boost in police strength, greater support for people engaged in volunteer activities aimed at preventing crime, and promoting the greater use of security products and fixtures in houses and other buildings.

# How to promote the rights to lawyer in Thailand

**Srisombat Chokprajakchat**

**(Social Sciences and Humanities, Mahidol University)**

**Abstract** This research is aimed to identify problems to promotion of the suspect's rights; and to evaluate the promotion of the suspect's rights in the inquiry stage of the criminal case with respect to management, procedures and recognition of the suspect's rights in the criminal case. The scope of this research focused on the implementation of Criminal Procedure Code Section 134/1, to find out whether it is consistent with Thailand's principle of the suspect's right to lawyer.

This research used mixed methods of quantitative and qualitative researches, by collecting data from documents, focus groups and survey of the sample groups of totally 1,030 people, which consist of: suspects during the prosecution, inmates in prisons, juvenile offender; police; lawyers; and officials of Ministry of Justice.

The research finds that problems, which are experienced in enforcement of Criminal Procedure Code, Section 134/1, arise from the legal provisions themselves, and problems, which arise from practices of the relevant agencies. The researcher would like to propose a pattern of legal aid to the suspects. Should Thailand consider for introducing a similar pattern in a manner of a lawyer on a police station? Lawyers Act must be amended or a specific law must be enacted, thereby prescribing an exception that a public official shall be licensed as a lawyer, in order to serve as the Public Defender, and the government must earnestly provide with support on the budget and the human resource.

**Keywords:** Rights to lawyer, police, suspect

## Introduction

Since the promulgation of the Constitution of the Kingdom of Thailand B.E. 2540 thenceforth, there have been prescriptions recognizing varieties of rights and liberties of the peoples, especially the guarantee of rights in the justice proceedings under the rule of law principle. For example, Section 33 prescribed that:

“The suspect or the accused in a criminal case shall be presumed innocent.

Before the passing of a final judgment convicting a person of having committed an offence, such person shall not be treated as a convict.”

Therefore, all organizations of the State, including the Court, shall not treat such person as a convict, until the passing of such final judgment. Apart from this, Section 242 of the very same Constitution of the Kingdom of Thailand B.E. 2540 also guaranteed the rights of the suspect and the accused in the criminal case, prescribing that:

“In a criminal case, the suspect or the accused has the right to receive an aid from the State by providing an advocate as provided by law. In the case where a person being kept in custody or detained cannot find an advocate, the State shall render assistance by providing an advocate without delay. ...”

The aforementioned rights are expressly recognized by the Constitution of the Kingdom of Thailand B.E. 2550, which prescribes for the suspect's right to be accompanied by a lawyer in the enquiry of a criminal case. That is to say – Section 40 (7):

“in a criminal case, the suspect or the accused has the right to correct, speedy and fair inquiries or trials, adequate opportunities to defend himself or herself and to examine or be informed of evidence as necessary, legal assistance from an attorney and a provisional release”

After the Constitution of the Kingdom of Thailand B.E. 2540 coming into force, it has been deemed to be a major reform of Thai justice system, thereby expressly recognizing the aforementioned rights of the suspect and the accused. Subsequently, in A.D. 2004, the eighth paragraph of Section 87, Section 134/1 and Section 173 of the Criminal Procedure Code were amended, thereby prescribing criteria, methods and conditions, with which the inquiry officer must comply, in providing with a lawyer for the suspect in any case, if an offense in such case is punishable by death penalty, or the suspect has not reached 18 years of age upon the date on which the inquiry officer notifies of the charge, or an offense in such case is punishable by imprisonment and the suspect wants to consult lawyer the inquiry officer must provide with a lawyer for the suspect, whereby criteria, methods and conditions, which are prescribed in the Ministerial Regulations, must be complied, and the lawyer, who is appointed by the State, shall gain remuneration and reimbursement in accordance with the rule stipulated by Ministry of Justice.

Ministry of Justice promulgated Ministerial Regulation Prescribing Criteria, Methods and Conditions, with Which the Inquiry Officer Must Comply in Providing with a lawyer for the Suspect in a Criminal Case B.E. 2549 and Rule of Ministry of Justice on Payment of Remuneration and Reimbursement for a Lawyer, Who Is Appointed by the State for the Suspect in a Criminal Case, whereas Office of Justice Affairs, which initially assumed responsibility, launched the program of promotion for the suspect's rights in the inquiry stage of the criminal case. In 2009, such mission was transferred to Rights and Liberties Protection Department, by Rights and Liberties Safeguard Section, execute promotion for the suspect's rights in the inquiry stage of the criminal case, thereby establishing the budget of remuneration ad reimbursement for duty performance of a lawyer, and allocating the budget for the central agency, whereas

responsibility for the provincial agencies was assigned the Justice Provincial Offices countrywide.

The process of promotion for the suspect's rights in the inquiry stage of the criminal case is set up in 3 steps, which are: Step 1) notification of the rights and providing with a lawyer; Step 2) duty performance of the lawyer; step 3) disbursing of remuneration and reimbursement for the lawyer. All of the 3 steps are continuously correlated to each other, starting for the inquiry officer notifying of the rights and providing with a lawyer, the lawyer performing the duties, and a representative of Ministry of Justice considering disbursing the remuneration and reimbursement for the lawyer. From the past operation, it has been found that the lawyers applied for receiving the remuneration and reimbursement in an amount lower than the target, that is: in 2007 fiscal year, 111 cases were applied; in 2008 fiscal year, 141 cases were applied; in 2009 fiscal year, 252 cases were applied; in 2010 fiscal year, 504 cases were applied; and in 2011 fiscal year, 2,734 cases were applied. In this operation, Lawyers' Council of Thailand has also disbursed the remuneration and reimbursement for the lawyer, who performed the duty of attending the inquiry stage of the suspect. The disbursement was approximately in 1,000 cases per month, an amount of 500 Baht per each case, the total amount of approximately 500,000 Baht. Whereas the statistics of Royal Thai Police are compared, there have been a number of the suspect, who have not been sufficiently protected, and it is a significant problem. Especially when it is contemplated, it is found to be resulted from many causes, including: absence of a clear policy of the State; inefficient enforcement of the law; lack of cooperation between the relevant organizations; and, importantly, the suspect being unaware of and not claiming for their own rights. Therefore, as Rights and Liberties Safeguard Section Rights and Liberties Protection Department are responsible for operation of promotion for rights of the suspect, who are financially incompetent or short of lawyers to attend the inquiry and provide with consultation at the first stage of inquiry, which is considered to be the prominent origin of the prosecution, in order to prevent an innocent from being punished, and protect the suspect's rights and liberties in the criminal case, it is deemed to be suitable that an extensive study should be conducted into this problem. Therefore, “Research Project on Efficient Promotion of the Suspect's Right in the Inquiry Stage of the Criminal Case” has been launched.

**Objectives of the Research are:**

(1) to evaluate the past performance efficiency of promotion of the suspect's rights in the inquiry stage of the criminal case with respect to management, procedures and recognition of the suspect's rights in the criminal case;

(2) to identify problems with and obstacles to promotion of the suspect's rights in the inquiry stage of the criminal case;

(3) to study practices of agencies that are successful in or domestically or internationally recognized with respect to promotion of the suspect's rights in the inquiry stage of the criminal case, whose judicial systems are similar to Thailand, and to properly apply them to Thai context; and

(4) to propose an approach to the policy on performance of promotion of the suspect's rights in the

inquiry stage of the criminal case, with respect to the issue of the suspect's rights to legal counsel, in order to achieve efficiency and goals, which have been stipulated by Rights and Liberties Protection Department.

## **Research Results**

The survey data show that the past operation of promotion for the suspect's rights in the inquiry stage of the criminal case lacked efficiency with respect to availability of the lawyers to the suspect for free of expense.

### **Providing with a lawyer for the Suspect for Free of Expense**

The majority of the suspect in the sample group more than a half specified that “the inquiry officers had not appointed any lawyer for the detainees in the inquiry stage” and 61.8% of them negatively answered that “the lawyers, who had been appointed by the inquiry officers (police officers) for free of expense, had been rendering legal consultancy, advices and assistance throughout the inquiry stage”. 66.3% of them negatively answered that “the lawyers, who had been appointed by the inquiry officers (police officers) for free of expense, had been collecting documentary evidence in their defense” and more than three fourths or 76.8% of them negatively answered that “the lawyers, who had been appointed by the inquiry officers (police officers) for free of expense, had applied for their provisional release”. More than three fourths of the suspect in the sample group admitted that they had refused (rejected) the lawyers, who had been appointed by the inquiry officers (police officers).

However, 68.1% of the sample group negatively answered that “during the inquiry stage, the lawyers, who had been appointed by the inquiry officers (police officers) for free of expense, had just signed their names in order to receive the remuneration for duty performance”, whereas more than a half of the sample group negatively answered that “if they had been allowed to go back in time during the inquiry stage, they would have regretted that they accept the appointed lawyers” (which meant they had been satisfied with the appointed lawyers). Additionally, more than a half of the sample group stated that “they had allowed the lawyers to attend the inquiry.”

### **Notification of the Rights to the Suspect**

Evaluating performance of notification of the rights to the suspect, it is found that the majority of the sample group, or more than a half of them stated that the inquiry officers (police officers) “had not notified of the right to lawyer in cases of: (1) “the offenses were punishable by death penalty” (73.3%); and (2) “the suspect had not reached eighteen years of age upon the date upon which the inquiry officers had notified of the charges” (70.3%); as well as in cases where (3) “the offenses were punishable by imprisonment”, if the suspect did not have any lawyer but want to retain one, the inquiry officers must provide with lawyers

for free of expense (73.6%). Apart from these more than a half of the suspect “had not been notified of the rights to lawyer by the inquiry officers in the record of their statement before signing” (65.4%).

### **The Inquiry Officers and Lawyers' Operation of Protection for the Rights of Detainees**

The majority of the suspect/detainees in the sample group or more than three fourths of them (over 75%) stated that they had not been served by the inquiry officers and lawyers with respect to issues as follows:

(1)“the lawyers, who had been appointed by the inquiry officers, had not inspected the sites of the incidents” (81.2%); and

(2)“the lawyers, who had been appointed by the inquiry officers, had not followed up with witnesses, who might be beneficial to the suspect ” (76.3%)

The majority of the suspect/detainees in the sample group, more than a half or over 50%, stated that they had not been served by the inquiry officers and lawyers with respect to issues as follows:

(1)“the lawyers, who had been appointed by the inquiry officers, had not informed of the progress of their cases” (70.9%);

(2)“the lawyers, who had been appointed by the inquiry officers, had not them warned against or prohibited them from lobbying for the cases, perjuring or violating the law” (72.8%);

(3)“the lawyers, who had been appointed by the inquiry officers (police officers) for free of expense, had not devoted time to administer their advices throughout the inquiry stage” (62.8%);

(4)“during the inquiry, the lawyers, who had been appointed by the inquiry officers (police officers) for free of expense, had not expeditiously and enthusiastically performed their duties to administer their advices” (64.0%);

(5)“during the inquiry, the lawyers, who had been appointed by the inquiry officers (police officers) for free of expense, had not administered legal advices, as much as to cover all elements of the offenses and approaches of the defenses” (66.8%);

(6)“during the inquiry, the lawyers, who had been appointed by the inquiry officers (police officers) for free of expense, had not paid sufficient attention to conduct of the inquiry officer, by taking note of issues and information” (66.5%);

(7)“during the inquiry, the lawyers, who had been appointed by the inquiry officers (police officers) for free of expense, had not conducted research into a trend of the Supreme Court's Decisions and collection of evidence for the defenses” (70.0%); and

(8) “during the inquiry, the lawyers, who had been appointed by the inquiry officers (police officers) for free of expense, had not applied for provisional release in a timely manner” (73.5%).

**However, it is found that the majority of the suspect/detainees in the sample group, more than a half or over 50%, stated that they had not encountered the following conduct:**

(1)“the lawyers, who had been appointed by the inquiry officers (police officers) for free of expense, had not informed them about potential to win or lose the cases (63.5%);

(2)“the lawyers, who had been appointed by the inquiry officers (police officers) for free of expense, had not had sufficient time to discuss the them” (53.8%);

(3)“the lawyers, who had been appointed by the inquiry officers (police officers) for free of expense, had requested money or property from them or their relatives” (75.7%);

(4)“the lawyers, who had been appointed by the inquiry officers (police officers) for free of expense, had advised them to admit the guilt, although they had not committed the offenses ” (70.5%);

(5)“the lawyers, who had been appointed by the inquiry officers (police officers) for free of expense, had advised them to refuse, although they had notified the lawyer that they had committed the offenses” (80.3%);

(6)“the lawyers, who had been appointed by the inquiry officers (police officers) for free of expense, had revealed their secret or private matters, which had been known through duty performance, to other people” (80.5%);

(7)“the lawyers, who had been appointed by the inquiry officers (police officers) for free of expense, had proposed to lobby for the defenses” (69.5%);

(8)“they had requested for lawyers, but the inquiry officers had not appointed for them” ( 75.7%);

(9)“they had requested for lawyers, and the inquiry officers had appointed for them, but with unreasonable delay” (72.8%);

(10)“they had requested for lawyers, but the inquiry officers had made bargains before providing for them” (74.3%);

(11)“they had requested for lawyers, but the inquiry officers had requested their statement at first” (67.2%); and

(12)“they had requested for lawyers, but the inquiry officers had requested them not to consult any lawyers” (76.6%).

**Importantly, the majority of the suspect/detainees in the sample group, more than a half or over 50%, negatively answered in the following issues:**

(1)“whether or not they felt that they had been treated fairly during the inquiry” (55.1%);

(2)“whether or not they felt that their rights had been sufficiently protected during the inquiry” (57.9%);

(3)“whether or not they felt that they had had access to rights protection during the inquiry” (60.0%); and

(4)“whether or not the lawyers, who had been appointed by the inquiry officers (police officers) for

free of expense, had not devoted time to administer their advices throughout the inquiry stage” (66.1%).

1. Operation under Section 134/1 of the Criminal Procedure Code, which requires the inquiry officers to provide with the lawyers for the suspect during the inquiry, is involved with three agencies, namely:

Royal Thai Police Lawyers' Council of Thailand and Rights and Liberties Protection Department, through Justice Provincial Office (Chiefs of Justice Provincial Offices are rotated among agencies under Ministry of Justice, who are carrying out duties of provincial administration, such as Directors of Probation Offices, Directors of Legal Execution Offices, Wardens of State Prisons, Directors of Observation Institutions)

2. Ministerial Regulation Prescribing Criteria, Methods and Conditions, with Which the Inquiry Officer Must Comply in Providing with a lawyer for the Suspect in a Criminal Case B.E. 2549 requires the inquiry officers to provide with lawyers for the suspect, whereas lawyers must be those, whose names are sent by Lawyers' Council of Thailand to Ministry of Justice, in order that Ministry of Justice shall forward to the inquiry officers in the field. However, the important problem is that, since the operation started, Ministry of Justice has not been able to send the list of lawyers to the inquiry officers, because Lawyers' Council of Thailand fails to send the list to Ministry of Justice.

3. Even though Lawyers' Council of Thailand has not sent the list of lawyers to Ministry of Justice, in practice, Ministry of Justice allows the budget to be disbursed, if the lawyers are in the registration of Lawyers' Council of Thailand, whereby the inquiry officer can allow the lawyers, who have confirmed that their names are in the roster or registration produced by Lawyers' Council of Thailand for attending the inquiry stage of the criminal cases, to perform duties as lawyers for the suspect, and the lawyers must confirm their identities in the form stipulated by Ministry of Justice.

4. The operation has encountered the primary problem, which affect rights of the suspect/detainees. Approximately, more than a half or 50% of them stated that “the inquiry officer had not appointed the lawyers for the detainees in the inquiry of the criminal cases”. Moreover, compliance with this procedure is lacking efficiency, with respect to notification of the rights to the suspect, and the inquiry officers and lawyers' conduct of rights protection for the detainees, as well as the problem where bylaw of the Ministerial Regulation obliges Ministry of Justice to request the list of lawyers from Lawyers' Council of Thailand, whereas Lawyers' Council of Thailand may exercise its discretion not to send the list. Thus, Lawyers' Council of Thailand failing to send the list to the Ministry is not considered to be in violation of the Ministerial Regulation. Additionally, Lawyers' Council of Thailand is an independent organization, which is not affiliated to the Ministry, and the Ministerial Rule provided that the Representative of the Ministry shall be authorized to approve disbursement of the remuneration to the lawyers, with whom the State provides. As a result, the lawyers, whose name are not in the list sent by Lawyers' Council of Thailand under the Ministerial Regulation, are not essentially the lawyers, who are eligible to receive the remuneration under this Rule, and the representative of the Ministry is not authorized to approve

disbursement of the remuneration to persons, who are not the lawyers under the Ministerial Regulation. Therefore, the legal problem concerns the problem of duty performance of all relevant parties.

5. Apart from these, there is operational redundancy, which also results in redundant budgets being granted to Ministry of Justice and Lawyers' Council of Thailand for the same mission, because, before Section 134/1 was legislated (Amended in B.E. 2547), the system of appointing the lawyers for the suspect in the inquiry had been agreed by Lawyers' Council of Thailand and Royal Thai Police in the Guidelines for the Cases Where the Suspect Exercise the Right to Lawyer Attending Their Inquiry. Thus, promulgation of Ministerial Regulation and Ministerial Rule is provisions for roles, which the lawyers have already been taking. In other words, the bylaws are unnecessary to have been promulgated.

6. In cases where juveniles or adolescents commits the offenses, which Section 134/1 of the Criminal Procedure Code provides that the Court shall appoint the lawyers for the accused, while Act for Establishment of and Procedure for Juvenile and Family Court B.E. 2534 requires that the Court must appoint the lawyers for the accused, there arise problems about which law shall be applied to the cases. Moreover, operation is still lacking coordination of efforts among the three agencies, naturally resulting in lack of efficiency and lot of redundancy in the operation, lack of clarity in the procedures and criteria for disbursing the remuneration, which have many steps involving with different agencies. Ministry of Justice realizes the operational problems, thus drives to solve such problems, and Ministry of Justice has found that, in the past operation, obstacles resulted from conduct of Lawyers' Council of Thailand, which failed to submit the list. As such, when the problem arose, a working group was established by Department of Rights and Liberties Protection to solve it, thereby launching a definite policy that Ministry of Justice shall register lawyers to the list, and the remuneration shall be disbursed from Ministry of Justice.

7. The researchers had presented patterns and laws, which are relevant to procurement of lawyers in the inquiry for the suspect of foreign countries, as well as analyzed nature of the arising problems.

7.1 Operation under Section 134/1 encounters the primary problem, as Ministry of Justice is unable to send the list of lawyers to the inquiry officers. Thus to solve the problem, if viewed from an operational perspective, to run the operation, Ministry of Justice proposes to amend the bylaws, providing that Ministry of Justice shall register lawyers to the list, and the remuneration shall be disbursed from Ministry of Justice, which are also consistent with the result of the data survey. Most of the sample group propose a pattern to solve the problem, namely: "the list of lawyers should be produced by Ministry of Justice in the same database, which is open for a lawyer to voluntarily subscribe into the program with Ministry of Justice without sanction of Lawyers' Council of Thailand, and Ministry of Justice shall be responsible for disbursing the remuneration, for convenience in procurement of voluntary lawyers, in order to attend the inquiry with the suspect in the criminal cases under Section 134/1 of the Criminal Procedure Code", while such pattern is the most acceptable to the inquiry officers, lawyers and officials of Ministry of Justice in the sample group, whereas such approach is to solve the problem by bringing about more versatile operation. However, Ministry of Justice should

7.2 Coordinate efforts among all three agencies, namely: Ministry of Justice; Royal Thai Police; and Lawyers' Council of Thailand. In order to prevent a new problem from probably arising, criteria for disbursing the remuneration should be amended for more clarity and less complexity. Presently, complete proof, namely: “record of the statement, which the inquiry officer has questioned the suspect”; “date of order”; “date of submission”; “Black Case No. and Red Case No. showing that the case has been indicted” etc., is required to disburse the remuneration. As the requirement of “record of the statement, which the inquiry officer has questioned the suspect” is difficult, because, in practice, the inquiry officer is not allowed to disclose the record of the the suspect's statement in the inquiry to the lawyer, therefore, the criteria should be amended to require only “certificate by the inquiry officer and daily log”. Moreover, requirement of indictment before the remuneration being able to be disbursed makes lawyers, who aid the suspect in the inquiry, need to wait until the cases are indicted, until they are allowed to receive the remuneration, which complicates and delays the process, resulting in extended duration and lack of versatility. Thus, the criteria should be amended for decreasing unnecessary operation of the officials, thereby primarily taking establishment of the suspect's access to their rights into consideration.

7.3 An Approach to Solve the Problems of Enforcement of the Bylaws, Which Are Promulgated by the Provisions of Section 134/1 of the Criminal Procedure Cod. It can be found that the problems, which arise from enforcement of Section 134/1, result from the provisions of the law itself and operation of the relevant agencies. Thus, the approach to solve the problems should be done by amending the provisions of the law, which results in the problems, and organizing conferences among the relevant agencies, in order to avoid further problem in complying with the law.

8. As appointment of the lawyers in the inquiry involves Lawyers' Council of Thailand; Ministry of Justice and Royal Thai Police, which are independent to each other, thus, cooperation among these agencies requires seamless coordination in each step, beginning from drafting of the bylaws, which must be achieved through conferences for discussion at the initial stage and participation in the operation, because each agency has its own roles and definite framework of operation, as far as the evaluation stage. The researchers propose approaches to solutions to the problems with respect to the policy, which must be considered from different perspectives as follows.

1) If Ministry of Justice is required to be directly responsible for registration of the lawyers into the list and the remuneration is disbursed from Ministry of Justice, drafting of amendments to the law and bylaws by the relevant agencies should take opinions of the relevant agencies into consideration, and require participation of all relevant parties, in order to achieve the ultimate goal that the suspect's rights are protected by the lawyers, whereby a memorandum of understanding (MOU) among the relevant agencies should be concluded, in order that coming amendments to the law and bylaws are recognized and observed by the relevant agencies and avoid causing further problems.

2) Prescribing contents of the amendments to the law and bylaws should concern suitability, scope of authority of the officials and roles of each agency, which are different from each other, and should be

cautious against prescribing the law to allow exercise of authority to overstep the roles of other agencies.

For example, Thai Bar may be invited to the conference for discussing and contemplating the amendments to the law and bylaws, which involve other agencies.

Lawyers' Council of Thailand, whose primary duties are to train and register the attorney at laws, should be required to procure lawyers for the inquiry officers, the inquiry officer should be obliged to notify of the rights to the suspect and cause lawyers to meet the suspect, and Ministry of Justice, whose primary duty is to support for rights protection, should be required to be the intermediary for coordinating between Lawyers' Council of Thailand and the inquiry officers, requesting for the budget and conduct evaluation of efficiency and effectiveness in law enforcement. Thus, practical flexibility should be achieved, because each agency shall perform duties, with which it is familiar, and at which it is skillful.

It may be prescribed that the superior of the inquiry officer is responsible or authorized to sanction the disbursement of the remuneration, in order to achieve smoothness and swiftness.

3) In cases where problems with disbursement of the remuneration arise, such as the provisions in the bylaws do not authorize any agency other than one of the State to disburse the remuneration, the Criminal Procedure Code might be amended to expressly prescribe for specific authority in such matter.

4) Ministry of Justice should establish a commission on solutions to the problem with implementation to Section 134/1 and be the organizer of periodic conferences among Lawyers' Council of Thailand and Royal Thai Police, in order to provide with assistance and support, which are requested by these two agencies.

5) Concerning about the bylaws, at the present, roles and responsibilities of the agencies are not properly prescribed, which is a partial cause of the problems. Thus, the bylaws should be amended for more suitability.

6) Legal aid for the suspect in many countries are provided in patterns of employing regular lawyer at the public agencies (Public Defender), which are worthy of consideration, as they might be suitable for introduction to Thailand in a pattern of lawyers, who are regularly sitting at the police stations, and might be expanded to all public agencies as well as all provincial administration organizations, local administration organizations and villages.

A lawyer sitting in a public office in a foreign country is a person, who perform the same duties as a lawyer for such public agency and have the power to represent the public agency in the court of law similar to a private lawyer. In a case where the Public Defenders are not officials of the State, but receive support money from the State, the system of voluntary lawyers, which Lawyers' Council of Thailand has provided, might be easy to apply to Thailand. But if it is prescribed that the Public Defender are officials of the State, complexity might arise.

Presently, when a State agency is a party to a litigation, the law requires that the public attorney shall represent the State agency in the same way as a system of Public Defender. An advantage is that the public attorneys are knowledgeable of and skillful at litigation, because it is their regular duties. But in Thailand,

the public attorneys are unable to act as lawyers in the inquiry for administering legal assistance and advices for the suspect, because it shall conflict with the primary function of the public attorneys, who must represent the State as prosecutors in the criminal cases against the suspect.

In all State agencies, there are positions of legal officials, who have legal qualifications, working on administering legal advices and opinions to their agencies. There are civil servants, public staff and employees, but the legal officials have expertise only in their fields of regular responsibilities, unlike lawyers, who are knowledgeable about broad scopes of laws. Moreover, the legal officials are not attorney at laws, as they are not authorized to represent other persons in the court as lawyers, thus the legal officials are not likely to be able to perform duties of Public Defenders for the suspect.

Lawyers' Council of Thailand takes the mission to provide with protection for rights of individuals under Lawyers Act, and has concluded an agreement with some agencies to procure lawyers for waiting on administering advices to individuals, coming into contact with the public agencies, who are called voluntary lawyers. Presently, in all courts of justice countrywide, there are lawyers, taking turn to perform duties as voluntary lawyers at the courts, waiting on to administer legal advices to people for free of expense, but those voluntary lawyers are not an official of the State, and are not always serving at the public agencies, because they all have their regular occupations. However, if, in the future, Lawyers' Council of Thailand concludes the memorandum to procure lawyers for all public agencies, those voluntary lawyers might be developed into a system of Public Defender as in foreign countries.

An obstacle to establishment of the system of Public Defender in Thailand is that there a great amount of human resource is required to be put in the public service, resulting in a financial problem, which might not be consistent with the current policy of the State. Moreover, Lawyers Act B.E. 2528 also requires that a person, who is qualified to be registered as an attorney at law, must not be an official of the State. Thus, as long as this part of Lawyers Act is not amended, to have a State official litigate a case in the Court as a lawyer is not possible, except that Lawyers Act is amended or the status of Public Defender is set as a non-official of the State.

Therefore, if it is necessary that a regular official of a State's agency perform duties as a lawyer - that is to say – to assist, advise and represent the State's agency in litigation – like a Public Defender and must be a State official in a police station, acting as a lawyer in the inquiry for the suspect, Lawyers Act B.E. 2528 must be amended or a specific law must be enacted, thereby providing an exemption, where a public official can be registered as an attorney at law, in order to perform the duties of a Public Defender, and the Government must earnestly provide with support in terms of budget and human resources, as well as provide for each village in all areas with at least one Public defender. Moreover, cooperation with the local administration organizations should be required to participate in the solutions to these problems.

7) The problems arising from enforcement of Section 134/1 result in the suspect not being assisted by lawyers. Even though the inquiry officers directly provide with lawyers or Lawyers' Council of Thailand directly sends the lists of lawyers to the police, the lawyers, who perform such duties, are not entitled to

receive the remuneration, because they are not lawyers, whose names are sent to Lawyers' Council of Thailand through Ministry of Justice by the provisions of the law. A problem is that the suspect's right to lawyer in the inquiry stage was neglected. Even though it is found that the relevant agencies must jointly assume responsibility, there is no clarity about which agency should be directly responsible, because Ministry of Justice does not send the lists of lawyers to the police stations, as it has not received the list from Lawyers' Council of Thailand and Lawyers' Council of Thailand is not under control of Ministry of Justice. Moreover, the matter of rights protection can be directly dealt with by Lawyers' Council of Thailand without sanction of Ministry of Justice.

As at the present, Lawyers' Council of Thailand is the registrar organization, which regulates the professional conduct of the lawyers, having direct duties and legal authority to provide with legal assistance for protecting rights of individuals, moreover Lawyers' Council of Thailand has concluded the memorandum with the Royal Thai Police on providing with a lawyer for the suspect, and has previously been provided with the budget in return for the lawyer. Thus, Lawyers' Council of Thailand is the agency, which possesses skills at and experiences in finely performing these duties. When comparing roles and suitability with other agencies, it is found that Lawyers' Council of Thailand is the agency or organization, which should be responsible for providing with legal assistance for the suspect under Section 134/1 throughout the whole process. However, to this option is chosen, a monitoring system and regulating mechanism should be set up, because the operation is at expense of the State's budget.

Additionally, a bylaw should be amended, provided that Lawyers' Council of Thailand shall produce lists of lawyers for directly to the police stations countrywide, in order to enable the inquiry officers to provide with lawyers for the suspect in accordance with the law, whereby โดยให้ Chair Provincial lawyer shall be responsible for disbursing the remuneration for the lawyers, and the State shall sufficiently allocate the budget directly to Lawyers' Council of Thailand, in order to bring about clarity that Lawyers' Council of Thailand shall assume duties and responsibilities for providing with the lawyers for the inquiry officer in accordance with the law.

8) Drafting of such law should be contemplated by a commission, consisting of representatives from relevant agencies, which must understand the problems and have consistent solutions, whereby Royal Thai Police, the suspect and the peoples shall comment and adjust the draft for completion and a seminar should be held, in order to train and educate the operatives under this law on common understanding, and enable them to properly conduct promotion for the suspect's right in a manner more consistent with the spirit of Section 134/1.

**Author Profile:**

Srisombat Chokprajakchat is currently an associate professor in the Doctoral Program in Criminology, Justice Administration and Society, Department of Social Sciences at Faculty of Social Sciences and Humanities, Mahidol University, Thailand. She was a Program Director in Criminology,

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Srisombat Chokprajakchat graduated with First Class Honors in Political Science from Kasetsart University in 1981. In 1984 she took a Master of Criminology and Criminal Justice degree from Mahidol University. She received her Ph.D. degree in Public Policy from George Mason University, USA in 2004. She has received honorable dissertation in political science awarded by the National Research Council, Thailand.

# The Development of the Idea of Democratic Policing

**Peter K. Manning**

**Abstract:** The talk traces the idea of democratic policing over the last 40 years and suggests the future of the idea in coming years.

**Present Position:**

Elmer V.H. and Eileen M. Brooks Chair in Policing School of Criminology and Criminal Justice  
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**AREAS OF INTEREST:**

- Social Organization (occupations and professions, complex social systems).
- Organizational Communication (semiotics, discourse analysis), criminology.
- Qualitative methods

# Alzheimer’s Disease and Law Enforcement

**Attapol Kuanliang, Karen Frye**  
**(Ph.D, Midwestern University; Ph.D)**

**Abstract:** Alzheimer’s disease is one of the leading causes of death in the United States and the number of people diagnosed with Alzheimer’s is increasing dramatically each year. Even though Alzheimer’s is a physical disease it presents several challenges to the field of law enforcement. One of the issues encountered with the disease is missing person cases. People who are suffering with Alzheimer’s are more than likely wander. A study shows that six out of ten people with Alzheimer will wander. If they are unable to be located within twenty-four hours, they are likely to be suffering from serious or fatal injuries. Therefore, it is very important for law enforcement officers to be able to recognize symptoms of this disease and effectively interact and respond with this group of the population. This paper presents the nature of the disease and the new challenges in law enforcement related to it.

## **Author Profile: Attapol Kuanliang**

Academic Memberships  
Academy of Criminal Justice Sciences (Lifetime)  
American Criminal Justice Association  
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## **Primary Interests**

Comparative Criminal Justice  
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Program Evaluation  
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**Award**

Top 10 faculty and staff members for 2009-2010 from Mortar Board National College Senior Honor Society, The University of Louisiana at Monroe.

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Northeast Delta Crisis Intervention Team, Monroe, LA 2013-present.

Research Consultant and Evaluator

The Drug Court Program, The 4th Judicial District Court, Monroe, LA 2011-present.

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North Delta Human Services Authority, Monroe, LA, 2011-present

Co chair of Data Collection and Information Sharing Planning Board

The 4th Judicial District Youth Service Planning Board, Monroe, LA, 2011-present.

Research Consultant & Contributing Co-Author

Als-Pals Project, Children's Coalition of Northeast Louisiana, Monroe, LA, 2011-present.

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Project HELP, First West Counseling Center, West Monroe, LA, 2011-present.

Consultant and Member of Advisory Board

The juvenile justice reform project, The Department of Juvenile Observation and Protection, Ministry of Justice, Kingdom of Thailand, 2009-present

Research Consultant & Contributing Author

The effectiveness of the Family Foundation Programs, The Family Foundation Programs, Monroe, LA, 2008-present

# **Problem-Based Learning (PBL) in Law Enforcement Training: An Evaluation and Comparative Analysis of PBL Implementation in Thailand, Bangladesh, and the United States**

**Nathan R. Moran, Robert D. Hanser & Attapol Kuanliang**  
(Midwestern State University, University of Louisiana at Monroe, Midwestern State University)

**Abstract:** The purpose of this study is to examine police officer recruit learning environments in the United States, Kingdom of Thailand, and Bangladesh deploying Problem Based Learning (PBL) as a methodology of training. Using a mixed methods approach this study assesses police officer training in said countries as they transition to a PBL format from the use of the traditional didactic method. By identifying achievements and barriers to implementing the philosophy of PBL trainers, curriculum developers and administrators may improve process and principles in the learning environment. Observations between those countries and learning environments will be presented as well as analyses of student experience, identifying achievements and barriers implementing training through PBL.

## **Author Profile: Nathan Moran**

Dr. Nathan Moran’s research interests are in the areas of international organized crime, terrorism, comparative systems analysis, and international policing. In the course of this research, he has traveled broadly, published five books, more than 75 empirical articles, four anthologies, and has made more than 160 professional presentations at national and international conferences, and procured more than \$1.2 million in research grant funding. Dr. Moran is currently under contract to write a textbook (with co-authors Drs. Robert Hanser, Laura Fidelie, and AttapolKuanliang) entitled *Comparative Criminal Justice Systems: A Topical Approach* (Sage Publications), which is scheduled for publication in 2016.

Dr. Moran completed his Ph.D. at SamHoustonStateUniversity's College of Criminal Justice, and wrote his doctoral dissertation on the globalization and evolution of organized crime. Dr. Moran is Tenured Full Professor and Chair of the Criminal Justice Department at Midwestern State University, and Director of the Institute for Law Enforcement Excellence (ILEE). Dr. Moran teaches courses on organized crime and terrorism, international crime, comparative criminal justice systems, policing, research design, and statistics. Dr. Moran also provides training in counter-terrorism and international crime for the United States Department of State, as well as dozens of federal and state law enforcement agencies. He has traveled to 59 countries, has served as a terrorism and law enforcement consultant to the governments of many nations, and has trained law enforcement personnel from 114 countries.

Dr. Moran is an active member of the American Society of Criminology (ASC), the Academy of Criminal Justice Sciences (ACJS), the Southwestern Association of Criminal Justice Educators (SWACJ), the European Society of Criminology, the International Association for the Study of Organized Crime (IASOC), the Asian Association of Police Studies (AAPS) and Alpha Phi Sigma (National Criminal Justice Honor Society).

Dr. Moran is a 5,000+ hour instrument rated commercial pilot (single and multi-engine), a certified flight instructor, certified flight instrument instructor, certified multi-engine flight instructor, and has flown over 40 different types of aircraft (consisting of piston, turbo-prop, turbojet, turbofan, afterburning turbojet models, and "hot-air balloons"). Dr. Moran is also an avid Technical SCUBA diver (with over 1,000 dives) and holds Advanced Technical Diver certificates from Technical Divers International (TDI), as well as Normoxic and Advanced Trimix certificates from the International Association of Nitrox and Technical Divers (IANTD). Dr. Moran's personal depth record is 100 meters (330 feet).

# **Officers’ Views on Women in Policing: A Comparison of Male and Female Police Officers in the United Arab Emirates and Taiwan**

**Doris C. Chu**

**(Professor of Department and Graduate Institute of Criminology Chung Cheng  
University, Taiwan)**

**Abstract:** In light of the increased recruitment of females into the police force in the globe, it becomes all the more important to understand officers’ receptiveness to having women in policing. What are their attitudes toward having women on the police force? This study aims to examine how receptive police officers are to having women as partners and supervisors and how they perceive women’s roles in policing in a cross-national context. Using data gathered from 622 officers (344 male and 278 female officers) in Dubai, the United Arab Emirates and 391 officers (297 male and 94 female officers) in Taipei, Taiwan, this study compared male and female officers’ views on women in policing. Understanding their perceptions from both sides can help administrations initiate training and educational programs that better assimilate women into this traditionally male-dominated profession. Suggestions for future studies are discussed.

**Keywords:** Gender integration in policing; women police; male and female officers; Taiwan police; Dubai police; gender orientation; women’s role in policing

## **Introduction**

In 1910, an important milestone for women working in policing was reached when Alice Stebbins Wells was assigned to regular police duties by the Los Angeles Police Department. This event turned over a new page of opportunity for women working in policing. For more than six decades, ever since they first entered the field of policing, women had been assigned to gender-restricted duties, such as handling children, female offenders and victims, missing persons, and clerical or administrative work (Barlow and

Barlow, 2000; Garcia, 2003). Since 1972, after the passage of Title VII and the Equality Opportunity Act, the roles of women in policing have altered in the United States (Martin & Jurik, 1996; Dodge, Valcore, & Gomer, 2011). The Equality Opportunity Act makes law enforcement agencies liable if they refuse to recruit, train, or deploy female officers in the same ways as male officers. Women have thus been integrated into the mainstream police work and are able to perform the same array of duties, such as patrol, as policemen (Barlow and Barlow, 2000; Garcia, 2003). Over the past four decades, following the increased recruitment of female officers in the United States and the United Kingdom, we have seen a growing body of research that explores many different aspects of women who work in policing (Flavin & Bennett, 2001). This scholarly work frequently focuses on gender differences in officer arrest behavior (e.g., Novak, Brown, & Frank, 2011), gender and stress in policing, gender and job satisfaction, motivation involving in becoming a police officer, gender and career aspiration in policing (Vuorensyrja, 2013), policewomen and tokenism (e.g., Wertsch, 1998; Archbold & Schulz, 2008; Strohshine & Brandl, 2011), public images of male and female police officers (Walklate, 1992), and male and female officers' attitudes toward police work (Warden, 1993). Nevertheless, most of these empirical studies on policewomen have been conducted in North America or Europe. Among the few studies conducted in non-western countries, most of them were conducted in a single country (Strobl and Sung, 2009) or only focused on female officers' perspectives (e.g., Strobl, 2008, Chan & Ho, 2013; Chu & Abdulla, 2014). Studies that concurrently examine male and female officers' views on gender integration from a cross-national perspective are almost non-existent. This study seeks to spark further research on male and female officers' perceptions of gender integration from a cross-cultural perspective.

Although they still lag behind their female colleagues in the United States and the United Kingdom, women in other parts of the globe continue to be recruited by police agencies, and they are, slowly but gradually, integrated into policing. As the number of women working in policing continues to increase, we should try to understand how female officers perceive their own roles in policing. Female officers have to work hand in hand with male officers in policing. To enhance the efficiency of deployment and cohesion of work relationship among male and female officers, it is important to understand how male officers perceive women's roles in policing and how receptive they are to having women as partners. Understanding their perceptions from both sides can help administrations initiate training and educational programs that better assimilate women into this traditionally male-dominated profession (Archbold & Schulz, 2008). This study aims to bridge the gap in literature in three ways. First, it extends our understanding of male and female officers' perceptions of gender integration in non-western cultural contexts – the United Arab Emirates and Taiwan. Second, it compares male and female officers' views on gender integration in policing from a cross cultural perspective.

Previous scholarly efforts on examining different areas of women in policing have mainly focused on female officers in North America or Europe, leaving a relative scarcity of information about how women perceive their role in policing in the other parts of the globe. Women have made a tremendous stride in the

UAE. Dubai, situated in the Arabian Peninsula, is the second largest of the seven emirates comprising the United Arab Emirates (Gallant, 2006). According to the Global Gender Gap Index, UAE has been in the leading position among Arab countries on its gender equality performance. In Dubai, one of the fastest growing cities in the world, women are encouraged to pursue higher education and careers in different spheres. Since the first group of seventeen women joined the Dubai police force in 1977, the number of women choosing the police profession has risen. Today, more than 1,400 female officers work in Dubai. As more women join the police force today in a number of the countries in Middle East, such as UAE, Bahrain, Kuwait, and Jordan, it is important to expand our understanding of policing and gender integration in this understudied region that is culturally and socially diverse from the west. Understanding how policewomen view their acceptance into police is important since it can affect their job satisfaction and coping mechanism (Seklecki & Paynich, 2007).

This study aimed to compare male and female police officers' views on women in policing along three dimensions: perceived efficacy of women in policing; receptiveness of women at work (as partners and supervisor); perceived women's role in police work. Dubai and Taipei were chosen as the research sites of the present comparative study. Several reasons support the adoption of this choice. First, both Dubai and Taipei are well-known internationalized cities that feature transportation systems that connect conveniently to all parts of the globe, and also accelerated urban development and infrastructure. As of October 2013, two of the world's three highest buildings-Burj Khalifa Tower (Dubai) and 101 (Taipei)-are located in these two metropolitan cities. Second, both Dubai and Taipei are popular tourist destinations (Pacione, 2005), and local residents are exposed to diverse cultures and western influences. Third, although the religious cultures of the Emirati and Taiwanese people differ markedly, women in both UAE and Taiwan still embrace, to a varying degree, traditional role orientation.

## **Literature Review**

### **Perceived Efficacy and Receptiveness of Women in Policing**

Although women have made big stride in policing and the police culture has progressively improved, male officers' resistance to females' inclusion into policing still exists. Female police officers have been questioned about their capability to maintain authoritative and masculine police image due to the stereotype of women's lacking physical strength (Rape-Hemp, 2008). Although empirical studies conducted in the US in the 1970s and 1980s have revealed that women police were as effective as men on most assessment measures of performance, the stereotype that males are a better fit to the police work and only males could exercise physical force is prevalent (Prenzler & Sinclair, 2013). Lacking colleagues' support, women were often undermined and discriminated in policing (Prenzler & Sinclair, 2013).

Previous studies indicated that women received less encouragement from their supervisors and

colleagues in comparison with their male colleagues (Holdaway & Parker, 1998; Flavin & Bennett, 2001). Male officers have been found to hold resistance toward women in policing, perceiving women as less competent and lacking skills and experience. Moreover, policemen usually consider that women are physically and emotionally unsuitable for the police job (Brown, 1998, Martin & Jurik, 1996, Flavin & Bennett, 2001). Novak, Brown, and Frank (2011) indicated that females in policing experience differential socialization experience and are often marginalized in the gendered organization (p. 10). Analyzing data derived from male and female cadets as well policemen and policewomen in Taiwan, Chu (2013) found that male cadets and police officers held reservation about female cadets' and policewomen's capability on police work. Worden (1993) indicated receptiveness of the group can affect how an individual views her/himself and how much one can count on her/his partner (p. 213). Since male police officers do not perceive women as competent and efficient for police work, they may be more reluctant to be receptive to having women in policing. Thus, it is assumed that male officers across countries (UAE and Taiwan) would be less likely to perceive women police as efficient for police work. Consequently, in comparison with female officers in the UAE and Taiwan, male officers would be less likely to be receptive to having women as work partners and supervisors.

### **Women's Role in Policing: Integrated or Restricted Role?**

Studies conducted in the United States show that policemen tend to hold resistance to women being fully integrated into policing. In Western countries, women police have strived for their integration into the police work. Brown (1994) provides a six-stage linear model to describe the progression of gender integration in policing in western society. Using the empirical evidence derived from a survey conducted with Bahraini female officers, Strobol (2008) argued that Brown's linear model of gender integration in policing may not be practical to societies which are historically, socially, and culturally diverse from the western society. Like their female colleagues in Bahrain, women in the UAE, are also heavily influenced by the traditional culture and religion. They may be more receptive to the gender-restricted role in policing. Likewise, policemen in the UAE may also embrace more traditional gender orientation and thus are more likely to endorse woman's restricted role in policing. Thus, it is hypothesized that in comparison with their female and male colleagues in Taiwan, officers (including male and female officers) in the UAE would be more likely to support for women's restricted role in policing.

## **Methods**

### **Data Collection and Samples**

A survey instrument was developed for a search project entitled "gender integration in policing in a cross-national perspective" that aims to examine male and female officers' attitudes toward women in

policing and their job-related attitudes in various countries (regions) around the globe (Chu & Abudulla, 2014). The survey questions were modified based on the work of Austin and Hummer (1999), Burk, Richardsen, and Martinussen (2006), Greene and Carmen (2002), Haba et al. (2009), and Natarajan (2008). The current study, a part of the above mentioned research project, is based on data collected from female officers in two metropolitan cities in the United Arab Emirates and Taiwan, namely Dubai and Taipei.

To accommodate the needs of officers' different language backgrounds in Taipei and Dubai, the Mandarin Chinese and Arabic versions of the same questionnaire were prepared. The English questionnaire was translated into Mandarin by a police supervisor in Taiwan who is fluent in both English and Chinese (the official language used in Taiwan). In the meantime, the English version of the questionnaire was also translated into Arabic by a native who is fluent in English and Arabic. To ensure the consistency between the English and Arabic versions, the Arabic version questionnaire was translated back to English by another native, also fluent in English and Arabic.

Taipei, with a population of more than 2.7 million, is Taiwan's most developed metropolis. The Taipei City Police Department (TCPD), staffed with more than 8,000 sworn officers, is the country's largest and most modern police department. Under TCPD, there are 14 police precincts and 94 police stations. The Taiwan sample was taken from three police precincts and one women and children brigade of the TCPD. The three precincts were selected because of their representativeness to the three distinct jurisdiction characteristics (major commercial area with high crime rate; a mix of commercial and residential areas with medium crime rate; area dominated by a higher percentage of residential districts with low crime rate). Prior to the formal survey, a pre-test was conducted with seven police officers (of different gender and age range) to ensure the clarity of survey questions. The formal survey was conducted between July and August, 2011. During the period, the author first visited a commander, a deputy commander, and a section chief at the three precincts, as well as the commander of the women and children brigade, and explained the purposes of this research. All of the contacted individuals who represent their units expressed a high level of support for the study. Female officers at the three police precincts and women and children brigade were individually invited to participate in the survey on a voluntary basis. If the officers were out for duty during the author's visits, the commander, deputy commander or section chief helped distribute the survey to the female officers (Chu, 2013). A cover page with a brief description of the research purposes and information of the respondent's right and assurance of their confidentiality was attached to each survey. Out of 490 distributed surveys, 394 were completed and returned, resulting an 80% response rate. The response rates for male and female officers were 78% and 90% respectively.

Dubai Police Headquarters is staffed with 15,000 sworn officers, about 10% of which officers are females. Before the survey was conducted, the English and Arabic versioned questionnaires were sent to the Dubai Police Headquarters to solicit advice and recommendations for improvements. Modifications were made based upon officers' comments and feedback. The formal survey was conducted in November, 2011, at which time the author visited the Dubai Police Headquarters. With the help of the Decision Support

Center of the Dubai Police Headquarters, 670 questionnaires were randomly distributed to male and female officers in the department (of different rank, age, and units). Out of the three hundred surveys that were distributed to female officers, two hundred seventy eight were returned, resulting a 92.6% response rate. Among the 370 surveyed distributed to male officers, 344 were returned, yielding a 93% response rate.

Data collection at both research sites (Taipei and Dubai) yielded a total of 1013 usable surveys- 622 respondents (344 male and 278 female officers) were from Dubai and 391 respondents (297 male and 94 female officers) from Taipei. The response rate in Dubai was higher than that in Taipei.

## Measures

### Dependent Variables

The dimension of “perceived efficacy of women” includes “equal capability,” and “competency for patrol.” “Perceived efficacy of women” is an additive measure by summing up the following three items: “Female police officers are effective on the street as patrol officers”; “I feel women are as capable as men to handle the duties of patrol work because being a man or a woman does not determine the skills for patrol work”; “A female can be just as a good police officer as a male.” (1) strongly agree; (2) somewhat agree; (3) somewhat disagree; (4) strongly disagree. All items were reversed coded; a higher score in the scale represents a higher consensus regarding perceptions of women’s capability for police work. The three items had a Cronbach’s Alpha of .79, suggesting a suitable reliability.

The second dependent variable in the dimension of “perceived efficacy of women” is “competency for patrol.” Two items were summed up to measure “competency for patrol”: “Females have the physical skills to do patrol work”; “Female police officers are effective on the street as patrol officers.” (1) strongly agree; (2) somewhat agree; (3) somewhat disagree; (4) strongly disagree. Similarly, all items were reverse coded such that a higher score reflects strong agreement on questions about the equal effectiveness of women and men in police work. The two items had a Cronbach’s Alpha .70, indicating an acceptable reliability.

Two dependent variables were constructed to measure the dimension of “receptiveness of women.” The first dependent variable, “partner,” is based on a single item: “I would not mind having a female officer as my partner.” The second dependent variable, “supervisor,” is also based on a single item: “I would not mind working in a unit with a female as my supervisor”: (1) strongly agree; (2) somewhat agree; (3) somewhat disagree; (4) strongly disagree.” To ease interpretations, all items were reverse coded so that a higher score indicates a higher level of receptiveness regarding having women as partners or supervisors.

Two dependent variables were constructed to measure the third dimension of “women’s role in policing. The first dependent variable, integrated role, is an additive measure. Two items were summed up to construct the index of “integrative role”: “Policewomen should perform exactly the same duties

as policemen"; "Female officers should be allowed to perform the same job as males even when it is dangerous (1) strongly agree; (2) somewhat agree; (3) somewhat disagree; (4) strongly disagree." All items were reverse coded so that a higher score indicates a preference for women's integrated role in police work. The two items had a Cronbach's Alpha .64, indicating an acceptable reliability. The second dependent variable in the dimension of women's role in policing, "restricted role," is based on a single item: "Police women should not do the same work as policemen; they should perform specialized duties, such as handling female offenders and victims, juveniles, and missing children." (1) strongly agree; (2) somewhat agree; (3) somewhat disagree; (4) strongly disagree." Likewise, the scales in this item were reverse coded, and a higher score reflects a stronger preference regarding women's restricted role in policing.

### **Independent and Control Variables**

The main independent variables include three interaction terms of nation and gender. Three dummy variables were created to represent Taiwanese female officers, Emirati female officers, and Emirati male officers. Taiwanese male officers are treated as the reference group in the analysis.

The control variables include rank, officer education, experience, patrol, marital status, confidence level, stress, and law enforcement as a long-term career. Rank is measured by ordinal scales (1=officer; 2=sergeant or detective; 3=lieutenant or above). Officers' education was coded as dummy variable (0=under bachelor degree; 1=bachelor's degree or higher). "Experience" is a continuous variable, which is measured by years. Marital status was coded as dummy variable; 1 indicating married and 0 denoting single, divorced, or widowed. "Patrol" was coded as dummy variable (patrol or crime investigation=1; desk work=0). Confidence level is an ordinal measurement and based upon a single item: "I am confident that I can handle police work." (1) strongly agree; (2) somewhat agree; (3) somewhat disagree; (4) strongly disagree." The scales in this item were reverse coded to ease the interpretation; a higher score reflects a higher level of confidence in police work.

"Stress" is based on two items: "Work-related stress has had a negative effect on my family life." "I feel that there is a considerable amount of work-related stress." Two items were summed together to form the index of "work stress." The questions are constructed with 4-point Likert scale: (1) strongly agree; (2) somewhat agree; (3) somewhat disagree; (4) strongly disagree. The scales were reverse coded such that a higher score indicates a higher level of agreement of each of the statements. The Cronbach's  $\alpha$  value for the items was .72. The last control variable "Law enforcement as a long term career" measured whether the officer considered law enforcement as a long-term career (1=yes; 0=no). Multicollinearity among all independent and control variables was examined by variance inflation factor (VIF) measure (results not shown). All of the VIF values were below 2.2, and there was no indication of multicollinearity.

## Analysis Plan

First, descriptive statistics was computed. Then, multivariate regression analysis was conducted. Descriptive statistics for variables are reported in Table 1. In the multivariate analysis, Ordinary Least Squares (OLS) regression and Ordered Logit regression analysis were employed to estimate the effect of antecedents of “perceived efficacy of women,” “receptiveness of women,” and “women’s role in policing.” First, OLS was performed to examine the effects of all explanatory variables on the variables with additive measures-“equal capability,” “competency for patrol,” and “integrated role.” Ordered Logit estimate was utilized to estimate the effect of independent and control variables on ordinal scale, “partner,” “supervisor,” and “restricted role.”

**Table 1: Mean Comparisons by Departments and Gender**

	DPHQ, UAE						TPD, Taiwan						F-ratio
	Female Officers			Male Officers			Female Officers			Male Officers			
	Mean	SD	N	Mean	SD	N	Mean	SD	N	Mean	SD	N	
Attitudinal Variables													
Equal capability	9.14	2.12	274	6.91	2.37	341	8.18	1.48	93	7.47	2.00	297	59.60***
Competency for patrol	5.93	1.48	272	4.53	1.55	340	5.04	1.03	93	4.72	1.35	296	53.92***
Women as partner	3.33	.83	265	3.00	.91	340	3.00	.49	94	2.97	.74	297	11.73***
Women as supervisor	2.86	1.09	271	2.37	1.13	340	2.99	.60	94	2.96	.70	296	25.16***
Integrative Role	4.91	1.71	275	4.14	1.67	340	4.59	1.17	94	5.61	1.45	295	47.04***
Restricted Role	3.16	.94	272	3.25	.87	340	2.61	.71	94	2.61	.89	296	37.25***
Officer Background													
Rank	1.50	.60	264	1.76	.80	332	1.44	.77	93	1.20	.48	295	38.01***
Officer education (bachelors & higher=1)	.13	.33	276	.30	.46	343	.52	.50	93	.28	.45	296	20.91***
Experience	7.97	6.39	260	12.82	8.39	317	10.14	11.16	91	12.23	8.95	292	18.65***
Patrol	.61	.49	250	.31	.47	340	.60	.49	94	.94	.25	296	114.76***
Marital status	.58	.49	277	.73	.45	344	.35	.48	92	.57	.50	295	16.97***
Confidence level	3.68	.61	275	3.74	.55	344	2.72	.58	93	3.04	.67	297	129.01***
Stress	5.54	1.84	269	5.82	1.75	219	5.26	1.26	92	5.71	1.43	294	3.02*
Law enforcement as career (1=yes)	.79	.41	270	.79	.41	341	.54	.50	94	.68	.47	296	10.89***

\*p< .05; \*\*p< .001

## Results

### Bivariate Analysis: mean comparison by gender and country

Table 1 displays the mean comparison between the Emirati and Taiwanese female and male officers. The F ratio associated with each of the three attitudinal measures is significant, suggesting that the Emirati officers and Taiwanese officers do differ in their attitudes toward women in policing. In comparison to their

male colleagues in UAE and Taiwan, female officers in UAE and Taiwan were more likely to perceive women as equally capable and efficient for performing police duties. The Emirati policewomen held the most positive attitude toward women’s capability, followed by Taiwanese female officers, Taiwanese male officers and Emirati male officers, respectively.

With regard to “receptiveness of women as work partners, the Emirati policewomen were most likely to be receptive to having women as work partners, compared to Emirati male officers and Taiwan officers (male and female officers). The Emirati male officers and Taiwanese female officers were equally receptive to having women as partners. The Taiwanese male officers were least likely to be receptive to working with women at work. On the other hand, female officers in Taiwan were most likely to be receptive to having women as supervisors at work, followed by Taiwanese male officers, Emirati female officers and Emirati male officers, respectively.

As for the dimension of women’s role in policing, Taiwanese male officers were most likely to support women’s integrated role in policing, followed by Emirati female officers, Taiwanese female officer, and Emirati male officers. The Emirati male officers were most likely to endorse women’s restricted role in policing, followed by Emirati female officers, and Taiwanese male and female officers, respectively. Taiwanese male and female officers had exactly the same mean score on the measure of endorsement of women’s restricted role in policing.

In regard to the demographic variables, Taiwanese female officers had the highest education level in comparison with their male colleagues in Taiwan and female and male colleagues in the UAE. In comparison with their female colleagues in both countries, male officers had a longer tenure at police work and were more likely to report a higher level of stress. The Emirati officers (male and female officers) reported a higher level of confidence in police work and were more likely to perceive law enforcement as their long term career, compared to their colleagues in Taiwan.

### **Multivariate Analysis**

#### Perceived Efficacy of Women

Table 2 demonstrates the results from the OLS and Ordered Logit regression analyses. With regard to the two measures on “perceived efficacy of women”- that is, “equal capability”, and “competency for patrol”-female officers in Dubai and Taipei were more likely to perceive women as being equally competent and efficient as male officers (Taipei male officers were serve as a reference group). Officers who reported that they were confident in police work were more likely to have a positive assessment of women in policing. The variable of confidence is significantly associated with perceived efficacy of women in policing along the two dimensions (equal capability and competency for patrol). Officers who conceived law enforcement as a long term career were more likely to perceive women as equally efficient patrol officers as males. The independent and control variables account for 20% and 17% of the variances for the variables of “equal capability” and “competency for patrol”.

**Table 2: Multiple Regression Summarya**

Variable	Perceived Efficacy of Women		Receptiveness of Women		Women's Role in Policing	
	Equal Capability <sup>b</sup>	Competency for Patrol <sup>b</sup>	Partner <sup>c</sup>	Supervisor <sup>c</sup>	Integrated Role <sup>b</sup>	Restricted Role <sup>c</sup>
Female Officers, DPHQ (UAE)	1.30***(.23)	1.05***(.16)	.80***(.22)	-.23(.21)	-.83(.18)	1.17***(.22)
Female Officers, TPD (Taiwan)	.93**(.27)	.52**(.19)	.14(.25)	.07(.25)	-.92***(.21)	.23(.24)
Male Officers, DPHQ (UAE)	-.92***(.25)	-.22(.17)	.09(.23)	-1.07***(.23)	-1.39***(.19)	1.24***(.23)
Rank	-.09(.14)	-.14(.09)	-.18(.13)	-.01(.12)	.04(.10)	.16(.12)
Officer education (bachelors & higher=1)	-.16(.21)	-.06(.14)	.29(.19)	.15(.19)	.06(.16)	-.34(.19)
Experience	-.00(.01)	.01(.01)	.01(.01)	.00(.01)	.01(.01)	.01(.01)
Patrol	.04(.19)	.13(.13)	.08(.18)	.08(.17)	.05(.15)	.01(.17)
Marital Status (Married=1)	-.09(.18)	-.16(.12)	.02(.17)	.22(.16)	-.08(.14)	.03(.16)
Confidence level	.60***(.13)	.32***(.09)	.68***(.12)	.29*(.11)	.24*(.10)	.29*(.11)
Stress	-.10*(.05)	-.06(.03)	-.02(.05)	-.06(.04)	-.01(.04)	.23***(.04)
Law enforcement as career	.39*(.17)	.31**(.12)	-.36*(.16)	-.13(.16)	.08(.13)	.14(.16)
R2	.20	.17	.10	.06	.11	.18

a Entries are unstandardized regression coefficients, with standard errors in parentheses; male officers at TPD serve as reference group

bOLS estimates; cOrdered Logit estimates

\*p<.05, \*\*p<.01, \*\*\*p<.001

#### Receptiveness of Women

In the dimension of receptiveness of women in policing, female officers in Dubai were more likely to be receptive to having women as their work partners. Officers who were more confident in police work were more likely to express that they do not mind having women as partners or supervisors. Compared to their female colleagues in both countries, Dubai male officers were less likely to be receptive to working at a unit with a female as their supervisor.

#### Women's Role in Policing

In the dimension of women's role in policing, the Emirati male officers and Taiwanese female officers were less likely to be supportive of women's integrated role in policing. Officers who were more confident in police work were more likely to endorse women's integrated role in policing, which requires that women be assigned to the same duties as male officers. On the other hand, the Emirati male and female officers were more likely to advocate women's restricted role, in which women were mainly responsible for specialized duties. Officers who reported a higher level of stress were more likely to prefer women's restricted role in policing. The independent and control variables account for 11% and 18% of the variances for the variables of "integrated role" and "restricted role".

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# An Analysis of the Development of Neighborhood Watch in Taiwan

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**Abstracts:** Neighborhood watch is a crime prevention scheme which community members agree together to keep an eye on safety of the neighborhood. In 1998, Chinese Taipei “Ministry of the Interior” in Taiwan executes the program named Establishment of Community Security Maintenance System–The Project of Vigilance by Community Members. It encourages community members to participation in citizen patrol, and the local police should associate with citizen patrol squad as usual. The purpose of this paper is to analyze the development of Neighborhood Watch in Taiwan. Using content analysis of information collected by academic researchers in Taiwan, this study focuses on the evolution of Neighborhood Watch programs. Directions for future research are discussed.

**Key words:** neighborhood watch, citizen patrol squad, community policing

## Introduction

Neighborhood watch has received much attention in recent years due to its value of the prevention of crime, which offer informal social control for community safety. Neighborhood watch is a crime prevention scheme which community members agree together to keep an eye on safety of the neighborhood. And it is usually a part of community-oriented policing (COP) and implements community-based crime prevention programs. Therefore, the evolution of neighborhood watch is in pace with the development of community policing in Taiwan.

## **The Evolution of Neighborhood Watch I**

### **The period of spiritual construction**

In 1965, Executive Yuan promulgated Present social Policy Based on Principle of People's Livelihood (Zhang, 1986). Community development became one of seven important dimensions in social policy. In community development works, neighborhood watch initially began with spiritual construction of community ethics. Its goal is to develop community consciousness. Therefore, it focused on enriching community residents' mental life and promoting friendly relations among family members and neighbors (specially).

### **The period of sharing residents' materials**

In 1973, Chinese Taipei “Ministry of the Interior” regulated Implementation Directions Neighborhood Watch. Its aim was to promote friendly relations among neighbors to watch neighborhood. Mutual cooperation among neighbors included residential burglary crime prevention, fire prevention, and emergency assistance, maintains environmental sanitation and related to the interests of residents. The push strategies were to use village or neighborhood affairs office, service committee, community council and military reserves' service center to exercise their power or influence to promote neighborhood watch, to hold household head conference for establishing close relations among neighbors. In addition, chiefs of villages or boroughs and heads of neighborhoods needed to guide apartment complex to establish mutual corporation organization. And villages or boroughs organization needed to maintain diplomatic relations with local police stations for sharing residents' materials.

### **The period of establishing Civilian Patrols**

In 1973, Taiwan Provincial Government and Taipei City Government regulated The Plan for the Implementation of Neighborhood Watch according to Implementation Directions Neighborhood Watch. However, Taiwan Provincial Government expanded mutual cooperation among neighbors to residents' household life as respect to the aged and love for the young, preserve public peace (Tasi, 2003). In 1973, Taipei City Government regulated Pilot Implementation Directions Guide to Establishing Civilian Patrols. And Police Administration Division of Taiwan Provincial Government also asked local city(county) police bureaus to coordinate Civil Affairs Bureau of containing the main point of Implementation Directions Guide to Establishing Civilian Patrols when regulated The Plan for the Implementation of Neighborhood Watch. By 1984, Chinese Taipei “Ministry of the Interior” regulated Implementation Directions Guide to Establishing Civilian Patrols. In 1996, National Police Agency regulated The Plan for

The Implementation of Civilian Coordination and asked local city (county) police bureaus to guide village, neighborhood, community, apartment complex to establishing civilian patrols. It was the foundation of promoting Neighborhood Watch later.

## **The Evolution of Neighborhood Watch II**

### **The period of joint defense for households**

Some major criminal cases occurred as Peng Wanru murder, Liu Bangyou murder and got bogged down in 1996, the condition changed citizens' confidence in the government. Thus Executive Yuan convened a national security meeting and invited scholars and specialists to discuss the ways in which law and order could be restored in December 1996. The conclusion of this conference suggested adopting neighborhood watch approach towards strategy for crime prevention, so it was needed to promote neighborhood watch and popularize the Electronic Joint Defense Alarm System for Households. In 1997, Executive Yuan approved The plan for Strengthening Police Force and Emphasizing Hot Spots due to major criminal cases as Pai Hsiao-Yen murder occurred again. And Chinese Taipei "Ministry of the Interior" received request from Executive Yuan for establishing a national maintenance system of community security. Then National Police Agency drew up Establishment of Community Security Maintenance System around Taiwan – The Project of Vigilance by Community Members, this project approved by Executive Yuan was implemented on March 1988 (Criminal Investigation Bureau, 2010). The project focused on aspects. One aspect is that of organizing some committee for promoting neighborhood watch as supervision committees for central, auxiliary committees for province (city), planning and guidance committees for county (city) and enforcement committees for township (city). And enforcement committees for township (city) were responsible for the establishment of community, village office of neighborhood watch and apartment complex commission. The other aspect is that of setting up neighborhood watch patrols under community, village office and apartment complex commission. In addition, neighborhood watch offices needed to push the Electronic Joint Defense for Households, Police-Citizen Connection Alarm System and Closed Circuit Television System forward. The project combined the resources of civil affairs, social affairs and policing and hoped to become a powerful action. Neighborhood Watch in Taiwan had shifted the focus from establishing civilian patrols to joint defense for households since then (Chang, 2001). Both of them showed collective efficacy by the residents collaboratively involved in the affairs of community security.

### **The period of police-community cooperation**

In 2005, Executive Yuan approved Taiwan Healthy Community Six-Star Project that it extended the community construction to six main public domains, containing industrial development, medical and welfare, community security, humanities and education, environmental protection and ecology, and

environment and landscape. The project had shifted the focus from opposing community construction to achieving sustainable community development since then. It was a meaningful point that the government regarded community policing as a part of community development for the first time. Thus the governance of public security showed communized transit. On community security dimension of Six-Star Project, it included setting up community security maintenance system, community disaster prevention system and domestic violence prevention system. In 2006, Chinese Taipei “Ministry of the Interior” regulated The Plan for the Implementation of Promoting Community Security to implement above three systems. The focuses for establishing community security maintenance system included setting up neighborhood watch patrols, closed circuit television system, campus safety corridor and adopted community security area, published community security report, provided consulting service for residential burglary prevention, enhanced community self-defense capability. Polices needed to integrate with local community, and the residents in the communities were guided to participate actively in public affairs. In accordance with the community environment and public security features, the mechanism of proposal made by the residents from the lower to the upper level was encouraged(National Police Agency,2008). In July 2005, Chinese Taipei “Ministry of the Interior” regulated Subsidization Essentials of Community Security Watch Patrols.

Community watch patrols needed to have twenty members and divided into patrol, domestic violence prevention and disaster reduction sections. If watch patrol involved in community security construction and achieved outstanding performance reviewed by Joint Promoting Team, it could receive financial subsidy. In November 2005, Chinese Taipei “Ministry of the Interior” regulated Subsidization Essentials of Promoting Community Security. Financial subsidy extended to community development association and apartment complex commission. Performance appraisal for promoting community security and the selection of benchmarking community were made every year. Although Six-Star Project stopped to implement out of party alternation, yet The Plan for the Implementation of Promoting Community Security still continued to carry out until now. After 2005, Neighborhood Watch in Taiwan had shifted the focus from jointing defense for households to police-community cooperation. Moreover, the mission of neighborhood watch extended to community disaster and domestic violence prevention.

## **Conclusion**

Neighborhood watch is usually a part of community-based crime prevention programs, so its evolution is in pace with the development of community policing in Taiwan. In the beginning, neighborhood watch in Taiwan focused on enriching community residents’ mental life and promoting friendly relations among family members and neighbors (specially). After that, it emphasized on establishing close relations among neighbors and maintaining diplomatic relations with local police stations for sharing residents’ materials. In 1996, National Police Agency asked local city (county) police bureaus to guide village,

neighborhood, community, apartment complex to establishing civilian patrols which was the foundation of promoting Neighborhood Watch later. Neighborhood Watch in Taiwan had shifted the focus from establishing civilian patrols to joint defense for households since 1988. It combined the resources of civil affairs, social affairs and policing. After 2005, Neighborhood Watch in Taiwan had shifted the focus from jointing defense for households to police-community cooperation again. And the mission of neighborhood watch extended to community disaster and domestic violence prevention.

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# **A Study of Response of Taiwan Police to Crime Victims**

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**Abstract:** After a crime occurs, the police are the first representative of criminal justice institutions that crime victims come in contact with. Crime victims hope to see the police rapidly respond, attentively treat the victim and listen to their description of the crime, investigate and solve the case, capture the suspect and gather evidence, and eventually restore justice by returning the victims’ losses to them. Hence, the police play an important role when handling the crime scene, conducting the investigation, and helping crime victims recover or preventing them from being victimized a second time. Therefore, how the police respond to victims’ needs to help them recover their losses is extremely important. Then, this paper use literary review and comparative method to study of the impact on crime victims and their needs, the relationship between the police and victims, and finally the response of Taiwan police to crime victim.

## **Introduction**

The protection of victims’ rights and interests has become an important research topic in countries around the world following the development of victimology. In contrast, Taiwan’s criminal policy has long emphasized the rights of the defendant, but neglected the true victim of the crime, ignoring the nation’s obligation to crime victims and the restoration of their rights. Yet, a crime involves an offender and victim, only showing concern for the offender while neglecting the victim cannot fully gain all the facts of a crime, not to mention effectively prevent crime and help the victim recover. It is the wish of every citizen to live in a safe society, which is a major responsibility of the government. However, the occurrence of crimes has shown no signs of stopping in recent years, and the rights of the countless crime victims involved still have not received due respect. Crime victims have not received adequate support and are isolated in the society, quite a few of which further fall under secondary victimization. Today, as every single person may become

a crime victim, it is necessary to reconsider the protection of crime victims' rights and strengthen protection measures (Hsu et al., 2013).

After a crime occurs, the police are the first representative of criminal justice institutions that crime victims come in contact with. Crime victims hope to see the police rapidly respond, attentively treat the victim and listen to their description of the crime, investigate and solve the case, capture the suspect and gather evidence, and eventually restore justice by returning the victims' losses to them (Translated by Li Wei-Teng, Karmen, 2010). Hence, the police play an important role when handling the crime scene, conducting the investigation, and helping crime victims recover or preventing them from being victimized a second time. This means that the police are the victims' main hope for support in the criminal justice process, and victims rely on the police in many occasions. In other words, support for crime victims, especially police support, is urgently needed. Providing such support is the responsibility of the police and may not be shifted onto others at will. Therefore, how the police respond to victims' needs to help them recover their losses is extremely important.

This paper is divided into the following parts based on this concept: First, the motivation and proposition of the study is described, then the impact on crime victims and their needs are explained, after which the relationship between the police and victims is described, and finally the response of Taiwan police as well as future outlooks are used as the conclusion and recommendations of this study.

## **Impact on Crime Victims and Their Needs**

### **1. Impact on Crime Victims**

Generally speaking, a crime causes great loss and pain to the victim, and makes it difficult to return to their normal lives. A crime has many after effects, e.g. poorer quality of life, asset lost, productivity loss, and medical expense; direct physical injuries; post-traumatic stress disorder (PTSD), embarrassment, self-accusation, not assertive, pathological hatred of the offender, sarcastically saying thanks, feel ashamed, sexual suppression, despair, second injury, socioeconomic, etc. Emotional after effects include negative self-worth, low self-esteem, split personality, personality disorder, value confusion, lose faith in humanity, etc.; behavioral after effects include drug abuse, alcohol abuse, self-mutilation, suicide, social withdrawal or aggression, anti-social behavior, loss of productivity, loss of concentration, become a criminal, cause a school shooting, etc.; after effects of a crime in terms of interpersonal relationships include social maladjustment and hostility, etc. It is apparent that a crime can cause a significant impact on victims.

A "victim" from the perspective of victimology is not limited to those directly victimized (first victim), but also those indirectly victimized. Therefore, "secondary victimization" and "tertiary victimization" theories were proposed after the 1980s. Secondary victimization is when lack of consideration by the criminal justice institution increases the victim's suffering during the litigation process.

For example, the investigation of sex crimes often invades the privacy of the victim. Hence, European and American countries in recent years have emphasized the protection of victims’ rights during criminal procedure, so as to reduce secondary victimization. Tertiary victimization is when victims who have physically and mentally suffered from first and secondary victimization do not receive proper care, which may result in self-abandonment, self-destruction, or criminal behavior (Hsu, 2012).

## **2. Crime Victims’ Needs**

Knowing the immense impact of a crime on victims, what exactly do victims need from the police? According to “Enhancing Police Response to Victims” issued by the International Association of Chiefs of Police (IACP) in 1999, crucial needs of crime victims that law enforcement must identify include safety, support, information, access, continuity, voice, and justice; law enforcement cannot by itself satisfy all of these needs, but police departments play a principal role in ensuring that victims’ needs are broadly understood and consistently met.

In other words, when crime victims are seeking justice, whether it may be to punish or correct the offender, or to recover from their losses, their needs from the police can be divided into the following according to the report of the IACP:

### **(1) Safety Protection**

“Safety protection” refers to the necessary protection and assistance measures law enforcement must provide for victims who are worried they will be re-victimized by the offender. Generally speaking, the main purpose a victim reports a case to the police is to punish the offender, correct the offender, and gain compensation (translated by Li Wei-Teng, Karmen, 2010). Victims are usually worried that they will be hurt by the offender again, or the offender will try to stop them from testifying, and therefore need the police to protect their safety, provide support, and prevent threats from the offender. The victims of organized crime or drugs especially are worried about retaliation from the offender when they report a case, and thus need even more safety protection. The report of the IACP pointed out that crime victims’ needs for “safety” are protection from the offender and assistance for avoiding re-victimization. Hence, the police must protect crime victims and educate them on how to prevent re-victimization, so as to eliminate their fear and ensure that they are not harmed again. The third nationwide crime victim survey in Taiwan showed that the victimization experience or re-victimization of individuals and families were significantly correlated to their fear of victimization (Hsu et al., 2010).

### **(2) Continuous Information**

“Continuous information” refers to the strong need of crime victims for the continuous provision of information, so that they may rapidly gain facts, understand procedures, and immediately respond to maintain in control. Such information includes medical subsidies, emergency funds, legal aid, life reconstruction, litigation channels, process and rights, and the whereabouts and status of the offender. According to the report of the IACP, crime victims’ need for “information” refers to concise and useful

information of legal procedures and victim services; their needs for “continuity” refers to the criminal justice system continuously providing services. Professor Huang Tsui-Wen conducted a survey of citizens who had reported a case to the police before, and found that the main cause of dissatisfaction was “the report did not receive attention or were not notified of the results,” followed by “poor efficiency in processing the report or solving the case,” “results were unacceptable” and “poor attitude” at third, showing the importance of continuously providing information (Huang and Meng, 2012).

### **(3) Support and Access**

Given that the victim is also one of the parties involved in a crime, “support and access” refers to supporting victims in becoming involved in the judicial process and giving them an opportunity to express their opinions, which will allow the truth to be revealed and the victim to recover from their suffering. According to the report of the IACP, crime victims’ need for “access” refers to the opportunity to become involved in the judicial process and to gain information and services; their need for “support” refers to the assistance for them to participate in the judicial process and recovery from their suffering; their need for “voice” refers to them giving their opinion on procedural issues and general strategy. Likewise, the UN’s Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power in 1985 also pointed out that it is necessary to provide crime victims with information on judicial proceedings, that crime victims should be given access to physical, medical, psychological and social support, and that information on how to access these services should also be provided to them. As shown by the third nationwide crime victim survey in Taiwan, the police’s response to a report is significantly correlated to the victims’ satisfaction of how the case is handled, and when the police do not listen attentively to the victim, victims’ dissatisfaction is significantly higher compared to when the police listen attentively (Hsu et al., 2010).

### **(4) Restorative Justice**

“Restorative justice” refers to victims’ expectations for the police to uphold justice, reveal the truth, and restore their losses. Crime victims hope the police will immediately act to rescue them, capture the criminal, return their property, gather evidence, and find eye witnesses. According to the report of the IACP, crime victims’ need for “justice” is the need for necessary treatment, support, and confirmation that the offender is made responsible for his or her actions. The police must thoroughly investigate and do all that is in its power to make the offender pay for his or her actions, and provide victims with necessary treatment and support, returning justice and the truth to the victim and allowing victims to recover from their losses. The police should not respond to victims by not taking action, being unconcerned, neglecting them, or making empty promises. As showed by the third nationwide crime victim survey in Taiwan, the top three reasons for victims and their families to report a case to the police are to recover their property, to prevent their property from becoming a tool in other crimes, and to prevent a crime from being committed (Hsu et al., 2010).

## **Relationship between the Police and Crime Victims**

### **1. Importance of crime victims to police work**

Most cases known to the police are reported by victims and their family members, only a small number of cases are discovered by the police. Hence, the police not only rely on victims and their family members to report cases, but also require their cooperation to carry out an effective investigation. From the perspective of victims and their family members, they urgently need the police’s support to restore justice, and even avoid re-victimization. If the police can patiently respond to crime victims, they can build more positive relationships with crime victims. Hence, after a crime occurs, the importance of victims to police work is described below (Huang and Meng, 2012):

#### **(1) Obtain information from the crime victim**

Indeed, the police need citizens to identify criminals and provide evidence, especially since a crime involves an offender and victim, the occurrence of a crime cannot be known if it is not reported by the victim or family members, not to mention the subsequent investigation. Therefore, victims or their family members coming forward to report a case will benefit the police’s crime clearance rate and help the police maintain social order.

#### **(2) Gain the public’s support for the police**

The police mainly provide services to crime victims, whose understanding of the police are based on personal experience, and their experience also directly affects their relationship with the police. The police’s response to a report is significantly correlated to victims’ satisfaction with how their case is handled. If the police listen attentively to victims when they are reporting a case, victims will have higher satisfaction, which will also increase the public’s confidence in the police, benefitting police-civilian cooperation.

#### **(3) Reduce re-victimization**

Criminology studies have pointed out that a few victims can explain a considerable ratio of victimizations, meaning that a previous victimization is a good indicator of a future victimization. This shows that victims are a good target for police departments to implement crime prevention measures. Studies pointed out that roughly 50% to 60% of re-victimizations occur within three months after the first victimization, and roughly 15% to 25% occur within six months. Hence, within three months and within six months are relatively high risk periods for re-victimization. The high risk period of re-victimization is the best timing for police departments to implement crime prevention measures, and it is necessary to step up protection measures for crime victims during this period to reduce re-victimization.

### **2. How the police respond to crime victims’ needs**

With regard to the needs of crime victims and the importance of victims to police work, the IACP formulated the following basic response principles for law enforcement to protect victims’ rights: (1) Respond to victims fairly, with dignity, and with sympathy. (2) Protect victims from being re-victimized.

(3) Provide as much assistance to the victim as possible. (4) Provide the victim with seamless service and assistance. (5) Notify the victim of his or her rights and the judicial process. (6) Allow the victim to be able to become involved in the case. (7) Let the victim know the investigation schedule, court days and judgment process. (8) Ensure that services are linked together. (9) Focus on victims' recovery from their suffering. (10) Notify the victim of their offender's status. (11) Encourage the victim to describe their victimization and listen attentively. (12) Provide others with the same victimization experience to assist victims in accessing services of the criminal justice system. (13) Widely consider policies and standards for victim involvement.

Japan's Metropolitan Police Department established the "Crime Victim Response Outline" in 1996 based on this concept, notifying police around the nation to provide organized support for crime victims. The department holds the position that protecting crime victims has always been the police's responsibility, and hopes to ensure that victims will assist with their investigations, while receiving respect in the investigation process. The Japanese police treat victims with respect and sympathy, and avoid "secondary victimization" by harming their dignity. Specific measures include (1) Provide crime victims with systematic information and prevent secondary victimization (e.g. establishing an organization for responding to crime victims, providing information by issuing a "crime victim manual," implementing a crime victim contact system, stepping up education of police personnel, and building facilities with consideration to the psychological state of victims); (2) Provide a support network to help crime victims psychologically recover (e.g. robust consulting system, response to young crime victims, prevention of re-victimization, and implementation of the designated response personnel system), strengthening psychological and actual support for crime victims. Contents of these measures include: (1) Provide information to crime victims; (2) Protection measures for victims of sex crimes; (3) Protection measures for young crime victims; (4) Reduce the responsibility of crime victims in the investigation process; (5) Establish consultation personnel for crime victims; (6) Adopt measures to protect the safety of crime victims; (7) Compensation system for crime victims; (8) Educate police personnel on how to protect crime victims; (9) Collaborate with public and private organizations; (10) Restructure the crime victim protection system within the police department; (11) Protection measures for victims of specific types of crimes (child abuse, sexual harassment, domestic violence, organized crime, traffic accidents) (Metropolitan Police Department Crime Victim Response Office, 2004; Cheng, 2005).

## **Response of Taiwan Police**

### **1. Development of crime victim protection**

Following trends of modern criminal policy to protect crime victims, Taiwan's development also went through an enlightenment stage (before 1980), exploration stage (1981-1990), development stage (1991-2000), and legislative restructuring and innovation stage (2001 until now). Taiwan enacted and

amended the “Crime Victim Protection Act,” “Child and Youth Sexual Transaction Prevention Act,” “Sexual Assault Crime Prevention Act,” “Domestic Violence Prevention Act,” “Witness Protection Act,” “Act of Gender Equality in Employment,” “Gender Equality Education Act,” “Sexual Harassment Prevention Act,” and “Human Trafficking Prevention Act.” To effectively integrate public and private sectors for the needs of crime victims, construct a complete protection network, and step up safety protection for crime victims, the Executive Yuan implemented the “Enhancing Crime Victim Protection Plan,” which requires the police to step up protection of crime victims, maintain their privacy, provide a safe environment for giving their testimony, help them become involved in the litigation process, raise their status in criminal proceedings, intensify training of related personnel, and periodically review protection measures. For women and children related cases, Taiwan established the “National Police Agency Prevention” and Control Division and Women and Children Protection Brigade, set up domestic violence prevention officers and community domestic violence prevention officers, and improved training courses for women and children safety protection. Taiwan also set up the “113 women and children protection hotline,” “sexual assault victim repeat statement reduction,” “165 anti-fraud hotline,” “M-Police project,” “Plan for improving the handling of sexual assault cases,” “Integrated service team for sexual assault cases,” “Domestic violence safety network,” “Serious crime victim appeal window,” “Domestic violence joint service office” for victim protection (Hsu, 2012).

## **2. Specific measures**

At present, measures implemented by Taiwan police for the abovementioned victims’ needs are as follows: (1) Safety protection: Representative measures include establishing an emergency report system, reporting high risk families, enhancing safety protection, visiting crime victims, and periodically making domiciliary visits to persons potentially harmful to public security; (2) Continuous information: Representative measures include providing crime prevention information, providing basic information of the police officer handling the case and a consultation hotline, notifying victims their rights, remedial channels and referral, providing “must-knows for parties involved in a traffic accident,” and providing case progress inquiry channels; (3) Support and access: Representative measures include making the incoming report process as a part of sympathy training, establishing channels for listening to public opinion, creating a warm, open and rapid service environment, and comforting victims through text messages, cards, and visits; (4) Restorative justice: Representative measures include utilizing civilian organizations to assist with case reporting, implementing “full service at home for theft cases,” enhancing investigation performance and increasing equipment, issuing case report forms and electronic forms, and providing complaint channels for dissatisfaction with procedures (Yang, 2012).

## Future Outlook

### 1. Establish a dedicated organization for crime victim protection

Due to the National Police Agency currently occupying the central government level, Taiwan does not have a supervisory organization for crime victim protection. The organization for women and children protection is relatively complete only because of laws on the safety for women and children, but organizations for victims of other crimes are lacking. This does not allow for a comprehensive and integrated consideration of victim protection. Therefore, it is necessary to establish a supervisory organization at the central government level for crime victim protection, so as to integrate protection work for victims.

### 2. Establish an outline of police measures for crime victims

With consideration to Japan's approach, it is necessary to establish an "outline of police measures for crime victims," and thereby provide more standardized, systematic, and network services to satisfy victims' needs for "safety protection," "persistent information," "support and access" and "restorative justice."

### 3. Step up training of dedicated personnel

Current police training in Taiwan does not include independent courses and on-the-job training specifically for the protection of crime victims. Related training is offered under the concept of "citizen services" and only focuses on "women and children protection." However, due to the variety of disaster victims, this demand cannot be satisfied without a specialized course on how to protect crime victims. Moreover, lack of manpower, budget and support from the public sector have resulted in the lack of dedicated service personnel and window for communication and referral, and further resulted in poor protection and service performance. Hence, it is necessary to increase dedicated personnel, set up a service window, and step up training of specialized knowledge on crime victim protection. This will not only alleviate the society's desire for retribution and increase the public's confidence in the police, but also maintain social order, and is thus worth implementing.

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# A Study on Influence and Spatial Heterogeneity of Urbanization Factors of Social Disorganization Theory toward Theft Crime in Taiwan

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**Abstract:** Basing on official data of theft crime and socioeconomics, the study first cited “urbanization model” generated from Social Disorganization Theory and formed by factors of population density, population of service industry rate, total population mobility rate, per capita comprehensive income, and variation coefficient of income as major concepts. The study then tried to explore influences and spatial heterogeneity of urbanization model toward theft crime, and verify explanation of Social Disorganization Theory in police precinct district level area of Taiwan by using global(Multiple Linear Regression)and local (Geographical Weighted Regression)regression model.

The major findings of the study are listed as below:

1.In the aspect of explanatory spatial data analysis, the values of most variables are not evenly spatial distributed in every district. Generally speaking, the higher value areas tend to concentrate in main metropolitan areas of north, middle, south, and east divisions of Taiwan, one the other hands, the lower value areas tend to distribute in mountainous, insular, or agricultural areas. These findings are supported by the literature primarily, which suggests that the high relationships between theftcrime and urbanization.

2.In the aspect of model analysis, the values of Local R2 are not evenly spatial distributed in every district like 0.363 in global model. Further, the higher Local R2 value districts tend to concentrate in the southwest and northeast parts of Taiwan, where are backward and just in the processing of urbanization areas; on the other hands, the lower value areas tend to distribute in highly urbanized region such as Taipei metropolitan area.

3.In the aspect of significant factors analysis, The global relationship between factors of the population density and total population mobility rate with risk of theftcrime are both significantly positive, suggesting that the more population density and mobility of the area,

the more the relative risk of theft crime. However, the local analysis results show that the contribution of the two factors has changed over the study regions, and opposite influence between south and north part of Taiwan.

4. Further, the study tried to explore the initial reasons of spatial heterogeneity distribution of local model R<sup>2</sup> values and significant factors. We then propose that since local model can provide a useful method for describing the influence and spatial heterogeneity of the relationships between crime risks and neighborhood contextual characteristics of urbanization factors; aside of the sophistication of spatial statistics, the analysis methods also provide us with not only more realistic but also refined evidence-based results for local adaptation and accountability crime prevention policies making.

**Keywords:**Theft Crime, Social Disorganization Theory, Urbanization, Geographical Weighted Regression, Spatial analysis of Crime

## Introduction

### 1. Steady growth and heavy property loss of theftcrime in Taiwan

Wirth(1938) had pointed that city style life would become a global trend and major life style of human being in the future. However, city life will lead to disappear of traditional simple life, weakness of social control, and become major causes of rising crime and social problems. Taiwan was deeply affected by urbanization in nearly two decades; rapid economic development had also created huge social problems and caused more crime events than traditional agricultural society(Hsu, 2010).

Official Statistics clearly show that cases of theftcrime have been growing steadily over past decades in Taiwan. Despite the government tried to crackdown theftcrime by launching various anti-theft project works from 2001-2010, theftcrime was still the most serious crime which constantly accounted for 40%-60% among whole crime types, and caused heavy property loss exceeded 164 billion Taiwan dollars<sup>[1]</sup>, equal to 5 billion USD within 10 years. Therefore, exploring the causation and affect factors of theftcrime correctly to be the foundation of crime prevention policy is an important topic in Taiwan.

### 2. Influence of Urbanization Factors toward Theft Crime

Reviewing field of Criminology, various macro-level criminological studies have focused considerable effort on understanding how neighborhood characteristics and context influence theftcrimeby

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[1] "National Police Agency".Statistic lists. Retrieved Dec.29th, 2014, from<http://www.npa.gov.tw>.

centering on testing hypotheses generated from social disorganization theory. One of the most important concepts generated from social disorganization theory is “urbanization.” From perspective on social disorganization theory, social disorganization situations which are easily caused crime events, such as population instability, cultural heterogeneity, high poverty gap of residents, mixture of land use, anonymity, and other weakness of formal and informal control, would arise from urbanization process (Bottoms & Wiles, 2002). In recent decade, Taiwan has been highly urbanized situation; some studies also suggested that urbanization factors could offer considerable inspiration of explaining causations and neighborhood context of theft crime in Taiwan (Liu, 2010).

Further, compiling the findings of contemporary researches related to urbanization and theft crime, we could realize effects of several contextual characteristics on theft crime rate. Firstly, high population density in city areas associated with theft crime much due to full of huge potential offenders; property located in the center city are easy to be stolen without well protected (Lynch & Cantor, 1992; Townsley, Homel & Chaseling, 2003; Kautt & Roncek, 2007). Secondly, higher economic or living level in city areas cause gathering of valuable property and result in high theft crime rate (Taylor & Gottfredson, 1986; Ceccato, Haining & Signoretta, 2002; Bowers & Johnson, 2005). Thirdly, rapid arisen poverty gap in city areas increase relative deprivation of inhabitants, and result in more property crime (Martin, 2002; Malczewski & Poetz, 2005). Fourthly, difference land use in city areas arise situations of high turnover of inhabitants and population instability; it also decrease mutual interaction of neighbors and territoriality (Taylor & Gottfredson, 1986; Groff & La Vigne, 2001; Martin, 2002). Above research findings clearly show the social disorganization situations caused by urbanization have much impact on the theft crime rate.

### **3. Estimation bias in traditional social science statistics methods**

While contextual studies have advanced knowledge on the relationships between the level of crime and neighborhood characteristics, most of theft studied are hampered by their use of conventional linear regression modeling techniques or other traditional social science statistics analysis. However, many of them neglected spatial variance of data, and would result in estimation bias of models (Anselin, 1999).

Briefly speaking, the nature of the relationships may be different in different parts of the study areas due to various reasons, but the local relationships are largely ignored in conventional linear regression techniques which may be inappropriate for analyzing spatial data because the estimation procedures violate the important assumptions of homogeneity relationship in model residuals (Park, Patricia & Kenneth, 1999; Robert et al, 2001; Liu, 2008).

### **4. Using global and local regression model to exploring influence and spatial heterogeneity of urbanization factors toward theft crime in Taiwan**

Several spatial modeling approaches for examining the effects of contextual characteristics on crime

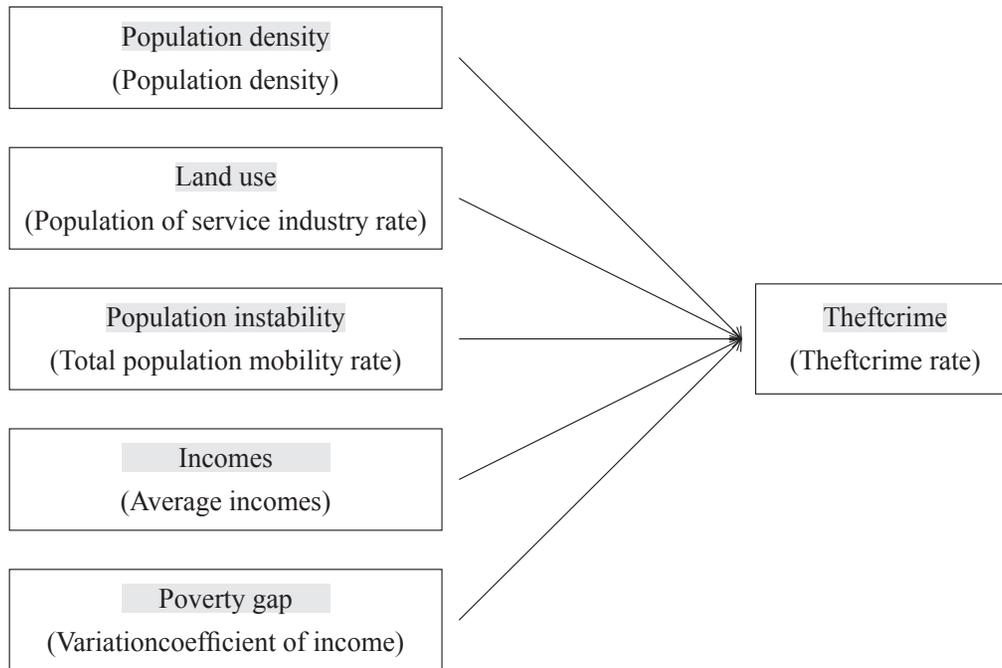
rates have been proposed to avoid estimation problem of global models(Ceccato, Haining, &Signoretta 2002; Haining, 2003). In opposition to conventional linear regression modeling or other techniques for global relationship of research models, geographic weighted regression(GWR)provides a probabilistic model for estimating the constant and slopes in each location by allowing parameters to vary over space, in order to discover local relationship and spatial variations(nonstationarity) of research models (Fotheringham, Charlton, &Brunsdon, 2002). The study tried to not only analyze the influence and spatial heterogeneity of the relationships between theftcrime and neighborhood contextual characteristics of urbanization factors, but also generating fitting policy of theftcrime prevention for local governments in Taiwan.

This study is structured into several main sections; the next section describes the data sets, variables, research model, and analytic methods used in the study. Then, the study provides an exploration on the spatial pattern of theftcrime and other variables in police precinct level of Taiwan. Following this, the study present the results of a global regression model relating the relative risks of theftcrime to the neighborhoods’ contextual characteristics of urbanization factors, as well as tries to discuss the results of a local analysis using GWR and different findings between these two models in result section. The final section presents concluding discussion.

## **Methodology**

### **1.Research framework and assumption**

After documentary review related topics of social disorganization theory, urbanization, and theft crime, the study tries to build the research framework and assumptions as in figure 1.The study assumes that situations of higher population density, difference of land use (especially service industry), population instability, income, and poverty gap produced by urbanization procedure, would lead to negatively social disorganization such as higher anonymity and relative deprivation; lower social capital and mutual trust; and other weakness of formal and informal control in neighborhood areas which easier to result in high theftcrime rate.



**Figure 1 Research framework**

**2.Variables and data**

The representative variables and data are listed below as in table 1.

**Table 1 Definition of variables and data**

Variables	Operational definition	Sources of data
Theftcrime rate	(Theftevents of every precinctdistricts/ Mid-year population)*1000	Criminal Investigation Bureau
Population density	Year-end population/Total area	Population statistics database of the Ministry of the Interior and the population statistics
Population of service industry rate	(Population of service industry/ Total population) *100	The Census database
Total population mobility rate	(Total number of move in + total number of move out)/total number of migrating population*100	Population statistics database of the Ministry of the Interior and the population statistics
Average incomes	(Total amount of consolidated income tax /tax unit)	Treasury tax data center, the population administration of the Ministry of the Interior and the population statistics
Variation coefficient of income	(Standard deviation of income/average income)	Treasury taxation data base of the Ministry of finance

### 3. Analytical methods

The study calibrated a global, ordinary least squares (OLS) and local, geographical weighted regression (GWR) as main analytic methods to examine relationships between the risks of the crime rate and urbanization factors in Taiwan. The primary conception of two models are summarized as below.

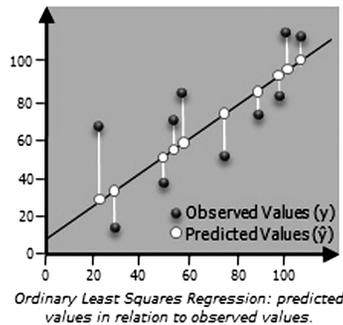
#### (1) Ordinary Least Squares (OLS)

Ordinary Least Squares (OLS) is the best known of all traditional global regression techniques. The main function of OLS is to perform multiple linear regression to generate predictions or to model a dependent variable in terms of its relationships to a set of explanatory variables. Formally, the model has the following form:

$$Y = \beta_0 + \beta_1 X_1 + \beta_2 X_2 + \dots + \beta_n X_n + \varepsilon$$

( $\beta_0$  = constant;  $\beta_1 \dots \beta_n$  = regression coefficient;  $\varepsilon$  = residual)

In the least-squares model, the best-fitting line for the observed data is calculated by minimizing the sum of the squares of the vertical deviations from each data point to the line (if a point lies on the fitted line exactly, then its vertical deviation is 0) as Figure 2. The method is based on a set of assumptions such as normality, homogeneity of variance, and independence of residuals. Spatial autocorrelation (or spatial dependency) and spatial nonstationarity (spatial heterogeneity) are two properties of spatial data that may undermine the assumptions behind the traditional regression models (Bailey & Gatrell, 1995).



**Figure 2 Schematic diagram of OLS model**  
(ArcGIS Resource Center: Ordinary Least Squares Regression)

#### (2) Geographically Weighted Regression (GWR)

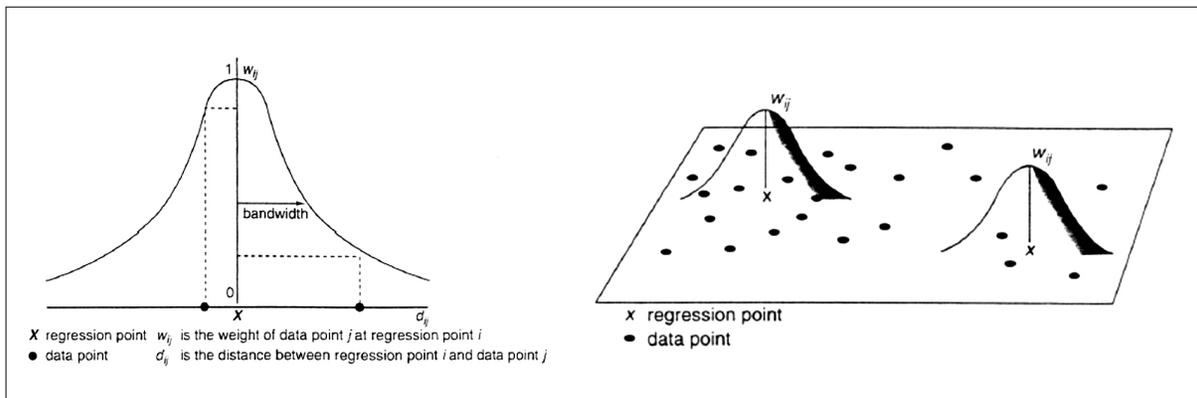
The Summary of GWR is to perform a local form of linear regression used to model spatially varying relationships. GWR constructs a separate equation for every feature in the dataset incorporating the dependent and explanatory variables of features falling within the bandwidth of each target feature. The shape and extent of the bandwidth is dependent on user input for the kernel type, bandwidth method, distance, and number of neighbors' parameters with one restriction as Figure 3. The ArcGIS model please refers to figure 3 (Fotheringham, Stewart, Brunsdon, Chris, Charlton, & Martin, 2002).

The GWR model is an extension of the global multiple regression. It has the following form:

$$Y_i(u, v) = \beta_0(u, v) + \beta_1(u, v)X_{i1} + \beta_2(u, v)X_{i2} + \dots + \beta_p(u, v)X_{ip} + \epsilon_i(u, v)$$

( $u, v$ =spatial coordinates;  $Y_i$ =dependent variable;  $X_{i1}, X_{i2}, \dots, X_{ip}$ =observation values of spatial coordinates in explanatory variables;  $\beta_0, \beta_1, \dots, \beta_p$ = constant variable and unknown regression coefficient)

The GWR procedure provides us with all elements and diagnostics of a global regression model including parameter estimates, goodness-of-fit measures, and t-values on a local basis. One advantage of the GWR modeling is that it addresses the problem of spatial nonstationarity directly (Fotheringham et al., 2002).

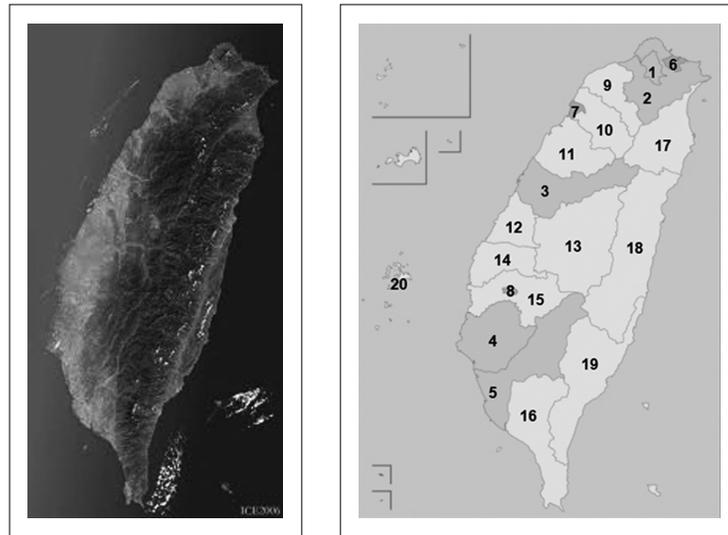


**Figure3 Schematic diagram of GWR model  
(Fotheringham et al.,2002)**

## Results

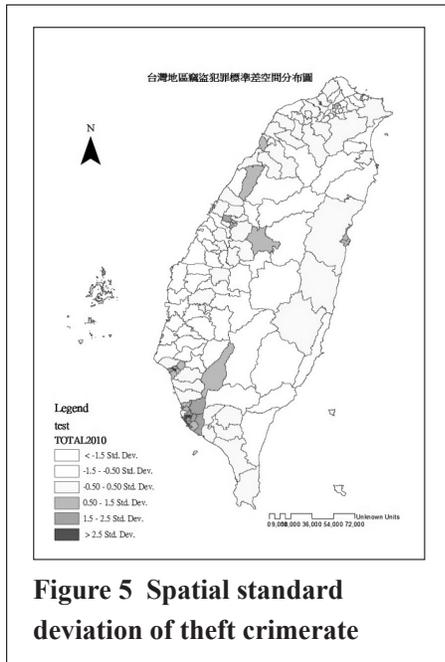
### 1.Explanatory Spatial Data Analysis of variables

Taiwan is an island located in the southeast portion of Pacific Ocean. Its measure of area is 36,000 km<sup>2</sup>; equal to 13,900 miles<sup>2</sup>, two-thirds part are mountains. Total population is approximately 23,000,000. There are 12 counties and 8 cities with several districts inside of them in Taiwan, every county and city owns a police headquarter, and every district has a precinct, total districts number of police precincts are 148. Please refer to figure 4.

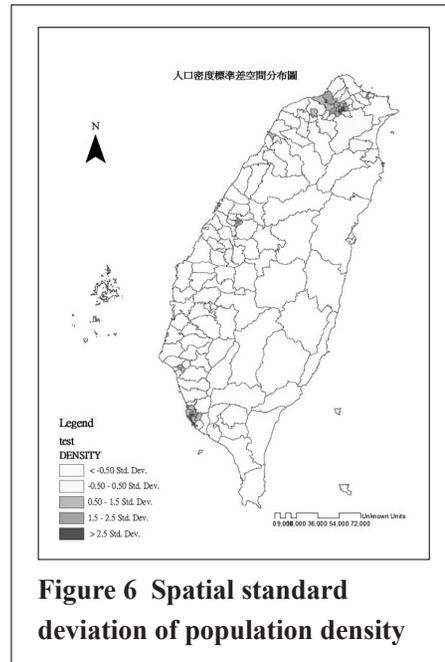


**Figure 4 Taiwan map**

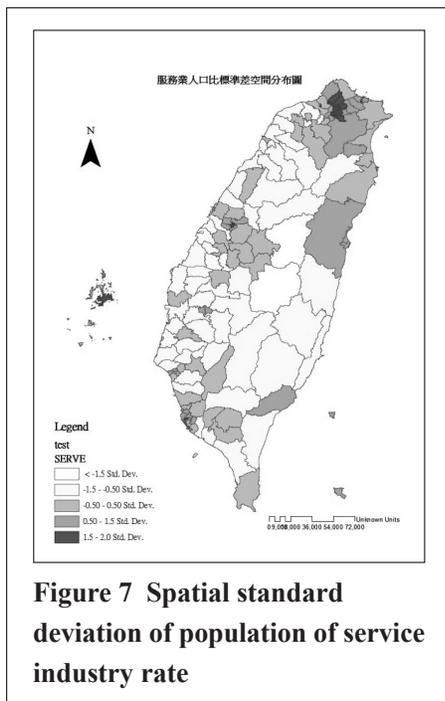
In the beginning, the study use spatial standard deviation mapping to visually show total six variables, in order to realize spatial distribution and variation of them in Taiwan primarily. Several features of the spatial pattern shows in Figure 5 to 10 deserve attention. Firstly, values of all variables of the study are not evenly spatial distributed in every district, and tend to decrease with increasing distance from the several main districts. Secondly, the higher value of variables of the study tend to concentrate in main metropolitan areas of north, middle, and south divisions of Taiwan extremely; one the other hands, the lower value areas tend to distribute in mountainous, insular, or agricultural areas. Thirdly, the higher value of variables of population of service industry rate and total population mobility rate distribute in not only metropolitan areas but also rural divisions of east Taiwan and with lower spatial variation may due to reasons of tourism industry promotion. The findings of ESDA are primarily supported by the literature, which suggests that the high relationships between social disorganization situations and urbanization in spatial distribution. Following this, the study tries to find out how urbanization model affect the crime rate, and significant factors of the model by further statistical analysis in the next section.



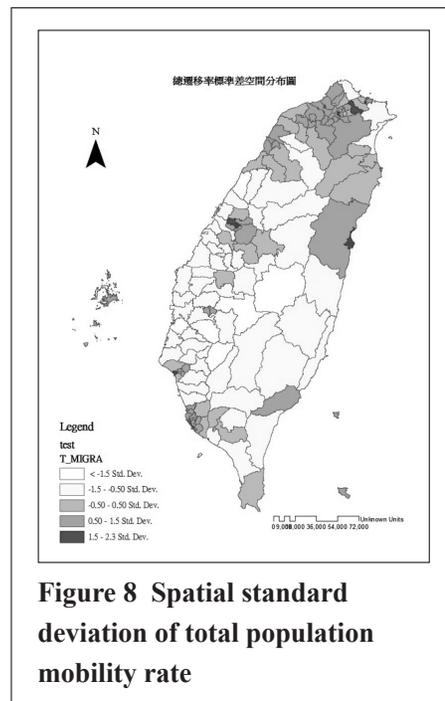
**Figure 5** Spatial standard deviation of theft crime rate



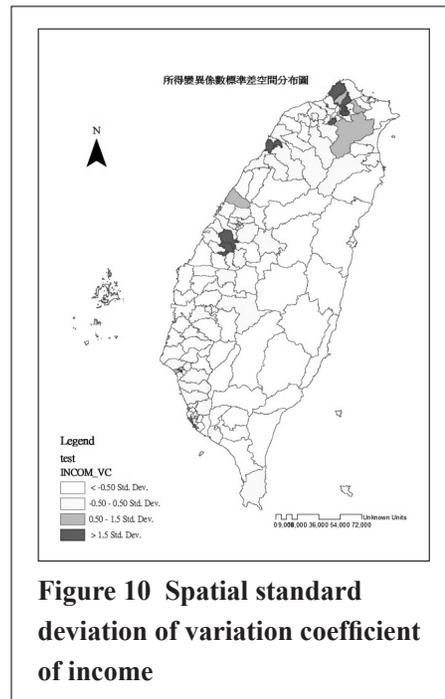
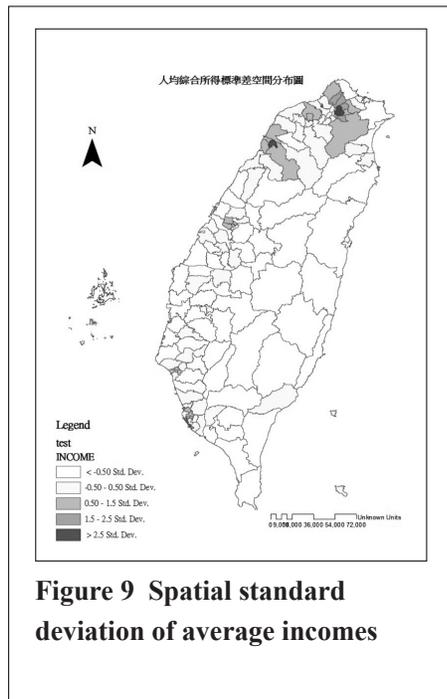
**Figure 6** Spatial standard deviation of population density



**Figure 7** Spatial standard deviation of population of service industry rate



**Figure 8** Spatial standard deviation of total population mobility rate



## 2. Regression Analysis

### (1) Explanatory Variables and OLS Model

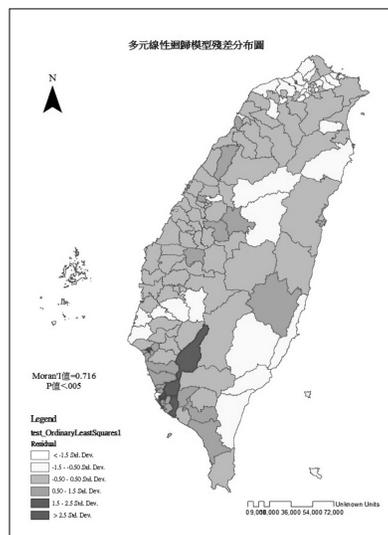
This study considers five contextual characteristics as the potential explanatory variables including population density, population of service industry rate, total population mobility rate, average incomes, and variation coefficient of income, based on a review of the relevant literature. The model was estimated using the ordinary least squares (OLS) method and the results were given in Table 2. According to values of the variance inflation factor (VIF) indicate that there is no evidence of problematic levels of multicollinearity. The model explains 6.3 percent of the variance in the relative risks of theftcrime; two variables of the regression coefficients are statistically significant which are population density(0.011)and total population mobility rate(4.951).

Since the global multiple regression model explains only 36.3 percent of the variance in the relative risks of theftcrime, it is clear that there are many other factors influencing the risks unaccounted for in the model. Further, if the relationships between the contextual characteristics and the relative risks of theftcrime are spatially nonstationary, then the global multiple regression model is a misspecification of the actual relationships. One way of detecting the problem of misspecification of relationships described by the global model is to use the Moran’s I statistic. This statistic can be used to verify that the residuals from the global model are randomly distributed. The residuals from the global regression model exhibit statistically significant positive autocorrelation (Moran’s I statistic =0.716\*\*); refer to Table 2 and Figure 11).

**Table 2 Global Multiple Regression Model for Relative Risks of TheftCrime in Taiwan**

Independent Variables	Coefficients Values	Std. Error	t values	Sig.	VIF
Intercept	95.163	128.845	0.738	0.461	-----
Population density	0.011	0.004	2.757	0.006*	2.170
Population of service industry rate	-1.495	2.181	-0.685	0.494	3.155
Total population mobility rate	4.951	0.916	5.402	0.000***	2.571
Average incomes	-0.353	0.210	-1.608	0.095	3.541
Variation coefficient of income	0.392	0.307	1.276	0.203	2.339

R<sup>2</sup>=0.363; Moran's I on residual=0.716\*\* (\*\*<0.001; \*\*<0.005; \*<0.01)



**Figure 11 Spatial Autocorrelation in OLS Model Residual (Moran's I test)**

The spatial distribution of the residuals suggests that there are local variations (spatial heterogeneity) in the relationship between the relative risk rates of theftcrime and the contextual characteristics. One possible approach for analyzing the local variations is to employ the geographically weighted regression (GWR).

## (2) Explanatory Valuables and GWR Model

### A. Model analysis and Compare

In this study, a continuous weighting function of Gaussian form is selected as the kernel. The bandwidth(2063.861m) is optimized as a part of the GWR calibration using the AICc method. Compare to OLS model(R<sup>2</sup>=0.363), the results(refer to Table 3)indicate a reasonably high explanatory performance

of the GWR model(Local R2=0~0.8287;Adjusted R2= 0.688). As expected, the calibration of the GWR models not only alleviates the problem of spatially autocorrected error terms, but also solves problem of spatial heterogeneity. Specifically, it results in reduction of the Moran’s I value on residuals from 0.716(for the global model) to -0.102 (for the local model).

**Table 3 Local Multiple Regression Model for Relative Risks of TheftCrime in Taiwan**

Independent Variables	Coefficients Values
Intercept	-2433.028~2028.542
Population density	-0.079~0.1022
Population of service industry rate	-16.187~15.340
Total population mobility rate	-1.915~8.277
Average incomes	-3.692~4.802
Variation coefficient of income	-0.658~1.808

Local R2=0~0.8287;Adjusted R2= 0.688;Moran's I on residual=-0.102\*\*

Further, comparing with the variance of residuals global model, the GWR model largely improves the global regression model at the sum of squares in the model’s residuals (refer to the F test in Table 4), and proves that the model can provide a useful method for analyzing the influence and spatial heterogeneity of the relationships between theftcrime and neighborhood contextual characteristics of urbanization factors.

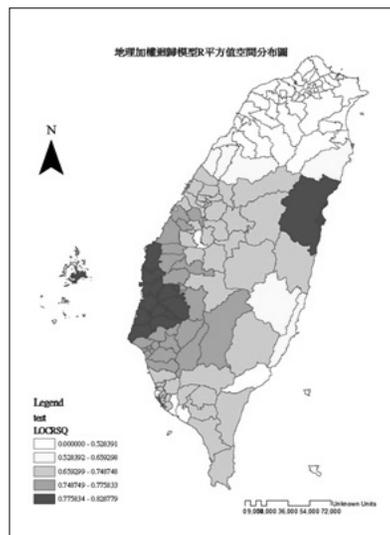
**Table 4 Analysis of Variance (ANOVA) Table for Multiple Regression Model**

Source	Sum of Squares	df	Mean Sum of Squares	F
OLS Residuals	8924789.7	6.00		
GWR Improvement	5065154.5	15.41	328601.6565	
GWR Residuals	3859635.0	126.59	30490.2853	10.7773

**B. Spatial Pattern of Data Heterogeneity in the Model**

The spatial patterns of the Local R2 are shown in Figures 12. Higher values indicate that the GWR model in the study has a greater influence in that district, whereas lower values indicate that the predictor variable is less influential in that district. Several features of the spatial pattern deserve attention. Firstly, the values of Local R2 are not evenly spatial distributed in every district like 0.363 in OLS model. Secondly,

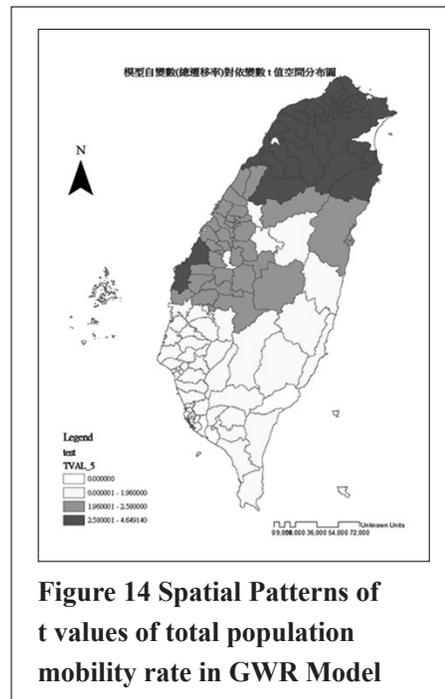
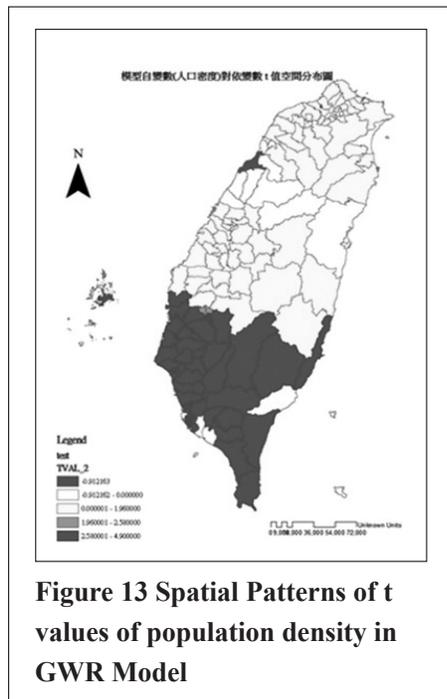
the higher Local R2value districts tend to concentrate in east-north and west-south divisions where are the backward regions including Yunling county, Chai county, Tai-nan county, and Hualiang county areas where are just in the processing of urbanization in Taiwan; on the other hands, the lower value areas tend to distribute in highly urbanized region such as Taipei metropolitan area. Third, the intensity of Local R2 tends to decrease with increasing distance toward central mountain areas from the several main districts of high values.



**Figure 12 Spatial Patterns of Local R2 of GWR Model**

Figures 13 and 14 show spatial patterns distribution of the two significant variables of population density and total population mobility rate. As noted in Figures 13 and 14, the global relationship between values of the average population density and total population mobility rate with risk of the theft crime rate are both significantly positive, with t-values of 2.757 and 5.402 (refer to Table 2), suggesting that the more population density and population mobility of the area, the more the relative risk of theft crime. However, the GWR results show that the contribution of the two variables in the regression equation have changed over the study region, and signal that the relationship is more complex than is suggested by the global regression results.

In fact, there are relatively small areas of districts of Taiwan where significantly inverse relationships between the relative risks of theft crime, average population density and total population mobility rate values exist. Further, from Figure 12 and 13, we can see opposite influence of these two variables and the relative risk of theft crime between south part and north part of Taiwan.



## Discussion

### 1.The implication of difference distribution of Local R2 values in GWR model

In the beginning, the study used spatial standard deviation mapping to visually show spatial distribution and variation of total six variables by figure 5 to 10, and we could primarily realized that the higher value of most variables of the study tend to concentrate in main metropolitan areas of north, middle, and south divisions of Taiwan, but the lower value areas tend to distribute in mountainous, insular, or agricultural areas. However, according to Figure 12, the difference distribution of local R2 values in GWR model indicates that comparing to highly urbanized region such as Taipei metropolitan, the backward regions including districts of Yun-ling county, Chai county, Tai-nan county, and Hualiang county areas where are just in the processing of urbanization in Taiwan, are more influenced by urbanization factors.

Referring to Figure 5, 6, 8 and 12, although distribution of higher local R2 values of the model are not located in regions with high urbanization or theft crime; however, the result of local R2 values distribution is consistent with significant factors of the model analysis with average population density and total population mobility rate.

### 2.Difference risk relationship between independent variables values in GWR model

From figure 13 and 14, we can see opposite influence of two significant variables and the relative

risk of theft crime between south part with lower urbanized districts, and north part with highly urbanized districts of Taiwan.

High population density in Taiwan are mainly concentrated in north metropolitan areas including Keelung city, Taipei city, Taoyuan city, and Hsinchucity areas, and few part of Tainan city and Kaohsiung city in south Taiwan. However, we could see the effect of average population density variable with risk of theftcrime rateis significantly positive in south Taiwan areas where are mostly dominated by agriculture, fisheries or light industry of low population density regions (refer to Figure 13). The finding seems to indicate that theftcrime tend to arise in high population density of south Taiwan due to full of huge potential offenders(Chang, 2008;Chou, 2008;Chang, 2009;Lynch & Cantor, 1992;Townesley, Homel&Chaseling, 2000;Kautt&Roncek, 2007), or gathering of valuable property(Mon,1983;Chuang, 2005;Chou, 2008;Taylor &Gottfredson, 1986;Ceccato, Haining&Signoretta, 2002;Bowers & Johnson, 2005). On the other hand, the weakness effect of average population density variable in north Taiwan may be because of highly population density which decreases the variables influence on theftcrime rate.

In addition, the effect of total population mobility rate variable with risk of theftcrime rate is significantly positive in north Taiwan areas including Yilan county, Taipei city, Taoyuan city, and Hsingchu city, and few part of middle west Taiwan areas including Yunling county and Changhwa county (refer to Figure 14). The significantly positive areas of north Taiwan are mostly dominated by industry and commerce with high population density and low mutual interaction of inhabitants originally; and the situation of high total population mobility rate may further arise theftcrime because of decreasing mutual interaction and territoriality of neighbors, and anonymity of potential offenders(Haining& Signoretta,2002;Groff & La Vigne, 2001;Malczewski&Poetz, 2005). On the other hand, the significantly positive areas of middle west Taiwan areas are mostly dominated by agricultural and fishery with poverty and low population density originally; the situation of high total population mobility rate may cause by spillover of young and mid-aged adults who have to leave their home towns to find jobs further, and result in more theftcrime events due to weakness property protection abilities of the old and child population who stay in the areas.

## Conclusions

### **1. Variables of population density and total population mobility rate are with significantly positive and difference effect on theftcrime rate in Taiwan.**

The study has present the results of a global regression model relating the relative risks of theftcrime to the neighborhoods' contextual characteristics of urbanization factors, as well as tries to discuss the results of a local analysis using GWR and different findings between these two models in result section. Both results of global and local model have shown that variables of population density and total population

mobility rate are with significantly positive effect on theftcrime rate in Taiwan. Moreover, the GWR results further pointed out significant spatial variation in relationships between the relative risks of theftcrime rate and two variables. From Figure 12 and 13, we can discover that the effect of average population density variable with risk of theftcrime rate is significantly positive in south Taiwan areas, as well as total population mobility rate variable effects theftcrime rate in north and middle west Taiwan areas; the theftcrime rate in Taiwan is almost oppositely influenced by these two variables between south part and north part of Taiwan.

Although urbanization process in Taiwan was neither as the development of concentric model, nor as complicated process of invasion, dominance, and succession as in United States mentioned by Chicago school (Burgess, 1925). From the findings of the study and inspiration of social disorganization theory, we suggested that when the progress steps of urbanization process arise situations such as high population density with gathering of valuable properties and potential offenders in south Taiwan divisions; as well as high total population mobility rate with low mutual interaction of inhabitants and anonymity of potential offenders in north Taiwan divisions, and with weakness property protection abilities in middle west Taiwan divisions would further result in higher theftcrime rate in Taiwan.

## **2. The advantages of GWR model in academic research and policy making**

Since the result of study clearly showed that global regression model explains only 36.3 percent risks of the model with many other unaccounted risks in the model residual, and probably misinterprets the actual relationships of spatially nonstationary of the model. However, the GWR results showed that the contribution of the two variables in the regression equation have changed over the study region with higher explanation ability of 68.8 percent, and signal that the relationship is more complex than is suggested by the global regression results. As expected, the calibration of the GWR models also alleviates the problem of spatially autocorrelated error terms and spatial heterogeneity.

From the evidence of related data, compare to global model, the study proves that the GWR model could provide better ability in model explanation and analyzing the influence of spatial heterogeneity between theftcrime risks and neighborhood contextual characteristics of urbanization factors in Taiwan; aside of the sophistication of spatial statistics, the study further proposed that we could view the advantages of GWR method as not only an important milestone in academic research of social science or criminology, but also a refined evidence-based method for local adaptation and accountability crime prevention policies making.

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# Residents' satisfaction with police services in Taipei metropolitan: A multilevel perspective<sup>[1]</sup>

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**Abstract:** Community policing (COP) has become pretty much a worldwide movement for police since 1980s in the US. Though the concept was first introduced to Taiwan in the mid-1990s by several Western-educated (mainly in the US) scholars, how the public in Taiwan society perceives the police services in community is still unknown. Recent research suggests that perceptions of police services in community are shaped within the influences of respondents' demographics, contact experiences with the police, and neighborhood contexts. Using data obtained from a telephone survey of 1,806 citizens residing in 41 districts located in Taipei and New Taipei cities in May 2014, the results from HLM indicated that among individual-level variables, the educated, the married and long-term residents reported lower levels of satisfaction with police. While victim experiences, fear of crime, and neighborhood disorder erode the levels of residents' satisfaction with police, citizen-initial contact and collective efficacy boost the positive image of police performance. As for district-level variables, both citizen/police ratio and the total crime rate/100,000 habitants impact public assessment of police services in community.

**Keywords:** satisfaction with police, police performance, community policing, neighborhood context, collective efficacy

## Introduction

While the community policing (COP) has become pretty much a worldwide movement for all levels

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of police agency since 1980s, this term and its concept were introduced to Taiwan in the mid-1990s by several Western-educated (mainly in the US) police scholars at a time when the idea of democratic policing was in need of a boost after an official lift of twenty-six-year martial law (Cao, Huang, & Sun, 2014). Professionalism in the police began to emerge. Accompanying with centralized command system and “mini-stations” system (Japanese Koban system), the concept of COP has been largely implemented in all levels of police stations at the time. From 1990s to present, Taiwan police role and function have evolved from “high policing” emphasizing loyalty to government/ruling party into “low policing” or democratic policing that focuses on the services and protections of citizens’ rights (Cao & Dai, 2006; Lai, Cao & Zhao, 2010; Sun & Chu, 2006).

At the same time, public assessments of the police service in community have become the focal concern in 1970s as a merge of “Police-Community Relations” (PCR) in the US (Lai, 2013). PCR, which is a pioneer era prior to COP in 1980s, brings law enforcement and the community together in an effort to understand the concerns of citizens and identify ways in which the quality of life in a community could be improved (Zhao, 1994). Since 1980s, there has accumulated a rich body of research on the issue of citizens’ satisfaction with the police services in community (e.g., Reisig & Parks, 2000; Schafer, Huebner, & Bynum, 2003). Consequently, the concepts and dimensions of COP and the explanatory models on residents’ COP services have been largely investigated and established since then (see Brown and Benedict, 2002 for a comprehensive review).

Despite the importance of this topic, scholars and police makers have becoming increasingly interested in understanding residents’ satisfaction with the police in Taiwan over the last decade (e.g., Cao & Dai, 2006; Lai, Cao, & Zhao, 2010; Lin, 2005; Sun, Jou, Hou, & Chang, 2014; Wu, Poteyeva, & Sun, 2012). Although a handful studies have assess the extent to which the Taiwanese citizens’ satisfaction with/trust in the police and the factors that the influence residents’ attitudes toward the Taiwanese police performance, some limitations should be addressed.

First, the concept of COP has been introduced nationwide in Taiwan more than twenty years. As a result, using community policing-specific outcome measures to assess residents’ perceptions of police services is of particular importance. In recent Sun et al. (2014)’s work, three items (anti-crime performance, handing public emergency & service calls, and traffic enforcement) were designed to capture the concept of COP services. We believe more items should be included while measuring the concept of COP in Taiwan.

Second, a large research on this issue has examined that neighborhood contexts play a key role determining the levels of satisfaction with police services in the US (Brown & Benedict, 2002). The existing literature on Taiwanese evaluations of the police performance has generated very little evidence concerning the neighborhoods context model (Sun et al., 2014). Specifically, the influence of police visibility in each respondent’s immediate environment is still unknown. Third, the results drawn from prior studies conducted in Western societies reveal that subjective and objective assessment on the levels of crime and disorder in neighborhoods produced a negative association with police performance (Reisig & Parks, 2000; Schuck,

Rosenbaum, & Hawkins, 2008; Shafter et al., 2003; Wu, Sun & Triplett, 2009). However, to the best of our knowledge, there is no empirical evidence to support this association based on Taiwanese sample.

Using survey data of 1,806 respondents collected from two municipalities, Taipei and New Taipei cities, in Taiwan in 2014, this study intends to assess residents' satisfaction with police services in three ways: (1) Based on the popularity of COP in Taiwan, this study explored the levels of residents' satisfaction with police services in community; (2) Given the hypothesis that police visibility reduces the levels of crime in neighborhoods, this investigated the association of citizen/police ratio in neighborhoods with residents' satisfaction with the police; (3) Drawn from the neighborhood contexts model in Western societies, this study employed subjective and objective assessment of crime and disorder in neighborhoods to predict the levels of residents' satisfaction with the police. Of note, the hierarchical linear modeling (HLM) statistical method was introduced appropriately in this study given the need to investigate the individual-level and contextual-level (district-level) factors at play simultaneously.

## Literature Review

### The development and functions of COP in Taiwan

The introduction of COP strategies in Taiwan helps us more deeply to understand that exploring residents' satisfaction with police services is warranted in current Taiwanese society. While COP has become pretty much a worldwide movement for police since the 1980s, the concept was first brought to Taiwan in the mid-1990s, which was coincidentally an era of professionalization in Taiwan's police forces, by several police scholars studying abroad in the US at a time when the idea of democratic policing was in need of a boost (Cao et al., 2014; Chang, 2002). Actually, although "COP" is a new "term" of police strategies for police administrators and practitioners at the time, there were not new strategies in many ways; Taiwanese police officers had long been involved in activities commonly associated with community policing: such as annual household visits, foot beats, motorbike patrols, neighborhood substations, permanent beat assignments, variations of neighborhood watch, polling citizens about community problems, and coordinating community crime prevent events, etc. (Cao et al., 2014; Chang, 2002). Those concepts to line officers are familiar, routine and long-practiced activities. At the same time, these historic activities had tended to produce intimate (close, informal, and cooperative) relationships between line officers and the citizens they served. Consequently, unlike many US police agencies, the National Police Agency (NPA) has never officially declared COP as a guiding strategy of the Taiwan police (Cao et al., 2014). Stated differently, introducing COP concepts to Taiwan had more to do with attaching a "Western name" to specific activity than it did with introducing a new strategy of philosophy of police service (Gingerich & Chu, 2006).

The lack of an agency-wide transformation toward COP is mainly due to the fact that community-

based organizational structures and field practices have been implemented for many decades. Drawn from Japanese Koban system, the sub-district station (Fenzusuo, FZS) and field station (Paichusuo, PCS) officers who are assigned and deployed to police operational beats made up the current Taiwan-style COP. Normally, while a FZS is located in villages, towns, and small cities where there is no district police station (Fenzhuyin, FZY), whereas a PCS is a field station within mid-sized to large cities where the hierarchy runs from the city or county police headquarters, to a few district stations (FZY), and to many PCS units (Cao et al., 2014). In general, although the size of a FZS is larger than a PCS, the functions of the two types of stations are virtually the same (Chang, 2012).

As an outreach service unit of a police branch, both FZS and PCS officers are normally in charge of approximately 500 households or 2,000 residents. Their main duties include: (1) Regulate patrol; (2) Making periodical household visits; (3) In-station duty (e.g., manning reception desk, taking inquiries, filing criminal reports, and maintaining the security of the station); (4) Back-up duty (e.g., taking temporary assignment, replacing absent officers, and transporting and guarding suspects); (5) Community services (e.g., responding to calls for services, attending neighborhood meets, distributing crime prevention newsletters; assisting to build up citizen patrols/neighborhood watches); (6) handling minor offenses/illegal activities on streets (Cao et al., 2014; Chang, 2002; Gingerich et al., 2011).

Very limited research has focused primary on evaluation of the effectiveness of COP initiatives over the past decades in Taiwan. Only two studies assessing COP programs implemented in Taipei city in literature. Lin, Deng, and Mao (2000)'s study found that residents in two neighborhoods that were subjected to higher levels of police problem-solving interventions (e.g., enhanced patrol, entrance surveillance, and household visits) tended to experience lower levels of actual and perceived crime rates and fear of crime, and report higher levels of satisfaction with police compared to residents in two comparable neighborhoods without any police intervention. At the same time, Chang (2000) showed that residents in a neighborhood experienced slightly better evaluations of the effectiveness of COP and satisfaction with police compared to citizen sentiments collected a year prior. Officers were largely receptive to COP, but they were also concerned about the extra workload created by community policing-related assignments.

### **The impact on public satisfaction with COP services**

A review of the literature revealed three rather distinctive models commonly used to explain residents' satisfaction with police services (Brown & Benedict, 2002; Ren, Cao, Lovrich, & Gaffney 2005; Weitzer & Tuch, 2005). The first model concerns the influence of demographic factors such as age, gender, and education attainment on public perceptions of the police. The second model focuses on residents' victimization experience and contact experiences with police. The third one emphasizes the relationship between neighborhood context such as crime-related factors and residents' evaluation of their environment (Lai & Zhao, 2010). In the following review the explanatory factors often included in each model will be discussed.

Personal characteristics model. For at least four decades, most studies have examined the effects of a respondent's demographics such as age, gender, educational attainment, marriage, household income, residential length, and type of dwelling on his/her judgment of the police (Brown & Benedict, 2002 for comprehensive review ). The existing literature indicated that the elder (e.g., Lai & Zhao, 2010; Ren et al., 2005; Jeglum-Bartusch, 1998), female (Cao et al., 1996; Lai & Zhao, 2010; Reisig & Giacomazzi, 1998; Sun et al., 2014), the less educated (e.g., Lai et al., 2010), the married (Schafer et al., 2003; Weitzer & Tuch, 2002), and the affluent people (e.g., Lai et al., 2010; Sampson & Jeglum-Bartusch, 1998) tend to report higher levels of satisfaction with police services. In addition, residents who lived in their current residences with a long length normally harbor lower levels of satisfaction with police work (Jeglum-Bartusch, 1998). While there has been little research identifying the association between the type of dwelling with residents' satisfaction with the police, relatedly, Cheurprakobkit and Bartsch (1999) found, using surveyed data of 581 respondents collected in Midland and Odessa, Texas, that citizens who lived in houses were more likely to think police work was a profession than those who resided in apartments, suggesting different types of dwelling really matter residents' satisfaction with police.

Contact experience model. This model concerns the influences of personal contacts with police on his/her assessment on police services. Two factors have been examined in extant literature, contact experience with police and victimization. A substantial amount of contemporary research has suggested that the effects of citizen/police contact should be considered as being one of the major predictors of citizen assessments of police (Brandl, Frank, Worden, & Bynum, 1994; Ren et al., 2005; Rosenbaum, Schuck, Costello, Hawkins, & Ring, 2005; Scaglione & Condon, 1980). For example, Schafer et al. (2003) argued that public evaluations of the police and police services are more likely to be derived from their personal experience with law enforcement than arise from their own demographic background characteristics. Of course, there are several types of police-citizen contacts and some are associated with favorable outcomes while others are not. In this regard, Decker (1981) has suggested that the most important distinction in police/citizen contact entails the voluntary/resident-initiated contact vs. the involuntary/police-initiated contact. Specifically, voluntary contact tends to produce more positive results, whereas involuntary interactions tend to occur in more adversarial situations. Subsequent research has generally supported Decker's claims in this area. For example, Rosenbaum et al. (2005) found that people who initiated police interaction (i.e., calling for assistance) were more satisfied than persons who were targets of police-initiated encounters such as traffic stops.

Next, victims of crime tend to have negative view of the police. Relevant research suggested that victimization experience usually makes individuals feel physically vulnerable and often believe that the police failed to protect them (Cao et al., 1996; Frank, Brandl, Cullen, & Stichman, 1996; Lai & Zhao, 2010; O'Connor, 2008; Payne & Gainey, 2007; Zhao, Tsai, Ren, & Lai, 2014). More specifically, Ren et al. (2005) argued that the primary source of a victim's negative rating of the police can be the result that he/she presumably held the police responsible for crime committed against them.

Neighborhood context model. This model attempts to examine the relationship between neighborhood related indicators and public attitudes toward the police. Previous studies suggested that these neighborhood indicators have significant impact on residents’ judgment of the police (Jesilow et al., 1995; Reisig & Parks, 2000; Sampson & Jeglum-Bartusch, 1998; Weitzer & Tuch, 2005). Overall, the common indicators used to tap into neighborhood environment involve residents’ personal perceptions of neighborhood contexts such as fear of crime, collective efficacy and neighborhood disorder (Brown & Benedict, 2002; Cao et al., 1996; Reisig & Giacomazzi, 1998; Ren et al., 2005; Weitzer & Tuch, 2006).

As for fear of crime, it measured a respondent’s subjective judgment of his/her safety in the neighborhood. Most studies have found that it was negatively related to public satisfaction with police (Cao et al., 1996; Reisig & Giacomazzi, 1998; Weitzer & Tuch, 2002). It could be argued that when the quality of life in a community is improved and the fear of crime abates, an increase in public confidence in local police is to be expected (Zhao, Scheider, & Thurman, 2002; Zhao, Lai, Ren, & Lawton, 2015). Payne and Gainey (2007), for example, found a significant linkage between residents’ perceptions of being unsafe and their reported negative attitudes toward two municipal police departments located in Norfolk and Portsmouth, Virginia. Relatedly, Sun et al. (2014) found that safety concerns in neighborhoods really boost the levels of trust in police among Taiwan people.

Through a review of literature, the relationship between collective efficacy and public satisfaction with the police has also been explored. Collective efficacy was originally developed by Sampson, Raudenbush, and Earls (1997) to capture the notion that “willingness and intentions to intervene on behalf of the neighborhood would be enhanced under conditions of mutual trust and cohesion” (p.921); this concept has been used in subsequent studies by numerous other scholars (e.g., Gibson, Zhao, Lovrich, Gaffney, 2002; McGarrell, Giacomazzi, & Thurman, 1997). For example, Huebner, Schafer, & Bynum (2004) found that collective efficacy was one of robust predictors in determining citizen confidence in the police. Similarly, Sun et al. (2014) revealed that the variable of trust in neighbors is a significant predictor in explanation of trust in the police in Taiwan (see also, Wu, 2014). Ren et al. (2005) reasoned that it was likely that confidence in one’s neighbors bred confidence in the police. By extension, it is likely that those who felt abandoned or alienated by their own neighbors might also feel abandoned by or alienated from the police, leading to dissatisfied with police performance.

Drawn from the Broken Window thesis, neighborhood disorder has been an important focus of community policing (Zhao et al., 2014). The review of the literature suggests that perceptions of neighborhood disorder tended to lessen citizens confidence in the police (Cao et al., 1996; Reisig & Parks, 2000; Ren et al.2005; Sprott & Doob, 2009). It was plausible that neighborhood disorder, both in their physical and social aspects (e.g., noisy neighbors, loitering by rowdy teenagers, graffiti, deteriorating property), sent a message that law enforcement had lost control over the neighborhoods (Skogan, 2009). If this is indeed the case, then neighborhood disorder might serve as a daily cue that the police could not be trusted to provide needed public safety protection.

Ecological level factors. In their work, Reisig and Parks (2000) divided “neighborhood contexts” model into two units of analysis. While neighborhood culture refers to residents’ subjective judgment to assess police work in individual level (micro-level) such as fear of crime, neighborhood disorder, etc., ecological level factors were measured by objective predictors such as census data, crime rates, and those aggregated citizen survey data. Accordingly, two objective predictors at ecological level have been introduced in this study.

First, crime incidents have constantly drawn the attention of researchers. A rich body of research has shown that public satisfaction with police are associated with the level of crime in one’s immediate environment (Jesilow et al., 1995; Reisig & Parks, 2000; Sampson & Jeglum-Bartusch, 1998; Weitzer & Tuch, 2005). Recent noteworthy studies also reveal that crime incidents at ecological levels impact residents’ satisfaction with the police. For example, Sampson and Jeglum-Bartusch (1998), armed with a data file consisting of 8,782 residents of 343 Chicago neighborhoods, investigated the connection between neighborhood structural characteristics and satisfaction with police using HLM techniques. The results found that the homicide rate at aggregated levels indeed was associated inversely with satisfaction with the police. Similarly, Wu et al. (2009) found that violent crime rates at the aggregate level differentiated citizens’ satisfaction with the police.

Police visibility. Drawn from deterrence theory positing that crime can be prevented when the costs of committing the crime are perceived by the offender to outweigh the benefits, scholars argued that police interventions provide an effective approach for gaining deterrence against crime (Braga & Weisburd, 2012). For example, Durlauf and Nagin (2011:14) noted that “(i) increasing the visibility of the police by hiring more officers and by allocating existing officers in ways that heighten the perceived risk of apprehension consistently seem to have substantial marginal deterrent effects”. In their recent article summarizing evidence on contact and confidence from the British Crime Survey and surveys conducted by the Metropolitan Police Service, Bradford, Jackson, and Stanko (2009) also argued that high visibility about police activities is associated with greater confidence in policing. Stated simply, a consideration of police visibility is warranted.

## **Data and Methods**

### **Data collection and sample**

Data used in this study were partially drawn from a research project conducted in May in 2014. The project, entitled Public Attitudes toward the Police in Taipei Metropolitan (PATPTM) was funded by “Taiwanese Ministry of Science and Technology” (MOST 102 - 2410 - H - 015 - 015 - SSS). The purpose of this project was to obtain information on public attitudes toward Taipei metropolitan police services, neighborhood safety, community development, and punitive policies.

Data for the study were obtained from a random-stratified sampling telephone survey of residents in Taipei and New Taipei Municipalities which were located in northern part of Taiwan Island. The sample was stratified by administrative districts. While there were 12 districts with 2.5 million citizens age at least 18 years old in Taipei city, more than 3 million citizens age at least 18 years old residents lived in 29 districts in New Taipei city. For this project, a total of forty one districts with approximately 5.5 million residents age at least 18 years old as population were gathered, and the sample distribution was proportional to the population in each of the districts. The random computer-assisted telephone interviewing technology (CATI) was used in the telephone survey. Between May 13 and 17, 2014, a total of 18,633 residents in the Taipei metropolitan area were interviewed via telephone. They were informed about the principles of voluntariness and anonymity for their participation. Based on the respondents' age, gender and administrative district, survey data were weighted after each successful survey using raking ratio estimation to ensure that the difference between the sample and population is not significant. Cases with missing values were excluded from the analyses. Finally, 1,806 respondents, comprising 729 from Taipei city, and 1,077 from New Taipei city completed a 20-minute long survey and the actual success rate (i.e. the percentage of the number of completed surveys relative to the number of households phoned) was 62.9 percent.

### **Dependent variable**

The dependent variable in our analysis is satisfaction with police services experienced in the respondents' neighborhoods where they lived. Five separate items featured respondents' assessment of the following services provided by the local police in their immediate neighborhood: (1) traffic law enforcement; (2) narcotics and drug enforcement; (3) crime prevention efforts; (4) patrolling activities; (5) response time to calls for services. Respondents were asked to rate police performance on a Likert-type attitude scale ranging from 1 (very unsatisfied) to 5 (very satisfied). The satisfaction with police services index of the five items was calculated as the sum of scores divided by 5. The Cronbach's alpha for this scale is 0.85 with an Eigenvalue of 3.09, indicating a high level of congruence among the five items.

### **Individual-level variables**

Drawn from extant literature, gender, age, education attainment, marriage, household income, residential length, victim experience, contact with police experience, type of dwelling, fear of crime, collective efficacy, and neighborhood disorder were employed as individual-level variables. Gender is expressed as a dichotomized variable (0= male and 1= female). Age is measured in years. Educational attainment was measured by an ordinal variable from 1 (less than high school) to 5 (graduate degree). Marriage status was treated as a dichotomous variable where 0 represents single, divorced, and widow respondents, 1 represents the status of married and cohabitant. Household income per month consisted of a choice among seven categories ranging from 1 (less than 20,000 NTD, equal to 660 USD) to 7 (120,000 NTD, equal to 4,000 USD) and above.

Residential length was measured in year by asking the question “How long you have been moved into the current residence?” Victimization experience was a dichotomous variable designed to ask respondent and his/her cohabitant(s) had been a victim of any crime in the last twelve months prior to this survey (0=No victim experience and 1=victim of at least one experience). Three dichotomous variables were created to measure the contact experience with the police; these variables were created by categorizing responses to two distinct questions: (1) “During the past 12 months, have you had any contact with a police officer?” and (2) “Was this contact initiated by the police?” Following Sprott and Doob (2009), these two questions were converted into three dichotomous variables — namely, no contact (none), voluntary contact (i.e., citizen-initiated contact), and involuntary contact (i.e., police-initiated contact) with the police. No contact experience was treated as a reference group in the analysis. Dwelling was measured by asking respondents “what kind of dwelling style you lived in current residence?” Two options provided for choosing: 0 represents old styles consisting of condo/town house, bungalow, and apartment with no elevators, whereas 1 represents new style comprising high-rise apartment with elevators and clustered housing buildings.

Fear of crime was measured by four items: (1) I am worried that my home would be burglarized when not there; (2) I am afraid of being out alone in my neighborhood at night; (3) I am afraid of being out alone in my neighborhood during the day. Summed responses on a Likert-type scale ranged from 1 (not safe at all) to 5 (very safe). The fear of crime index of the three items was calculated as the sum of scores divided by 3. The Cronbach alpha for the fear of crime index was 0.54, with an Eigenvalue of 1.64. Three separate items were designed to capture the variable of collective efficacy: (1) how likely are adults in your neighborhood to take responsibility for notifying the police about crime or illegal activity (e.g., domestic violence) occurring in your neighborhood; (2) if there is a suspicious person or homeless people hanging around your block, someone is likely to call the police; (3) If there are juvenile delinquents who you are familiar with their parents smoking, drinking, and loudly chatting near your house, how likely would you call their parents to bring back discipline their kids? Responses for each item on a Likert-type scale ranged from 1 (never) to 5 (always). The collective efficacy index of the three items was calculated as the sum of scores divided by 3. The Cronbach alpha for the index was 0.51, with an Eigenvalue of 1.51. Finally, Finally, respondents were asked to assess the level of neighborhood disorder obtaining in their area of residence, and included the following items: (1) noisy activities (e.g., binge drinking); (2) groups of teenagers hanging out; (3) promiscuity and sex-trade related activities; (4) fighting/violent activities; (5) entertainment activities (e.g., arcade games, cybercafé, and pool halls, etc.); (6) vehicles parking inappropriately; (7) drunk/homeless people; and (8) graffiti/vandalism. For each type of neighborhood disorder, respondents were asked to rate the problem on a scale ranging from 1 (not serious at all) to 5 (serious problem). The neighborhood disorder index of the eight items was calculated as the sum of scores divided by 8. The factor loadings analysis using a Varimax rotation revealed that all four items loaded on a single factor with an Eigenvalue of 4.24 and Cronbach’s alpha= 0.86.

**Table 1: Demographic, socio-economic, and crime statistics of Taipei and New Taipei Cities**

Items	Taipei city	New Taipei city
Total population a	2,701,571	3,966,533
Geographic area (square kilometers) a	272	2,052
Average household disposable income (USD) c	42,667	30,400
Number of administrative district b	12	29
Number of police branch b	14	16
Number of sub-district/field station (box station) b	94	158
Number of police officers b	7,440	7,306
Citizen /police ratio b	363	543
Total crime rate/ 100,000 habitant b	1,340	1,267

Notes: a presents 2015 data; b 2014 represents data; c represents 2013 data.

### District-level variables

Retrieved from Taipei and New Taipei police departments' statistic offices, the variable of Citizen/police ratio was measured to capture the concept of police visibility by the following formula: (the population in 2013 of each administrative district) / the numbers of sworn police officers in each district<sup>[2]</sup>. In 2013, Taipei city consists of 12 administrative districts and New Taipei city covers 29 administrative districts. A total of 41 administrative districts were employed while running multilevel analyses. In addition, drawn from literature, the total crime incidents rate at aggregated level was calculated by the following formula: total crime incidents known to the police in each administrative district in 2013/100,000 habitants.

### Statistical modeling

The data used in this study warranted multilevel analysis because they are clearly structured in two distinct conceptual levels of analysis (Luke, 2004). At the individual- level, 1,806 randomly selected respondents completed the questionnaires with detailed information on demographics, contact with police experiences and neighborhood context factors provided via a telephone interview process. At the same

[2] Normally, one district equals to one police branch. For example, Da-An District in Taipei City equals to Da-An Police Branch. However, some districts in New Taipei City embrace rural and mountainous areas with fewer residents less than 5,000 population, a police branch comprised several districts. For example, Xin-Dian Police Branch's operational beats cover Hsin-Dien, Wu-Lai, Shen-Keng, Shi-Ding, and Ping-Lin Districts.

time, these individuals were nested in 41 administrative districts both in Taipei and New Taipei cities. The characteristics of each district such as Citizen/police ratio and total crime incidents rate may partially explain the levels of satisfaction with police work there. Differences between these selected districts play an important role in the current study. Therefore, the model accounts for both variation within a district and variation among the districts.

The simplified two-level hierarchical linear model (HLM) used in this study can be represented using the following equations, with one predictor variable each at both levels:

$$\text{Level 1: } Y_{ij} = \beta_{0j} + \beta_{1j} X_{ij} + r_{ij}$$

$$\text{Level 2: } \beta_{0j} = \gamma_{00} + \gamma_{01} W_j + u_{0j}$$

$$\beta_{1j} = \gamma_{10}$$

The Level 1 part of the model is similar to a typical OLS multiple regression model. It features a dependent variable,  $Y_{ij}$ , and the  $j$  subscripts represent a different Level 1 model being estimated for each of the  $j$  Level 2 units. At Level 1,  $\beta_{0j}$  is the intercept of the Level 1 dependent variable  $Y_{ij}$ , and  $\beta_{1j}$  is the slope or effect of the Level 1 predictor  $X_{ij}$ . The basic two-level multi-level analysis treats the Level 1 intercept as outcomes of Level 2 predictors.

The Level 2 part of the model indicates how each of the Level 1 parameters is a function of Level 2 predictors and variability. At Level 2,  $\beta_{0j}$  is the Level 1 intercept in the Level 2 unit  $j$ ;  $\gamma_{00}$  is the mean value of the Level 1 dependent variable, controlling for Level 2 predictor  $W_j$ ;  $\gamma_{01}$  is the slope of the Level 2 predictor  $W_j$ ; and  $u_{0j}$  is the error for unit  $j$ . The key feature of this model is that only the intercept parameter in the Level 1 model,  $\beta_{0j}$ , is assumed to vary at Level 2. Bringing the right parts of the Level 2 equations into the Level 1 equation produces a mixed-effect model.

Specifically, the composite model of the current study can be expressed in the following equation:

$$\begin{aligned} \text{Satisfaction with police service } ij = & \gamma_{00} + \gamma_{01}(\text{Citizen/police ratio})_j + \gamma_{02}(\text{total crime} \\ & \text{incidents rate})_j + \gamma_{10}(\text{Female})_{ij} + \gamma_{20}(\text{Age})_{ij} + \gamma_{30}(\text{Educational Attainment})_{ij} + \gamma_{40}(\text{Married} \\ & )_{ij} + \gamma_{50}(\text{Household income})_{ij} + \gamma_{60}(\text{Residential length})_{ij} + \gamma_{70}(\text{Dwelling})_{ij} + \gamma_{80}(\text{Victim} \\ & \text{experience})_{ij} + \gamma_{90}(\text{Citizen-initiated contact})_{ij} + \gamma_{100}(\text{Police-initiated contact})_{ij} + \gamma_{110}(\text{Fear} \\ & \text{of crime}) + \gamma_{120}(\text{Collective efficacy}) + \gamma_{130}(\text{Neighborhood disorder}) + ij u_{0j} + rij \end{aligned}$$

## Findings

### Characteristics of sampled respondents

Table 2 presents descriptive statistics for the sampled respondents. The mean of dependent variable, the index of satisfaction with police services, was 3.29 with a standard deviation of 0.84, suggesting that respondents generally held favorable attitudes toward the police servicers in his/her local community. For the five demographic variables, approximately fifty two of respondents of the telephone interview identified

them as female. The mean of age was 44.5 years old with a standard deviation of 15.49. In addition, the average of educational attainment among respondents was a high school/vocational high school level (2.95). More than 62% of respondents reported that their current marriage status is married. The mean of household income among those sampled respondents 4.21 with a deviation of 1.92, suggesting that the average of household income among those sampled respondents ranged from 60,000 to 79,000 NTD per month (equals to 2,000 to 2,633 USD per month). The mean of residential length in current residence was 6.41, suggesting that the average of residential length among those respondents ranged from 15 to 20 years. More than 67% of respondents reported that they currently in an old fashion dwelling such as condo/town house, bungalow, and apartment with no elevators.

**Table 2: Descriptive Statistics for variables**

Variables	Frequency (%)	Mean	S.D.	Min.	Max.
Individual Level (N=1,806)					
Satisfaction with police services		3.29	0.84	1.00	5.00
Gender (1=Female)					
	M=964 (47.8)				
F= 942(52.2)	0.52				
	0.50	0.00	1.00		
Age		44.50	15.49	18.00	94.00
Education attainment		2.95	1.25	1.00	5.00
Marriage status (1=Married & cohabitant)	Single= 528(29.2)				
Cohabitant =42 (2.3)					
Married=1,129(62.5)					
Divorced=42(2.3)	0.65	0.48	0.00	1.00	
Household income		4.21	1.92	1.00	7.00
Residential length		6.41	2.16	1.00	9.00
Victim experience (1=victim)	None= 1,735 (96.1)				
At least one=71 (3.9)	0.04				
	0.19	0.00	1.00		
Contact experience with police	None= 991(54.9)				
Citizen-initiated contact=424(23.5)					
Police-initiated contact=391(21.7)	0.45				
	0.50	0.00	1.00		
Dwelling (1= new style)	Old style=1,213(67.2)				
New-style=587(32.5)	0.33				
	0.47	0.00	1.00		
Fear of crime		2.10	0.80	1.00	5.00

Variables	Frequency (%)	Mean	S.D.	Min.	Max.
Collective efficacy		2.94	0.78	1.00	5.00
Neighborhood disorder		2.08	0.47	1.00	5.00
District Level (N=41)					
Citizen/police ratio a		381.50	271.27	12.17	886.02
Total crime rate/1,000,000 habitants a		155.79	54.11	79.69	389.25

Note: a represents 2012 data.

In terms of neighborhood contexts in individual-level, approximately 96% of respondents claimed that they or their family members have no victimization over the past 12 months prior to this survey. At the same time, about 55% of sampled respondents reported that they had no contact experience with police during the past 12 months prior to the telephone survey. While 23.5% respondents addressed that they had experiences with citizen-initiated contact, 21.7% of respondents reported that they had been contacted by police initiated. As for fear of crime, the mean was 2.10 with a deviation of 0.80, suggesting fewer respondents reported relatively higher levels of fear concerns. While more sampled respondents addressed higher levels of collective efficacy (mean of 2.94), fewer interviewed respondents reported less levels of neighborhood disorder (mean of 2.08).

With respect to ecological contexts in district-level, the mean of citizen/police ratio is 381.50 with a deviation of 271.27, suggesting that each police officer provides services for 381 residents in his/her beat. In addition, the average ratio of total crime incidents divided 100,000 habitants was 155.79 with a deviation of 54.11, featuring a considerable variation in total crime incidents among each district residence.

### Multilevel analyses

Before presenting the multi-level analysis, statistical multicollinearity is an issue that must be addressed. Although there has no a perfect method for examining multicollinearity, variance inflation factors (VIFs) were computed by regressing each independent variable on other variables in the model. Many researchers consider this to be a useful indicator of the problem (Tabachnick & Fidell, 1996). In this study, the VIFs were well below the customary cutoff level of 4, which indicated that multicollinearity was not a problem for this study.

The Hierarchical liner modeling (HLM) was the primary modeling procedure used in this study. HLM enabled us to examine the relative effects of individual-level and district-level factors simultaneously on determining residents' satisfaction with police services. The dependent variable is the probability that a resident will report of being satisfied with police work in his/her community. Due to the nature of this outcome variable as a continuous variable, the normal sampling model with liner regression model was employed. The analysis began with estimating an unconditional model with no predictors at either level,

followed by the conditional models. In first step, individual-level and neighborhood-level predictors were added into Level 1 model to see if there are any factors producing significant influences on residents’ satisfaction with police services. Next, individual-level, neighborhood-level, and district-level predictors were simultaneously added in a Full model predicting the levels of satisfaction with police services among those respondents.

**Table 3: HLM Analysis of Residents’ Satisfaction with Police Services in Taipei Metropolitan**

	Model 1: Level 1 model	Model 2: Full model
	Coefficient(SE)	Coefficient(SE)
Intercept	3.415 (0.051)***	3.460(0.050)***
District Level		
Citizen/Police ratio		6.802(2.097)**
Total crime rate/1,000,000 habitant		-20.329(4.759)***
Individual Level		
Gender (1=female)	-0.030 (0.053)	-0.035(0.051)
Age	0.003 (0.002)	0.003(0.002)
Educational Attainment	-0.084(0.023)**	-0.085(0.023)**
Marriage (1=married)	-0.169(0.048)**	-0.176(0.047)***
Household income	-0.012(0.011)	-0.012(0.011)
Residential length	-0.021(0.009)*	-0.020(0.009)*
Dwelling	0.014(0.049)	0.034(0.047)
Victim experience	-0.389(0.121)**	-0.383(0.122)**
Citizen-initiated contact	0.141(0.063)*	0.132(0.063)*
Police-initiated contact	-0.031(0.070)	-0.046(0.071)
Fear of crime	-0.128(0.038)**	-0.120(0.038)**
Collective efficacy	0.140(0.028)***	0.139(0.028)***
Neighborhood disorder	-0.229(0.063)**	-0.230(0.063)**
Proportional reduction in errors		
Individual level	12.7%	12.8%
District level	27.2%	50.7%

Notes: \*p<.05; \*\*p<.01; \*\*\*p<.001; @ Robust standard errors are reported.

The results of multilevel analyses were presented in Table 3. In first column, namely Level 1 model, those coefficients are the results of regressing individual-level and neighborhood-level factors on the dependent variable, satisfaction with police service. Among those fourteen variables, educational attainment, married, residential length, victim experience, citizen-initiated contact, fear of crime, collective

efficacy, and neighborhood disorder produced significant impacts on satisfaction with police services. On one hand, the less educated, the unmarried, the non-victims and those who lived shorter in the current residence reported higher levels of satisfaction with police. Also, those who had citizen-initiated contact experience and those who perceived lower levels of fear and neighborhood disorder but higher levels of collective efficacy satisfied with police services in community. Of note, among those significant variables, the robust one is victim experience, followed by citizen-initiated contact and neighborhood disorder.

In the second column, namely Full model, those coefficients are the results of regressing individual-level and district-level factors on the dependent variable simultaneously. Among those variables, not only fourteen variables which produced significant impacts on dependent variable in Level 1 model are consistently significant, citizen/police ratio and total crime rate per 1,000,000 habitants also significantly related to satisfaction with police in the hypothesized direction. The higher the citizen/police ratio existed, the higher levels of satisfaction with police have been found among those districts. In addition, higher levels of total crime rate really eroded the levels of satisfaction with police performance in district levels. Of note, among those significant variables, the robust one is total crime rate per 1,000,000 habitants, followed by citizen/police ratio, and victim experience. In the meantime, the improvement in proportional reduction in errors at the district-level from 27.2% in Model 1 to 50.7% in Model 2 further leads us to conclude that a multilevel analysis is needed.

## Discussion and conclusion

### Discussion

The concept of COP has been introduced and implemented nationwide in Taiwan police system more than twenty years although the NPA has never officially attempted to promote philosophical changes and brought about major administrative reforms (Cao et al., 2014). For those front line police officers, COP is not a philosophy but a practical and operational oriented strategy. Stated differently, COP is embraced as a useful set of programs and has been widely adopted, but it did not impact too greatly on what the Taiwan police had been doing during the post-martial law era of policing (Cao et al., 2014). For example, law enforcement, order maintenance, crime control and services which feature the concept of COP in Western societies are line officers' routine activities and have been launched more than five decades (Chang, 2012). Unfortunately, very limited research touched upon the evaluation and documenting the effects of this police innovation over the past decades.

At the same time, Taiwanese scholars and practitioners have become increasingly interested in understanding residents' attitudes toward the police since this represents key information for police managers to improve public participation in crime prevention programs and police-community relations, and in turn, deepen the legitimacy of law enforcement (Sun et al., 2014). Similarly, only a handful of

studies have explored factors influence public attitudes toward the police in Taiwan in the last decade. More specifically, using community policing-specific outcome measures to assess public perceptions of police services is largely overlooked.

Drawn from the literature and theoretical models developed in Western societies, this study examined the effects of individual -level and district-level influences on residents' satisfaction with police services in Taipei and New Taipei cities. Using the appropriate analytical techniques of HLM for the assessment of systematic collected telephone survey data in combination with ecological contexts, the results of this study lead to three significant observations.

First, this study was to measure the concept of COP in Taiwan, which was conceptualization into five items in a way to expand the instrument used in Sun et al. (2014)'s work: (1) traffic law enforcement; (2) narcotics and drug enforcement; (3) crime prevention efforts; (4) patrolling activities; (5) response time to calls for services. The results found that the mean of satisfaction with police services index is 3.29 on a Likert-type attitude scale ranging from 1 (very unsatisfied) to 5 (very satisfied). Generally speaking, most respondents sampled in Taipei metropolitan are satisfied with police services in their neighborhoods. This finding is consistent with Tsai, Shue, and Chen (2015)'s Taiwan Area Crime Victimization Survey Report, in which more than 75% of respondents reported that their local police officers are courteous, respectful and fair while police encounter residents. In addition, compared to prior three waves conducted in years of 2000, 2005, and 2010, respectively, the sampled 13,016 respondents reported highest levels of evaluation to their local police officers which have never ever reached before, suggesting that Taiwan police system has fully transformed from an authoritarianism to a mature democracy (Cao, Lai, & Zhao, 2012; Cao et al., 2014). The all police officers in Taiwan deserve this great honor.

Second, the ecological factors, as expected, successfully produced a significant association with the residents' satisfaction police services in their neighborhoods and the impact directions are consistently with previous studies conducted in Western societies. Traditionally, advocacy of deterrence theory argued that deploying more police officers in neighborhoods as a signal of increasing police visibility would reduce the number of crime incidents, the levels of fear, and, in turn, boost the levels of satisfaction with police performance (Braga & Weisburd, 2012). While this study did not measure the concept of police visibility, alternatively, an aggregated level of data, citizen/police ratio was used as a predictor with others on determining residents' satisfaction with police. Results revealed that deploying more police in neighborhoods really shapes citizens' positive evaluation of police work. Moreover, this study also confirms that crime incidents occurred in one's immediate environment overwhelmingly affects the public attitudes toward the police, regardless the measurements derived from subjective (individual -level) or objective (aggregated-level) assessment (Jesilow et al., 1995; Reisig & Parks, 2000; Sampson & Jeglum-Bartusch, 1998; Schafer et al., 2003; Weitzer & Tuch, 2005).

Finally, consistent with findings reported in Western societies, both contact experience and neighborhood contexts significantly impact satisfaction with police services (Cao et al., 1996; Huebner

et al., 2004; Reisig & Giacomazzi, 1998; Reisig & Parks, 2000; Ren et al. 2005; Rosenbaum et al., 2005; Witzer & Tuch, 2002). For example, those who had voluntary (citizen initiated) contact experiences with police expressed higher levels of satisfaction with police services (Jesilow et al., 1995; Rosenbaum et al., 2005; Schuck & Rosenbaum, 2005). At the same time, those people who perceived relatively high levels of fear of crime and neighborhood disorders reported distinctly unfavorable attitudes toward the police. As Skogan (2009: 301) noted, citizens always “hold police accountable for local crime, disorder, and fear.” Hence, when residents’ perceptions of disorder and fear are high, the police will always receive relatively low levels of ratings from citizens. By contrast, residents who perceived higher levels of collective efficacy in their neighborhood also expressed greater police satisfaction (Cao et al., 1996; Gibson et al., 2002; Huebner et al., 2004; McGarrell et al., 1997; Ren et al., 2005; Sun et al., 2014). Overall, as originally hypothesized, neighborhood context variables both in individual-level and district-level were significant predictors of perceptions of COP services.

### **Policy implications**

As previously mentioned, COP programs in Taiwan that have been implemented for more than two decades are designed to improve police-neighborhood relations, change the image of the police, and increase police legitimacy (Cao et al., 2014; Chang, 2002; Gingerich et al., 2011). While this study successfully explores that most residents harbor higher levels of satisfaction with local police services in their neighborhoods. The findings of the present study carry some implications for policy-makers.

First, both perceptions of neighborhood disorder and actual crime rates play key role on determining residents’ perceptions of community-policing services. Stated differently, if citizens believe that their neighborhoods are good places to live with no crime incidents, they are likely to perceive community-policing services in a positive fashion. The police administrators should regard the mission of fighting crime as the priority concern in neighborhoods. At the same time, the results also indicated that the levels of police visibility boost the positive police evaluation among those sampled respondents. Taken as a whole, deploying more patrolling officers on streets at night, installing CCTV cameras for monitoring hot spots areas, and taking proactive steps to reduce disorder crimes and actual crime incidents regularly are good practical activities to improve better police-community relations.

Second, the HLM results indicated that voluntary contacts with police significantly promote the levels of satisfaction with police performance. Given these findings, greater efforts should be made to generate more positive experiences with the police for residents. For example, the police administrators should arrange targeted training programs designed to improve communication skills and to promote professional knowledge regarding the handling of confrontations with citizens. At the same time, police supervisors should monitor frontline officers’ performance closely during any type of encounters with citizens in needs and set up clear policies and guidelines to ensure that polite and professional conduct is displayed and procedural justice is rendered in handing residents requests for assistance as well as traffic-

related accidents (Sun & Wu, 2010).

Finally, drawn from the concept of “collective efficacy” which defines as a reflection of mutual trust and the capacity for collective action in a neighborhood, the police officers should encourage and assist residents they served organize neighborhood watches or citizen patrols by providing equipment such as batons, whistles, vests, pepper sprays, and patrolling vehicles, etc. Essentially, police administrators began to realize that their officers had limited resources to meet local demands without public support. As a result, community policing encouraged residents to participate in the “coproduction” of public safety (Schuck & Rosenbaum, 2005). During this time, numerous studies were conducted in which community policing was shown to greatly improve the quality of police-citizen interactions, encourage citizens to cooperate with law enforcement (i.e., crime reporters, informants, problem solvers, law abiders, etc.), and develop positive attitudes toward law enforcement officers (Lai, 2013). Those police administrators should keep those police implications in mind.

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# A Study On Integration Facets Of The Closed Circuit Television System In Taiwan

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**Abstract:** To maintain public security and reach the effect of deterrence before and investigation after crimes, countries around the globe has commonly set Closed Circuit Television (CCTV) system at crucial intersections and public facilities, in order to enhance the collection of crime evidence, arresting suspects more smoothly. Taiwan police departments had cracked several major crimes due to the use of CCTV. Therefore, both central and local governments are drawing up budgets to install CCTV. However, with the massive set of CCTV, it is commonly discovered that there are situations of different standards, incapacity, and frequent breakdowns. With different setting and managing, integrating effective resources to help police authorities has been our prior goal. This study analyzes official information and deeply dissects the functional condition by interviews and close observation, in hope to propose an integrated solution for the reference of authorities.

**Keywords:** Closed Circuit Television System (CCTV), Geographic Information System(GIS), Global Positioning System (GPS),Automatic License Plate Recognition System(ALPRS), Command, Control, Communication, and Information System (C3I)

## Preface

Reviewing the setting of CCTV in Taiwan, there is various circumstances and cases in different areas. CCTV has been built on streets, underground, attached to TV cable, and wirelessly. Due to the various considerations, applied systems, image storage, information retrievals, and transmission methods, it is of great difficulty to connect and integrate with one another for different companies and police organizations. The emphasis of the police should be on the continuity of systems, for the convenience of function, sparing time, and improve efficiency in criminal investigation process.

## Structural Outline Of CCTV

### 1. CCTV

CCTV is a visual surveillance technology that is designed to monitor surroundings and activities. It includes a camera, a monitor, transmission devices, and a mainframe controlled by the communication center. The camera takes the picture, then the mainframe stores and retrieves the picture, and transmits the images to the communication center through transmission devices. A complete CCTV system consists of many subsystems, including the video retrieval subsystem, the web subsystem, the application and management subsystem, and the monitoring storage subsystem. [1]

### 2. Storage Mechanism

CCTV is currently divided into two types: the traditional analogical type and the web-digital type. Major used in police organizations, the web-digital type can be further separated by its way of construction. The front-end storage mechanism stores images at intersections, police stations, and other camera mainframes, and then transmits them to the requesting site. The rear storage mechanism, on the other hand, stores images in the specialized storage center, and then transmits through the Internet. It is suggested that the police combines two storage mechanisms: the rear-storage system for crime hotspots, important places, and intersections with massive car flows; the front-end storage system should be applied for all of the rest cases. [2]

### 3. Internet Structure and Line Setting [3, 4, 5]

#### 3.1. Coaxial Cable

The capacity of this method is within 200 to 300 meters. Hard to construct and vulnerable to distractions, this method is only applied to analogical transmission.

#### 3.2. Radio Frequency (RF)

This method requires higher costs for peripheral facilities, but it is easier for long-distance transmission and future expansion.

#### 3.3. Twisted Pair

With lower lining costs, this mid-distance method is suggested to be used indoors, because the lines are easily damaged or disconnected. The advantages are multiple video transmission and 12 volts electricity distribution.

#### 3.4. Internet

The length of capacity in this method is 100 meters, with easy construction and better resistance against disturbance. It needs to be cooperated with web cameras, so the cost of setting is higher. It is suitable indoors, but needs to solve problems of Internet disconnection or else the signals may be intermittent.

#### 3.5. Optical Fiber

With the application of Dense Wavelength Division Multiplexing (DWDM), the available distance in this method is longer and the expansion is easier. However, costs are extremely high for its association with web cameras and its high quality. Construction is rather difficult and requires high technology.

### 3.6. Wireless

Needing to be used with web cameras, the cost of construction in this method is high. The quality of transmission relies on surroundings and weather conditions. Confidentiality is poor in this method, and it requires affirmation of managing committee if it is set on multi-story buildings.

## RESEARCH METHODS

### 1. Official Data Content Analysis

In this method, information comes from the National Police Agency and Criminal Investigation Bureau, and other local police departments.

### 2. In-Depth Interview

In this method, interviewees are those with experiences in CCTV operating, including executives of police department and police officers with actual planning and service participation. The other experts, scholars, companies and government officials are interviewed separately.

### 3. Consultations of Experts and Symposium

In this method, through the symposiums and research discussions of CCTV-related experts, we are inspired of the recent integration of CCTV.

### 4. Observational Research

In this method, researchers can actually understand the function of CCTV, the systematic setting, the images taken, the retrieving process, the storage means, and other system applications. Observed objects are local police stations, and observation time and location of police service is carefully matched.

## ANALYSIS OF CURRENT SITUATION

### 1. Recent Problems

1.1. Products' standard vary from different companies, uncombined with GIS mechanism

Some local departments' CCTV systems are inconsistent due to different companies bidding for the

annual settings. Differences include image and storage format, mapping software applied, and some maps even mark cameras only, without instant image linkage, and are unable to combine with the GIS functions. Integration requires providing core technology for unfamiliar companies, which is of high difficulty.

#### 1.2. Inability to integrate and control through system software management

The associated managing software is closely linked to users, being as the communication interface of CCTV, responsible for observing, managing, retrieving, editing, and other related functions. Most police departments only use the IP structure and communicate through linkage. Though it is available to make agreements to integrate in contracts, professional authorities always take a reduced-cost method if companies are incapable of carrying out the contract, because the budgets have been implemented long beforehand.

#### 1.3. Local CCTVs occupy great portions with poor quality

Local CCTV setting was originally the duty of political organizations; therefore the facilities may be overlooked during re-elections. Both conditions contribute to the inefficiency of CCTV.

#### 1.4. Few undertaking personnel and heavy workload

With the increasing purchase of CCTV and the trend of integration, the number of CCTV have surpassed a number of thousands; and police undertaking persons have to be in charge of annual setting as well as management budgets up to several hundred millions, causing over-heavy workload.

#### 1.5. Integration costs are high and not beneficial

The CCTV system vary in quality and linkage, so integration will give rise to a large amount of Internet connecting cost, communicating rent, and other maintenance fees.

## 2. Analysis of Problems

### 2.1. Product apparatus

Until today, IP camera has not been widely applied, the traditional analogical type still takes a big part. Through DVR or Video Server, analogical signals can be transferred to digital ones, and then be transmitted and applied. But earlier facilities have only transferred to video types, therefore have little flexibility. During integration, durability and cost should be taken into consideration. There is no necessity to update those with poor functions and efficiency, and those which lack management and individual structure.

For those inappropriate for integration, it is suggested that they be eliminated naturally. For those usable but lack web linkage, because images can still be retrieved at scene, they can be remained. For those newly purchased, they should be compatible to recent systems, providing related integrating information.

### 2.2. Systematic structure

Locals have roughly taken a specific pattern on CCTV structure, whether they apply wired or wireless, front-end storage or rear storage. But at an integrating scale, each CCTV system must be connected and the software and hardware should be compatible to one another. Researchers suggest that in

case of a limited budget, image information should be stored in local mainframe, such as how they apply at ZhangHua county police bureau. Other places should adjust and integrate without drastic changes of the basic structure.

Commonly speaking, at the early stages of integration, an entrance webpage can be established and connect all CCTV systems capable of linkage to exchange and share information. During integration, old facilities can be weeded out for appropriate system structure, or united into a proper system. For new establishments, they should be regulated to be compatible to former ones. In opening bids, it should be specifically restricted that new implement be integrated with former ones. Doubtlessly, prices would be higher due to the adjusting costs, but for integration, beforehand consideration still needs to be made.

### 2.3. Systematic application

In order to bring instant security protection into full usage, there must be a monitoring center with continuous workers on duty. For the police, the most suitable unit would be the communication center. However, current centers have limited personnel and too many images for monitoring, so the effects are difficult to be carried out. Currently, CCTV of police mainly snap images of license plates, but for instant vehicle movements, human observation and mapping should be combined with these systems. Through information technology, we can set up Network Address Translation (NAT) construction to enable information flow.

After integrating the maps of the communication center, related police information system can be fully applied with CCTV. For instance, we can integrate “emergency case reporting platform of financial organizations”, “automatic license plate recognition system”, “global positioning system of police cars”, “monitor system of police cars”, and other systems. The 110 case reporting and dispatching computerized platform can be integrated with that of financial emergency reporting, with instant image transmission, the police can efficiently handle and keep track of condition on the scene, preventing false reports; it can be integrated with that of police cars monitoring, instantly and initiatively tracing stolen cars; it can be integrated with that of intersection CCTVs, effectively controlling and monitoring cases; it can also be integrated with GPS and dispatching system, reaching instant report and dispatch.[6]

## RESEARCH SUGGESTIONS

### 1. Regulate that later CCTV integrate with former ones through bidding contracts

Local police departments are all under the restriction of the Governmental Purchasing Law. To prevent fraudulent practices, public organizations mostly apply the price-bid measure in purchasing. Under the price competition, companies only place emphasis on whether the expectations of police organizations can be met. Because companies may vary in different time periods during installation, the systematic structure, product, and standards may also be incompatible to one another. Therefore, contracts should

indicate clearly that later implement must integrate with former systems, including image-storage system, browsing tools, and image retrieving software system.

## **2. Give priority to integrate a computerized command and dispatch system, then intake other systems progressively**

CCTV should be closely linked to police duty, using the same service platform with professional staff managing it 24-hours a day. If a serious security incident breaks out, messages (inclusive of written words, sounds, alarms, and images) can be simultaneously transmitted to local police stations and the communication center at the police bureau. In so doing, the system can automatically show the reference location of local calls, public phones, and cell phones where citizens report a case, enabling duty dispatching and commanding immediately. [7]

## **3. Integrate those available for usage, eliminate those inappropriate**

Due to the inconsistent quality of current CCTVs, a complete integration should take a large quantity of manpower and cost, and not necessarily effective. Therefore, it is suggest that integration should be done after careful evaluation, eliminating the unusable CCTVs in order not to encumber the original system.

## **4. Consider renting mode and alleviate workload**

Viewing that the police is the central part of security maintenance, and that local governments are stepping toward the goal to give the practice of CCTV integration to the police, management has become much of burden since only one or two staffs undertook this job. Furthermore, excessive work such as planning, examining, setting, inspecting, managing, and maintaining would be added to the police duty. Considering the impacts in taking CCTV into local police departments may have on security, it is suggested that we take the renting mode to manage image retrievals. However, the privacy of citizens should be the top priority, and image retrievals should work with other technology such as GIS, GPS, and license plate identifying. The police professionals of investigating crimes should cooperate with the business professionals of computer and communication, in order to bring security effect to its fullest state.

## **5. Establish a professional monitoring center and emphasize personnel training**

The operation of CCTV includes a wide range of duties, and each unit has its professional responsibilities. According to current police authority divisions, the traffic police team sets CCTV to crack down speeding, the public order section sets CCTV to monitor security hotspots, and the criminal investigation team sets the CCTV to identify license plate. It is suggested that a professional monitoring center to be established, and arrange staff on duty 24-hours a day continuously. Besides fixing broken facilities, in emergency-rated cases, the center is able to react instantly. In addition, the member of the center should include professionals of criminal investigation, computer and communication. The duties

should include traffic, security, and police monitoring CCTV systems, making plans practically, long-termed, and permanently. [8]

## Conclusion

Due to the outstanding quality and citizens’ trust of CCTV set by police organizations, most local governments have fully handed the related budgets, managing, and maintenance of CCTV to the police. [9] During integration, the police have encountered many difficulties due to the variations of CCTV system applied. Most system structure local police stations used are quite different, including coaxial cable, ADSL, optical fiber, and Wi-Fi. Though the transmission media are not united, the digital signals can still be shared and integrated on CCTV platforms through information technology.

In integrating with CCTV of other organizations, each local government does not follow the same methods, but most have delegated police departments to be in charge. Several common methods include regulating that the system must meet basic needs and be compatible to recent standards; some police departments, in another method, can do the purchasing of CCTV, to set proper systems more easily; or social organizations should be restricted to take the same systems as current ones; we can even make it a rule that all the CCTVs in one city should be established altogether by local police departments. Through this research, we are aware that integration has not been done with license plate recognition system, Command, Control, Communication, and Information System (C3I), traffic sign system, GIS, or GPS, and that it would be our future goal.[10]

However, integration has faced several problems. For example, companies submitting bids for setting CCTV vary, so the mapping software and compressing format are not the same, making it impossible to operate on the same platforms. Moreover, CCTVs set by local governments make up a big part of current system, but the quality is commonly not good as those set by police departments. It can not be denied that local police stations has not got adequate workers to work on the setting, managing, maintaining, and making full use of CCTV; compared to the rapid growth of CCTV systems, the police find it harder to catch up on the progress, therefore, integration would only be completed with the stark support of higher authorities.

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# An Evaluation of Community-Oriented Policing in Taiwan

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**Abstract:** Taiwanese police have been operating the application of community policing prior to the concept of community being introduced by western countries, such as foot patrol, bike patrols, community-police problem-solving meetings, and neighborhood watch. Not until in the mid-1990s did the National Police Agency in Taiwan officially promote such a concept, encouraging police chiefs to strengthen police-community relations and to collaborate with communities to fight crimes when community policing became a world-wide industry. While many community policing programs have been undertaken in Taiwan nowadays, the majority has not been evaluated and there are few “model” programs that have been evidently “effective.” Of these few, none of them employed a comparison group in their research to control confounding factors that might influence the results of an assessment. This study sought to quantitatively evaluate the outcome effectiveness of a community policing program using three sources of data: official data, secondary data, and survey data collected by the authors. In-depth interviews of ten stake holders were administered as well to further verify the quantitative results of the evaluation.

Community-oriented policing (hereinafter COP) is a phenomenon that has swept policing internationally since the 1980s (Skogan 2006; Tuffin et al. 2006). The emergence of COP as an alternative in policing was mainly attributed to the deteriorating relationships between citizens particularly minority and police, and to the realization of limited police sources to prevent and reduce crime (Skogan 2006; Tuffin et al. 2006). COP is seen as a paradigm shift from the professional style that focuses on crime-fighting, centralized organizations, and bureaucratic structure to the community-oriented style that stresses decentralization, engaging with the public, and problem solving (Skogan 2011). The concept of COP is so broad that a bulky number of programs has been created (Fields, 2007) and been given a variety of names,

such as community policing, neighborhood policing, community-based policing and problem-oriented policing (Brown and Veneziano 1994). The swirling popularity of COP makes this concept a buzzword across cultures and geographical areas. Many police administrators and chiefs adopt COP to their jurisdictions in order not to be criticized that they do not catch up with the growing trend of policing that is said to work (Skogan 2005). There is no exception to Taiwan.

Taiwanese police have been operating the application of COP prior to the concept of COP being introduced by western countries, such as foot patrol, bike patrols, community-police problem-solving meetings, and neighborhood watch (Cao et al. 2014; Gingerich and Chu 2006). Not until the mid-1990s did the National Police Agency in Taiwan officially promote such a concept, encouraging police chiefs to strengthen police-community relations and collaborate with communities to fight crimes when COP became a world-wide industry (Cao et al. 2014; Gingerich and Chu 2006). While many COP programs have been undertaken in Taiwan nowadays, the majority has not been evaluated and very few “model” programs are evidently “effective” that work at most times in most places. Of these few, only one evaluation employed a comparison group, which was conducted more than a decade ago (Yeh 1999). This study sought to quantitatively evaluate the outcome effectiveness of a COP program dubbed Our Paichusuo. The present evaluation was designed to compare the outcome measures in the experimental police precinct in which Our Paichusuo was implemented with the comparison police precinct, a comparable district in which such a program did not exist. Semi-structured interviews of ten stakeholders from the experimental area were administered to further verify and clarify the quantitative results.

## Review of Relevant Literature

Broken window theory underlies most COP practices (Lombardo and Lough 2007). The theory posits that incivility in a neighborhood is directly related to crime (Kelling 1981). COP practices tend to solve social disorder in communities opposed to the focus on solving serious crime in traditional policing.

Immense literature has discussed the definition of COP, but no consensus has been reached (Mackenzie and Henry 2009; Somerville 2009). Five central premises among many competing definitions of COP have been commonly identified: decentralization of responsibility within a police organization, partnership between police and communities, and other agencies, proactive and problem-solving, and a philosophy (Gill et al. 2014; Mackenzie and Henry 2009; Somerville 2009). To make the definition of COP testable, Friedmann (1992) proposed that COP should achieve the goals of controlling crime, improving the quality of life, reducing fear of crime, and improving police services and legitimacy. A wide range of measure indicators have been introduced to evaluate the outcome effectiveness of COP, but the results were mixing.

Skogan (1994) assessed six community policing programs across the United States, finding that

all of these six programs showed an impact on citizens' fear of crime but not all the programs increased residents' satisfaction with police performance. Using semi-structured interviews with seven residents and three key stakeholders in a community in UK, Tainton (2010) attempted to find out how they perceived neighborhood policing in their community. The results released that most interviewees considered the neighborhood policing programs having an impact on social disorder and crime, particularly youth rowdy. In his another evaluation study on COP, Skogan (2011) conducted the most rigorous evaluation on a large program named Chicago's Alternative Policing Strategy (CAPS). He examined changes of four outcome measures before and after the program, including drug and gang problems, serious crime problems, physical decay (e.g. trash, abandoned houses, and graffiti) and police performance. Skogan (2011) concluded that the program showed roughly 50 percent of the effectiveness on the observed problems. He claimed that it was a “pronounced” success given “a sheer difficulty” in carrying out the program (Skogan 2011: 40). Sumner (2008) analyzed a community policing program at a small police department in the southeastern America. He found that the index crimes reported by the police department steadily decreased since the implementation of the program, but calls for service increased. In a recent meta-analysis study on reviewing the usefulness of COP, Gill et al. (2014) found COP showed positive impacts on citizen satisfaction, perceptions of disorder, and police legitimacy, but not on crime and fear of crime.

COP was popular among administrators, politicians, and law enforcers, but Somerville (2009) argued that community policing initiatives might work only in certain areas, and most of COP did not have an effect on community development or crime prevention. Echoing Somerville's viewpoint, Brogden and Nijhar (2005) stated that the ineffectiveness of many community policing innovations were due to the conditions of local communities not being taken into consideration and the incompetency of police (e.g. corruption).

### **Community-Oriented Policing in Taiwan**

The police system in Taiwan is centralized, but the structure of Taiwan policing makes it relatively amenable to implement COP strategies. In Taiwan, the sub-district station (called Fenzusuo in Mandarin) and field station (called Paichusuo in Mandarin) are the smallest units in the police organization. Police working at these two units are assigned to police beats and such an operation is the legacy of Japanese Koban system (Cao et al. 2014). The Koban system was successfully used to monitor anti-Japan activities as Japan occupied Taiwan from 1895 to 1945. After the Nationalist Party was defeated by the Communist Party and retreated to Taiwan in 1949, Koban community policing was continuously implemented and beat officers who served at Koban still spied on political dissidents as one of their duties until the lift of martial law in 1987 (Cao et al. 2014; Wang 2012). Beat officers are assigned to a neighborhood on a long-term basis. Today, beat officers are responsible for patrol, periodic household visits, receiving contingent assignments, receiving reports from citizens at a front desk of a police station, and serving communities (Cao et al. 2014).

Research on COP in Taiwan is severely confined to theoretical illustrations (Cao et al. 2014) and only three evaluative studies on COP were found in major Taiwanese Criminological journals after 1999 (Chang 2000; Lin et al. 2000; Yeh 1999). These evaluative studies have found strengths of COP carried out in northern Taiwan. For example, Yeh's (1999) research in Taipei County, Taiwan, probably the most rigorous as of the writing of this manuscript, included measures before and after the intervention. Her study divided beat officers into two groups. One group of officers spent at least six to eight hours on patrol, household visits, and community service at the experimental area, while beat officers at the comparison group carried out traditional police work only. After a year, citizens in the former group reported higher levels of satisfaction with police, a greater sense of safety, more familiarity with and better impression on beat officers than those in the control area. Unfortunately, the program had lasted for only one year partially due to the lack of police personnel (Yeh and Li 2003). Another evaluative research was conducted in Taipei City (Lin et al. 2000). Residents dwelling in two neighborhoods with police-solving interventions reported less crime and less fear of crime than those in two other neighborhoods without such interventions. Additionally, residents at the experimental district expressed higher levels of satisfaction with police compared to the other two comparable neighborhoods. In Lin et al.'s (2000) research, however, observations were made only after but not prior to the interventions that raised a concern of validity threats to the study. Chang's study (2000) also was conducted in Taipei City, indicating that residents in a neighborhood with community policing strategies reported a slightly higher satisfaction with police performance and services than a year ago. Chang's (2000) study did not include a comparison group; without controlling for confounding variables, the study might suffer validity threats as well.

Even though programs under the philosophy COP have been practiced in many areas in Taiwan, only a few of the practices were assessed more than a decade ago in northern urban cities. The present study assessed COP strategies implemented in a rural southern city and adopted the quasi-experimental design. Moreover, as the noted three evaluative studies were quantitative in nature, the current study used mixed methods that included quantitative and qualitative assessments to increase internal validity.

### **The Our Paichusuo Program**

The evaluated program was conducted by Tainan County Police Department (hereinafter TCPD) in Tainan County. The county was located in southwest of Taiwan and takes up the size of around 2,016 square kilometers. Tainan County had 1,105,793 residents and most of them clustered in Yong-Kang City (212,548). Compared to the cities/counties in northern Taiwan, Tainan County is relatively friendly and quaint. As of February 2011, there were 2,366 sworn officers at TCPD and more than 80 percent of police officers were local residents. TCPD is reputed for having a good relationship with residents.

Under TCPD there were 115 Paichusuos and 963 beat officers; the majority of Paichusuos were

small that had only 3-5 police officers. TCPD has launched a series of initiatives called Our Paichusuo since January 2009. Our Paichusuo was to exert local resources to establish a police-community communicative forum and to turn Paichusuos into a service-oriented center in which residents could readily access to gain crime-related information. The center would also allow residents to walk in a Paichusuo reporting their concerns about traffic and safety without hesitation. Ultimately, police were able to earn trust from communities and to collaborate with communities to tackle community problems together, and presumably reduced deviance in communities. The following explains Our Paichusuo that consists of four strategic practices.

### **Services for Local Cyclists**

TCPD ingrained a popular notion of reducing carbon dioxide to protect the environment and to save natural energy, encouraging residents to ride bicycles instead of driving vehicles when traveling around Tainan County. TCPD provided a map that guided cyclists how to get to all 115 Paichusuos. When cyclists visited a Paichusuo in Tainan County, they would be provided with a rest area, water, pumping equipment, and information on nearby attractions. In addition, TCPD initiated various activities designed for cyclists from January 2009 to the end of 2010. On April 29, 2009, for example, the police department partnered with Tainan Tourist Bureau inviting residents to ride bicycles for seeing lighting bugs at a popular attraction. Approximately 1,000 cyclists showed up participating in the activity. Another example was that TCPD collaborated with Tainan Agricultural Bureau to organize an event called “Cycling with Your Kids and Picking Fruits at A Farm” held on May 10, 2009. An estimate of 1,300 people and young children joined the trip. Within two years from 2009 to 2010, around a total of 30,000 people took part in cycling activities held by TCPD who worked with other civic organizations to make these activities realized.

### **One Paichusuo, One Theme**

Each individual Paichusuo under TCPD developed its own thematic activities to engage itself closely in local communities. There were no fixed rules and the practices could be innovative and creative as much as possible. A successful example was that one Paichusuo arranged a quiet room within its station building, allowing disadvantaged youths to do their homework at the room with the help of volunteer tutors from communities. Another example was that a Paichusuo organized trips for youths with non-profit organizations to visit local ecological areas and local residents voluntarily helped with the visit. The One Paichusuo, One Theme practice became a sensation and news media reported about 310 times in 2009 and 347 times in 2010 (January to November). Initiatives held by 98 out of 115 Paichusuos were reported in news media at least once. Chief's Tea Leaf Eggs was one of the popular stories that had been repeatedly revealed through social media and media channels. A brief glance of the story was presented. A Paichusuo chief concerned about his subordinates who had night shifts and did not have breakfast to eat because the Paichusuo located remotely and no breakfast restaurants were nearby. The chief began to cook tea leaf eggs

using his family secret recipes in 2000, serving his subordinates tea leaf eggs for their breakfast. The unique tasty flavor of tea leaf eggs made them so popular among his subordinates. As the practice One Paichusuo, One Theme was launched, the chief took the chance to promote his tea leaf eggs and share them with residents, particularly disadvantaged families (Duel of Tea Eggs 2011; Yu 2013).

### **Electronic Policing (E-Policing)**

With the advanced technology development, traditional crime prevention strategies such as disseminating crime posters are not sufficient to satisfy the need of rapidly changing society in a timely manner. Also, exponential growth of technology users makes the use of technology-driven strategies to prevent crime imperative (Byrne and Marx 2011). In Tainan County, of the total 369,523 households in the TCPD jurisdiction, 118,487 households were internet users (TCPD 2011). For the purposes of serving residents better and providing them with updated information on crime and crime prevention, 963 beat police officers of the TCPD visited households to exchange email addresses and social media accounts with local residents. As of December 31, 2010, the beat officers collected 97,083 email addresses and TCPD had sent off 8,975 emails containing updated information on crime and traffic. The department also had received 6,879 emails from residents regarding suggestions, comments, and requests.

### **Mobile Policing**

Mobile Policing was to target the population of mobile phone users in Tainan County. It was designed to enable these users to quickly obtain policing information by scanning QR (quick response) code. The QR code was widely used in business, which the code could link customers to a page with useful resources, such as phone numbers, user manuals, or relevant information. TCPD generated a QR code and printed the code on pamphlets, booklets, and brochures. Residents who used cell phones simply scanned the code that could lead them to virtual tours on Paichusuos in Tainan County or linked them to social media channels or websites in which the program of Our Paichusuo was introduced. Visitor counts on a website of Our Paichusuo had reached 284,700 in January 2011 since the website was established on May 10, 2009.

## **Hypotheses**

The current study hypothesized that after the COP program Our Paichusuo, social disorder and crime occurrence would decrease and crime clearance rates would increase in the experimental area. Residents residing in the area in which the program was implemented would have a higher level of satisfaction toward police and neighborhood safety than before the program was executed. Also, their satisfaction would be greater than that in the area without the program. Police officers who worked at the jurisdiction with the program would demonstrate a higher level of job satisfaction than before the manipulation. Furthermore,

police who were more favorable to the program would show greater job satisfaction than those who were less favorable to the program.

## Methods

The present study utilized both quantitative and qualitative methods to evaluate Our Paichusuo program. The quantitative assessment included three aspects of analysis: (1) social disorder and crime; (2) residents' perceptions toward police and neighborhood safety; and (3) police job satisfaction. Social disorder and crime analysis employed official data on social disorder incidents, crime occurrences, and crime clearance rates. The data of residents' perceptions for police and safety relied on secondary data from public opinion surveys that were conducted two to four times every year since 2002. The public opinion surveys were executed by independent survey companies entrusted by Taiwan Ministry of the Interior. The data of police job satisfaction were collected by the authors via a face-to-face survey. The qualitative method involved semi-structured interviews with ten stakeholders and the data were mainly used for the purposes of validation and clarification. To better control for treats to the results, other than an experimental police precinct, the current study selected a comparable police precinct to contrast the results.

### Selection of Experimental and Comparison Police Precincts

TCPD included ten police precincts. The present study selected Yong-Kang police precinct to be the experimental district since its jurisdiction had the largest and most diverse population among the ten police precincts. A police precinct that had no on-going COP programs during the studied period was chosen as the comparison area based upon ten criteria: the size of the area, the population, the overall crime rate, the violent crime rate, the social disorder rate, the number of schools (junior high or above), the number of hospitals, of banks, of traditional markets, and of special businesses. The special businesses referred to discotheques, night clubs, internet cafés, pubs, arcades, Karaoke, and spa stores.

Tainan City was neighboring Tainan County and historically shared resemblance in cultures and geographical features. Tainan City Police Department located in Tainan City had six police precincts. The six police precincts and Yong-Kang Police Precinct were ranked in order according to the ten criteria. The police precinct with the largest population, for example, was given a value 7, followed by the police precinct with the second largest population (=6), and the police precinct with the least population was coded as 1. The scores of the ten criteria for each individual police precinct were summed up, ranging 59-20. The First Police Precinct (=53) received the closest scores to Yong-Kang Police Precinct (=59) and was therefore selected as a comparison police precinct.

### **Quantitative Measurements and Analysis Plan**

Social disorder incidents. The available data of social order incidents 2008-2010 for the experimental and comparison jurisdictions were collected from 110 reporting systems (similar to US 911 reporting systems), including eleven forms of social disorder such as youth rowdy, gambling, peace disturbance, and phone call harassment. The 2008 social disorder were used as the baseline measure. The increasing or decreasing rates of social disorder incidents between the baseline measure and those of 2009 and 2010, respectively, were examined. Simple mathematical calculations were employed to analyze the data.

Crime occurrence incidents and clearance rates. Three categories of crime occurrences and clearance cases from 2007 to 2010 were gathered from the Statistical Office of the National Police Agency in Taiwan, including total crime, violent crime, and larceny. A decrease or increase of crime and clearance rates from 2008 to 2010 was examined using the 2007 incidents as the baseline. The formula for clearance rates was to divide the number of crimes that were cleared by the number of crimes recorded by police. Changes before and after 2009 in the experimental area and differences in crime incidents and clearance rates between the two areas were examined with an application of simple mathematical calculations.

Resident perceptions for police performance and neighborhood safety. The current study used part of published public opinion surveys on police performance and safety issues. Computer-Assisted Telephone Interviewing System was adopted in the surveys and the interview was administered in the evenings (18:00-22:30) during weekdays and all day (9:00-22:30) during weekends except for the time periods families normally having lunch (12:00-13:00) and dinner (17:30-18:20). Stratified random sampling was utilized to select households at the level of counties/cities. Members over twenty years old at the selected households were invited to take the interview. The number of participants to be chosen in each county/city was based upon its portion to the population. Participants' age and gender were tested to see if there was significant difference compared to these demographic characteristics in the population. The test results were satisfactory.

The public opinion study was conducted roughly two to four times a year since 2002. Approximately 23,500 participants every year were selected to take part in the survey, including 200 people in the experimental district and 260 people in the comparison district. Participants were asked a variety of questions, consisting of perceptions for public safety, police, experiences of victimization, and satisfaction for local governments. Five questions in the survey were selected and used to represent the concept of resident perceptions for police performance. Two example items were "How satisfied are you with your neighborhood police that how they deal with community problems in the recent three months," and "How satisfied are you with the overall services of your neighborhood police in the recent three months?" The respondents who answered satisfied or very satisfied were combined into the same group and converted into percentage values. Another three questions were chosen to measure neighborhood safety. The three questions asked how serious participants perceived larceny, violent crimes (e.g. robbery) and fraud in their neighborhoods in the recent three months. The results were reported with percentage values in those who

replied very serious or serious to the three neighborhood safety questions. The current study collected these percentage values in the eight chosen questions for the jurisdictions of Yong-Kang and the Frist Police Precincts from January 2007 to the end of 2010. Unfortunately, an important question, fear of crime (how fearful are you when you walk alone in your neighborhood at night in the recent three months?) was not included in the analyses because this question was not asked in the survey till 2009.

The analysis began with a visual inspection of time series using line charts. It was expected that the time series pattern before the intervention would noticeably change compared to that after the intervention. Other than graphs, this study also sought to deal with changes statistically. Literature has suggested segmented regression as a powerful statistical technique to analyze data of repeated observations over time with an interruption to estimate the effectiveness of the intervention (Wagner et al. 2002). There were two segments in the current data that the sequence of the observations was divided into two portions (pre- and post- interventions) at a time point. The equation of the segmented regression model for interrupted time series in a single group is written as follows.

$$y_t = \beta_0 + \beta_1 T_t + \beta_2 X_t + \beta_3 X_t T_t + e_t$$

$y_t$  indicates the aggregated outcome variables.  $T_t$  represents the times since the start of the study (1, 2, 3, 4, 5, ...12), and  $X_t$  means the intervention (pre-intervention periods = 0 and post-intervention periods =1).  $X_t T_t$  is an interaction term.  $\beta_0$  is the intercept.  $\beta_1$  is the slope for the outcome variable till the introduction of the intervention.  $\beta_2$  is the change in the level of the outcome that happens in the period right after the intervention begins.  $\beta_3$  is the difference between pre- and post- treatment slopes of the outcome. That is,  $\beta_2$  shows an immediate effect of the treatment (level change) and  $\beta_3$  indicates a treatment effect overtime (trend change) (Linden 2015). With an application of the segmented regression statistical method, eight outcome variables, and three independent variables ( $T_t$ ,  $X_t$ , and  $X_t T_t$ ) were entered in the statistical model for the experimental group. After analyses of a single group, the comparison group was introduced for the controlling purpose. The equation then is written as follows.

$$y_t = \beta_0 + \beta_1 T_t + \beta_2 X_t + \beta_3 X_t T_t + \beta_4 Z_t + \beta_5 Z_t T_t + \beta_6 Z_t X_t + \beta_7 Z_t X_t T_t + e_t$$

$Z_t$  is a dummy variable that describes the treatment (=1) or control group (=0).  $Z_t T_t$ ,  $Z_t X_t$ , and  $Z_t X_t T_t$  are interaction terms. The values of  $\beta_0$  to  $\beta_3$  are pertinent to the control group that have described in the single group equation. The values of  $\beta_4$  to  $\beta_7$  are pertinent to the treatment group. Specifically,  $\beta_4$  represents the difference in the level of the outcome variable between treatment and controls prior to the intervention.  $\beta_5$  is the difference in the slope (trend) of the outcome variable between treatment and controls prior to the intervention.  $\beta_6$  indicates the difference between treatment and control groups in the level of the outcome variable immediately following introduction of the intervention.  $\beta_7$  is the difference between treatment and control groups in the slope (trend) of the outcome variable after initiation of the intervention compared to pre-intervention (Linden 2015).

Police job satisfaction. Job satisfaction questions were mainly derived from Minnesota Satisfaction Questionnaire. Questions on perceptions for Our Paichusuo were designed by the research team. A pretest

was performed on 120 sworn police officers at another police precinct in Tainan City. After revisions based upon the results of pretest and reliability tests, the final version of the survey contained twenty questions for police job satisfaction and twelve questions for the attitude toward the Our Paichusuo program. Two examples of job satisfaction question items were “I was allowed to fully develop my own creativity and use my ways to accomplish job missions,” and “I am very willing to dedicated myself to serve local residents and communities.” The optional responses were: strongly agree (=4), agree (=3), disagree (=2), and strongly disagree (=1). The same police job satisfaction question was repeatedly asked in the year of 2008 (before the program) and 2010 (after the program) in the survey. We summed up the twenty question items and created a new variable: police job satisfaction. Police officers at the experimental area were further asked twelve questions on how they perceived the Our Paichusuo program. Two of the questions were: “Do you favor the policy that a Paichusuo provides cyclists with water, tire pumping, and a place to rest,” and ““Do you favor the strategy of “One Paichusuo, One Theme?”” The categorical responses were: strongly favorable (=4), favorable (=3), unfavorable (=2), and strongly unfavorable (=1). These fifteen question items were added up to create a new variable named as “attitude for the program.”

The survey study was conducted in July-August 2011. As of the conduction of the survey study, there were 288 sworn officers at the experimental district, and 272 at the comparison district. The research team distributed questionnaires to officers who appeared at separate on-the-job training sessions held by the respective police precincts. A requirement for taking part in the survey study was that participants should have served at least three years from 2008 to 2010 at either the studied police precinct. The researchers and research assistants were present on the scenes to answer and clarify questions raised by participants. A total of 196 and 120 valid surveys were gathered from the experimental police precinct and its counterpart police precinct, respectively.

A non- parametric statistical technique Wilcoxon Paired Signed -Rank test was used to analyze repeated outcome measures (pretest and posttest) within the same group. Mann-Whitney U-test was employed to test the differences in outcome measures between two independent groups. Bivariate Pearson correlation was utilized to address the question on whether police officers who highly rated the Our Paichusuo program reported a high level of job satisfaction.

### **Qualitative Data Collection**

Qualitative data were collected from ten local people at the jurisdiction of the experimental police precinct through semi-structured face-to-face interviews. The local people consisted of two residents and eight police officers. The selection of the interviewees were based upon the criteria: (1) those who had lived or served in the treatment district at least three years between 2008 and 2010; (2) those who had an understanding and keen observations of how police and the community interacted; and (3) those who had an understanding of how police coordinated with other agencies for the implementation of the Our Paichusuo program. The research team listed potential police officers who met the requirements and used the list

as a sampling frame. Eight police officers were randomly selected and the other two participants were purposely chosen including one news reporter and one high ranking administrative staff working at a local government agency. The interviews were conducted by five trained doctoral students in November 2011. The questions asked surrounded the effectiveness of the Our Paichusuo initiatives. One of the questions was: "Do you think the Our Paichusuo program in 2009 improved the networking of police agencies with local communities?" If an interviewee answered positively, a probing question was asked further "In what ways? Can you give us an example?" Verbal data were audio-recorded with consent of the interviewees and were interpreted into word for word transcripts. Patterns, themes, agreements, and disagreements of the interview data were identified and categorized to find out how the ten interviewees' viewpoints on the COP initiative.

## Results

### Quantitative Results

Social disorder incidents. As shown in Table 1, the treatment area experienced a decline of social order incidents (-9.15 percent) in 2009, but an increase of social order incidents (1.14 percent) in 2010 compared to the incidents in 2008. In the comparison area, it was found an increasing trend of social disorder incidents for two consecutive years of 2009 (2.54 percent) and 2010 (20.59 percent). Like the comparison area, the overall occurrences of social disorder in Taiwan area (including twenty-four counties and cities) were increasing in 2009 (18.20 percent) and 2010 (28.17 percent). We further examined social disorder incidents at each individual city/county from 2008 to 2010 (not shown in tables) and found that except four cities/counties the rest of areas in Taiwan displayed a substantial or modest increase of social disorder incidents. As social disorder incidents had increased in almost the entire Taiwan areas, a decrease of social disorder in 2009 and a slight increase of social order incidents in 2010 at the treatment area suggested it might be due to a benefit of the program. The effect of displacement to the surrounding and to other areas, however, could not be ruled out.

Crime occurrences and clearance rates. As indicated in Table 2, the total number of crime occurrences in both the experimental and comparison areas declined ranging 12.5 - 27.3 percent from 2008 to 2010. Crime clearance rates in both areas increased ranging from 0.6 percent to 17.2 percent. The decreasing rate of crime occurrences and the increasing rate of clearance in the experimental area were much greater than those in the comparison area. Meanwhile, the total crime occurrence rates in the entire Taiwan areas also showed an overall decrease from 2008 to 2010 (not shown in tables); the decline of crime in the experimental area thus was unlikely due to the displacement effect to its neighboring areas. Further breaking down crime to violent crime and larceny and using 2007 as a baseline, Table 3 and Table 4 show the comparisons of the two areas regarding incidents and clearance rates of violent crime and larceny.

The violent crime incidents in the experimental area decreased in 2009 (-43.09 percent) and in 2010 (-26.06 percent), but lower than those in the comparison area (-54.63 percent in 2009; -63.89 percent in 2010), not what we expected (Table 3). Also, the rates of violent crime clearance were less in the experimental area than the comparison area after the years of treatment in 2009 and 2010, inconsistent with the expectation. In Table 4, the decreasing rates of larceny incidents of the years of 2009 (-31.40 percent) and 2010 (-39.22 percent) in the experimental area were higher than that in the comparison area (-27.52 percent in 2009; -34.03 percent in 2010) and also higher than the year of 2008 (-14.73 percent) prior to the program being executed in the treatment area. Also, the clearance rates in the experimental area were greater after 2009 than before 2009 and greater than the comparison area, as expected (Table 4). An examination of larceny in Taiwan areas and the neighboring cities/counties (not shown in tables) showed that they all demonstrated a decreasing trend in the larceny incidents and an increasing tendency in the clearance rates, indicating the displacement might not occur during the program implementation period.

Analyses of official data exhibited clear patterns that supported hypotheses, with an exception of violence crime. That is, unwanted incidents of social order, total crime, and larceny dropped after the years of the treatment in the experimental area and the decreasing rates were greater than the comparison area. Also, desired clearance rates of total crime and larceny in the experimental area increased after the treatment in 2009 and 2010, and the clearance rates were higher than the comparison area. While violent crime in the experimental area showed a decrease of incidents and an increase of clearance in the years of 2009 and 2010, both rates were not greater than those in the comparison area, not meeting the expectation.

Residents' perceptions toward police and neighborhood safety. Figures 1-8 provide visual information of line charts on the outcome measures. As seen in Figure 1, residents' overall satisfaction with police performance decreased (from 72.76 to 64.95 percent) in the experimental area right after the program which was unexpected, but their perceptions showed an increasing trend since Season 2, 2009 as expected. Similarly, in the comparison area, residents reported their satisfaction with police also declined after the year of program but their satisfaction level was overall higher than that in the experimental area, contradictory to the expectation. No evidence was shown in Figure 1 that residents living in the experimental area were more satisfied with police performance than those residing in the comparison area. Figures 2-5 shared similar patterns. The percentage values rose immediately after the treatment (the first season of 2009) in the experimental area but dropped in the comparison area (the first season of 2009). No steady trends were shown after 2009 in both areas. That is, as residents residing in the experimental area reported more positive attitudes toward police than those in the comparison area after the program, such positive attitudes did not remain steadily.

Figures 6 to 8 plotted residents' subjective perceptions for the seriousness of crime in neighborhoods. Residents in both areas reported that fraud, violent crime, and larceny were serious in the first season 2009 (the treatment began), which was a surprising result since we expected the perceptions for crime in the experimental area should decrease in and after the year of 2009. Although the plots directed residents'

perceptions for crime to be going down in the end of 2010 in the experimental area, the same trend showed in the comparison area as well. In the aspects of residents' perceptions for crime, Figures 6-8 did not provide clear patterns that improvements were made after the year of 2009 in the experimental area when the comparison area was taken into consideration.

Segmented regression was used to analyze time series data statistically. In the single group statistical model, the results showed only one independent variable were significant ( $\beta_2 < .05$ ) in relation to three outcome measures in the experimental group. Specifically, residents' attitude toward police overall service, traffic control, and how to deal with community problems changed immediately after the treatment. Adding the data from the comparison area to the equation, the significant effects found in the single group equations vanished, inconsistent with what hypothesized. Plausible reasons for the unexpected results will be delineated in later sections.

Police job satisfaction. As mentioned, 316 valid surveys of job satisfaction and the recognition of the program were collected from police participants at the two studied police precincts. The average age was forty-nine years old of police participants at Yong-Kang Police Precinct and fifty years old at the First Police Precinct. More than 70 percent of the police participants served at the experimental area for over ten years (73.2percent,  $n=156$ ), similar to that at the comparison area (75percent,  $n=102$ ). Over 60 percent of the participants were beat officers and around 70 percent of the police had received associate college degree or above at the respective police precinct. Repeated measures test indicated a significant difference in pre and post police job satisfaction ( $p < .000$ ) (Table 5) in the experimental area and no significant difference in pre and post police satisfaction at the comparison area ( $p > .05$ ), consistent with what hypothesized (Table 6). Table 7 showed that two posttests of the two studied groups were significantly different from each other, but the two pretests were not (Table 8), agreeing with the expectations. In other words, after the Our Paichusuo program, police participants at the experimental police precinct reported a higher level of job satisfaction than before the program and their job satisfaction was also higher than that at the comparison police precinct. Pearson correlation result showed that the more favorable the program, the more workforce satisfaction police participants reported after the program being carried out ( $r = .619$ ,  $p < .01$ ), supporting the hypothesis.

### **Qualitative Results**

Ten interviewees took part in the semi-structured interviews. They had been working at their own respective professional field and residing in Tainan County between three and twenty-seven years when the interview was administered. All the interviewees were aware of the “Our Paichusuo” initiative program and some of them were involved in the initiative. Each interview took about fifty minutes and the interviewees reported improved conditions after the program. First, the program strengthened the partnership between police and communities. All interviewees pointed out that police became closer and communicated better with local residents and other agencies, such as nonprofit organizations, local governments, community

organizations, etc. than before since police had to collaborate with them to make Our Paichusuo work (Interviewees I & D, personal communication, November 25, 2011). Second, the police image had been improved. All of the interviewees considered that the program allowed residents to readily access and approach police not just reporting incidents but also exchanging ideas, conversations, and even offering help. One interviewee said: "...local residents came to our Paichusuo to help cook tea-leave eggs...we shared the eggs with other residents and visitors..." (Interviewee D, personal communication, November 25, 2011). A police interviewee stated: "... particularity the service of providing cyclists with water...I think it is the most important activity to rebuild a positive police image..." (Interviewee J, personal communication, November 25, 2011). Third, police job satisfaction was enhanced and police attitude toward the program changed. Interviewees who were involved in the program agreed that the commendation from residents gave them a great deal of motivation to move forward. An interviewee reported that "...cyclists stop by my Paichusuo to have a short chat with us...It was good to see they were happy and content for our service and leave our Paichusuo with smile...certainly, it was very nice to know their appreciation for what we have done for them..." (Interviewee D, personal communication, November 25, 2011). Another interviewee stated that "...it is an honor to be involved in the program...news gave us a great recognition that we made efforts to serve residents..." (Interviewee K, personal communication, November 25, 2011). A Paichusuo chief claimed that his subordinates at his Paichusuo "from resisting the program to accepting it and later on enjoying the sense of achievement by carrying it out" (Interviewee G, personal communication, November 25, 2011).

As all interviewees commented to some degree positively on Our Paichusuo, some expressed uncertainty and concerns. An interviewee responded to a question on crime reduction, saying "...the change of social disorder seemed not obvious...particularly noise problems in the community..." "...the statistics are not that important; residents' subjective perceptions should be more important..." (Interviewee A, personal communication, November 25, 2011). Other than the uncertainty, Interviewees A and I (personal communication, November 25, 2011) concerned the workload for police. One of them stated "We would be happy to carry out such a community-oriented program, but it should not take up the time of our regular duties or become our extra work..." He further said that "I know the program is very popular and welcome by our residents, but it is bad that it becomes a competition with other Paichusuos and our higher ranking officers made this program like a show time..." (personal communication, November 25, 2011).

The research team attempted to understand the unexpected result produced from the public opinion surveys and Interviewees C provided his insights "...a robbery occurred in Yong-Kang Police Precinct jurisdiction around May 2009...a standoff took place and the incident was on news headline that might affect what people think about public safety and police performance..." (personal communication, November 25, 2011). Interviewee F also offered a possible explanation "...there was a chaotic transition when Tainan County and Tainan City were to merge at the end of 2010...residents might perceived community as disorganized and out of order..." (personal communication, November 2011).

## Summary of the Results

The present evaluation examined a total of seventeen quantitative outcome measures, including seven social disorder and crime measures, eight measures of citizens’ perceptions for police and neighborhood safety, and two police job satisfaction measures. Of the seventeen outcome measures, eight of them supported the expectations that contrast to the comparison area, the experimental area: had less social disorder, less total crime, higher total crime clearance rates, less larceny, higher larceny clearance rates, and greater police job satisfaction. Additionally, the study found a positive relationship between police job satisfaction and perceptions for the program. The interview data verified the positive effects of the Our Paichusuo program on the aspects of police job satisfaction, the partnership with communities, and an improvement of police accessibility.

On the other hand, nine out of the quantitative outcome measures revealed opposite results to the expectations. Official data showed that a decrease of violent crime and an increase of violent crime clearance rates in the experimental area after the program, but they were not greater than those in the comparison area. Public opinion surveys indicated that residents’ ratings of neighborhood police and safety in the experimental area were not statistically significantly different from those in the comparison area, even though graphs showed some effects on three outcome variables. Interviewees offered two possible reasons for conflicting results of residents’ perceptions: a robbery incident and a political transformation happened during the studied period in the experimental area.

## Discussion and Conclusions

COP is a widely accepted model in many countries and regions since the 1980s (Cao et al. 2014). A number of COP programs have been created that only imagination can limit what and how COP practices can be done. Given limited resources of police agencies, evaluations of programs are critical to provide evidence-based results, so the results can be used to guide police agencies to avoid failures and to achieve successes. Although the policing system in Taiwan is centralized, the community-oriented structure makes the implementation of COP amicable. Almost every police department in Taiwan adopts some types of COP practices at some time points. Very few COP strategic programs in Taiwan nevertheless were assessed and not much is known about “good practices” that can be applied to other places.

Like prior research, this evaluation found results consistent and conflicting with the hypotheses. The survey and interview data showed that Our Paichusuo made salient impacts on the community-police partnership and police job satisfaction. A relatively indirect official data exhibited that crime and clearance rates in the years of 2009 and 2010 in the experimental area directed the way as expected. The most unexpected results were that residents’ subjective feelings of crime and police service in the experimental

area were not significantly different from those in the comparison area. Two plausible explanations are provided, which these two explanations should be seen they were interacted with each, rather than isolated from each other. A robbery incident took place at the Yong-Kang Police Precinct jurisdiction while public opinion investigations were being conducted. Literature has documented that mass media is very powerful and enables to shape and influence how people think about crime and police effectiveness (Cashmore 2014; Chan 2012; Dowler 2003). It does not surprise that news of robbery occurring in a relatively rural city (Yong-Kang City) would impact on residents' autonomy of perceptions for crimes and police competency, even as violent crime statistics decreased since 2008 in the Yong-Kang jurisdiction (see Table 3). Another possible reason might be due to a political transformation of Tainan County. On June 29, 2009 Taiwan Executive Administration decided to combine Tainan County with Tainan City and to create a new municipal named Tainan City. Accordingly, a new municipal mayor and a number of new councilmen were to be elected for the new city on November 27, 2010. The major task Tainan County government focused therefore switched to prepare for the merge and elections as the first priority. Tainan County was wrapped up in a political sentiment and politicians concerned about their own elections and how resources were to be reallocated. Police were asked to assume extra duties to maintain order at election campaigns that might trade off the time for them to serve residents. Tainan County residents observed the uncertainty and confusion in the transitional transformation that might affect how they perceived public safety and police. In fact, without an official announcement, the Our Paichusuo program was phased out when a new mayor was elected, which was not uncommonly seen that politics changed how policing operated.

This study offers a third explanation to account for non-significant results of residents' perceptions: the diffusion effect. The diffusion effect refers to the containment of the comparison group with the treatment. That is, both the experimental and comparison groups receive benefits from the intervention. The First Police Precinct is located right next south of Yong-Kang Police Precinct. Although Our Paichusuo was executed in Tainan County for local residents, Tainan County police certainly would not refuse residents from other areas who requested services. The Our Paichusuo program was publicized by news media and by various social media that encouraged public involvement. TCDP welcomed public involvement, since a large number of participants showed an indication of a success. Impacts of the program then might spill over to residents who were from the comparison area. It should be reiterated that the three speculations work to complement, not exclusion.

Another surprising result was that although violent crime (Table 3) declined and clearance rates increased in the experimental area, these rates were less than those in the experimental area. We borrowed what Gill et al. (2014) noted in their systematic review on COP that police engaged themselves in residents did not automatically lead to crime reduction. Specific strategies like problem-oriented policing should be involved in COP policing. They suggested problem-oriented policing as a mediator between community engagement and crime control. It should not therefore presume that COP practices would reduce and prevent crime without the introduction of specific problem-solving strategies to the practices.

As the first attempt using mixed approach to evaluate COP programs in Taiwan, the current evaluation is subject to limitations. First, it was not clear which strategic practices of Our Paichusuo were mostly effective. The four strategic practices were considered related and supported each other; it was difficult and probably not necessary to evaluate them separately. Moreover, without any financial support for the current evaluation, a complex experimental design like Solomon Four Group Design to find out the effectiveness of each individual practice was not practical. Second, the evaluation was retrospective conducted at the completeness phase, not before or during the implementation stage. Advantages of use of retrospective evaluations have been noted in literature, such as convenience and avoiding response shift bias that may occur in traditional pre- and post- test survey (Howard 1980). Response shifts bias refers to participants interpreting the same question in a pretest differently from that in a posttest, leading to inaccurate results. Disadvantages can be found in retrospective evaluations as well, such as memory decay, veracity, and social desirability (Nisbett and Wilson 1977). Social desirability means that respondents answered what evaluators desire rather than what they truly think. Third, the current evaluation used available official data and public opinion surveys to surrogate outcome measures. Although relevant to the study, these data tended to be indirect and the original purpose of collecting them was not for the current study. In light of these limitations, the generated results should be interpreted cautiously. On the other hand, considering the abrupt robbery incident, political uncertainty, and the possible containment effect, the results presented in the study that confirmed the utilities of COP practices tended to be conservative estimates.

The findings in the present evaluation suggest that the Our Paichusuo mode connecting police with local resources is promising as a strategic principle for counterpart police agencies. For the purpose of crime prevention and reduction, however, a specific strategy to deal with crime should be integrated in COP practices. Future research building on previous studies equipped with direct and improved measurements is encouraged to evaluate a COP program that contains crime prevention and reduction strategies. So a continuous advancement of COP knowledge and practices can be expected in the future.

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# The Investigative Strategies and Techniques applied in combating Transnational Telecom Fraud

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**Abstract:** While there is no foolproof method of preventing telecom fraud, this crime can be reduced and minimized by taking a well-designed and coordinated approach in its investigation. This research taking the perspective of fraud risk management provides a summary of better practice strategies and techniques in telecom fraud’s prevention, detection and investigation. With years of experience in fighting telecom fraud, investigators in Taiwan have launched a financial management, telecom supervision, and crime investigation prevention plan as a preventative measure; however, fraud syndicates continue to carry out cross-border remote swindles, leading fraud away from a single district crime area and toward regional or global areas of crime.

Cooperative investigations involving two or more countries have become very commonplace, and the establishment of task forces and teams from several departments or agencies has proved to be a crucial part of successful investigation against telecom fraud. Meanwhile, a problem commonly suffered by multi-jurisdictional teams is a conflict over differences in policies and procedures. Deploying overseas liaison officer is commonly considered the most sufficient approach to network two or multiple jurisdictions. This problem also can be resolved by instituting a joint training program. A successful investigation has to accomplish a set of goals that is not only consistent with organization’s policy, but also bring the highest individual involved into the custody and produce a prosecutable case.

Computer forensics is another integral part of telecom fraud investigation. Computer forensics involves the search, seizure and analysis of electronic evidence, which is most often found on personal computers but can also be found on virtually any modern electronic device, e.g. VOIP gateway. Computer forensics, therefore, is a vital skill-set in the vast majority of telecom fraud investigations. Strengthening up the skills and capabilities of computer forensics in those cooperative foreign law-enforcements becomes the priority issue in the whole war against telecom fraud, which needs more social capital investment by police authorities in the pursuit of final accomplishment of fraud control.

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# Principles and Steps for International Cooperation on Policing Terrorism

—From the Perspectives of New Interpretation of Security and One Road &  
One Belt Construction

Cao Xuefei

**Abstract:** Construction of one road and one belt, a significant diplomatic initiative put forward by the new Chinese leadership timely offers a new perspective for concerted effort to boost the progress worldwide. For the sake of the policy, planning and maneuvering a safe environment based on the new security perspective of universality, comprehensiveness, inclusiveness, sustainability is of great significance. Taking into account the interplay of historical, political, ethical and religious factors, it is suggested that in the face of terrorism, the threat should be evaluated when spreading the area of One Belt and One Road. In addition, in the context of the new policy, the Four Principles of Policing Terrorism are hypothesized, after taking the relevant antecedents on board. Also, this essay proposes Four in One model— prompt reaction to emergency, refined intelligence, intensified investigation, valued anticipation.

**Keyword:** One road & One Belt, the new interpretation of security, policing terrorism, policing, international cooperation

## Backgrounds

Joint efforts with countries along the Silk Road Economic Belt and the 21st-Century Maritime Silk Road (hereinafter referred to as the Belt and Road) constitutes the blueprint of current diplomacy and contributes to concerted development of international community for its originality and initiative. Conceived in 2013, and enriched and polished later, The Vision and Actions on Jointly Building Silk Road

Economic Belt and 21st-Century Maritime Silk Road<sup>[1]</sup> (hereinafter referred to as the Vision and Actions) has been drafted and published to expound on its circumstances, its goals and action of China<sup>[2]</sup>.

According to the Vision and Actions, the Belt and Road is dedicated, consistent with the spirit of the antecedent silk road, to economic prosperity, mutual benefit, dialogues between civilizations and world peace, and is chiefly conditioned by common appreciation of the principles, e.g., negotiation by all, construction by all and, delectation by all and the participation of all stakeholders to materialize the projects, which promotes policy coordination, facilities connectivity, unimpeded trade, financial integration and people-to-people bonds. Reviewing the whole process of its formulation and its publication and referring to the interpretations in the Vision and action, it may safely conclude that the initiative of One Belt & One Road is motivated by economic cooperation and growth, and sustained by communications and dialogues among cultures<sup>[3][4]</sup>.

As the President Xi Jinping pointed out in the Conference on International Confidence-Building Measures in Asia (CICA) Shanghai Summit 2014, in the context of globalization, security has become an all-encompassing concept with increasingly prominent transnational, comprehensive and interconnected features. All Member states have common interests and concerns about security. As the heads of states and governments were well-informed of the initiative of One Belt & One Road, the new security concept is deemed as a mate to the initiatives<sup>[5]</sup>, which finds its application in the region when One Belt & One Road extends. Meanwhile, for the first time at this summit, the President Xi put forward zero-tolerance to terrorism. In response, the Shanghai Declaration on CICA 4th Summit emphasizes the need to jointly curb the spread of terrorist and extremist ideologies, to promote interreligious and interethnic tolerance, dialogue and understanding. All the Member states reiterate their resolve that their territories will not be used by any separatist movements and entities and they will not establish any kind of relations or communications with separatists.

This essay is intended to analyze the threats in constructing the One Road & One Belt from the new concept of security---“Inclusiveness, Cooperation, Comprehensiveness, and Sustainability”, and to propose some principles and steps on joint effort in policing terrorism international cooperation.

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[1] The Silk Road Economic Belt focuses on bringing together China, Central Asia, Russia and Europe (the Baltic); linking China with the Persian Gulf and the Mediterranean Sea through Central Asia and West Asia; and connecting China with Southeast Asia, South Asia and the Indian Ocean. The 21st Century maritime Silk Road is designed to go from China's coast to Europe through the South China Sea and the Indian Ocean in one route, and from China's coast through the South China Sea to the South Pacific in the other.

[2] 国家发展改革委,外交部,商务部. 推动共建丝绸之路经济带和21世纪海上丝绸之路的愿景与行动[R]. 北京: 国务院, 2015.

[3] 蒋希衡,程国强. “一带一路”研究若干观点要览——对近期国内学术研究、国外研讨会观点的调研报告[N]. 北京日报. 2014-10-20.

[4] 韩嘉炜. “一带一路”推动独具特色的中国外交[N/OL]. 社会科学报. 2014-12-25. <http://www.cnki.net/kcms/detail/detail.aspx?dbname=CCNDTEMP&filename=SHKX201412250040>.

[5] 王海燕. 亚洲新安全观为“一带一路”保驾护航[N]. 文汇报. 2014-5-25.

## **The evaluation on some major terrorist threats on One Belt & One Road**

Terrorist crimes are one of the most immediate and destructive threats to the construction of One Belt & One Road and the countries along the route. The threat manifests itself both domestically and internationally. For domestic terrorist forces, represented by Eastern Turkestan Islamic Movements (ETIM), have been attacking the targets of Chinese interests in Xinjiang and Central Asia since the 1990s, causing massive casualties and financial losses. For example, the shooting at Wang Jianping, the first secretary in the embassy of Kirghizstan by Eastern Turkestan Liberation Organization (ETLO) in 2002 and the violent terrorism incident in Urumqi incited by World Uyghur Congress (WUC) on July 5th in 2009 are cases in point. In addition, explicit evidences show that Eastern Turkestan Terrorist Forces (ETTF), as a branch of international terrorism forces, has been maintaining close and direct links with Al Qaeda. Next, the incident on October 28th in Tiananmen Square symbolizes the spillover out of the boundary of Xinjiang. And the cases in Kunming Railway station, in Guangzhou, Shenyang and Nanyang etc. alert us to the emerging threat from the calling for Jihad by international terrorism forces represented by, for example, Islamic State (IS).

For the international aspect, entrenched in the regions along One Belt & One Road are four groups of terrorists, namely, Al Qaeda in South Asia, “Three Evil Forces” in Central Asia, Islamic State in the north of Arabian Peninsula, and pirates in Gulf of Aden. Al Qaeda rose in the remaining years of Cold War, prospered in its sanctuaries and bases scattered in Afghanistan, remote Pakistan tribes and some areas in Central and South Asia. After its leader Bin Laden was announced to be shot dead on May 2nd 2011, the organization, which vowed to revenge, has been losing its momentum. Although it is doomed, its vitality remains, as illustrated in its worldwide branches, personnel and arms, which will pose certain threat to the initiative of One Belt & One Road.

“Three Evil Forces”, which consists of terrorism, religious extremism, and separatism, constitutes the major threat to regional and national safety, according to the consensus among the member states in Shanghai Cooperation Organization. A lot of factors contribute to its rise. Firstly, for a long time, conflicts caused by religion and ethnicity occurred frequently. Secondly, western influence has been seeping through, which compounds the reality in Central Asia, where ideals and tools of terrorism have been sinking in among extremists and separatists, and the shadow of terrorism has been looming large. Thirdly, drug issues have escalated into a major deterrent to local safety and prosperity in many areas, one of which is Gold Crescent Region, where local people have been plagued by chronic economic stagnation and harsh geographical and climate conditions. We should stand alert to the three evil forces in this region, where terrorism, organized crimes, drug crimes and tribe conflicts tangle up.

The rise of IS is associated with the anti-terror war dominated by the United State of America. To be more specific, some former Sunni military personnel, after Saddam Hussein’s regime was overthrown, swiftly congregated during the civil war in Syria in some occupied areas in Iraq and Syria, amassed a

large fortune by controlling local oil facilities and announced founding a caliphate known as the Islamic State subsequently<sup>[6]</sup>. By distorting the doctrine of Jihad, the IS calls upon allegiance of worldwide Sunni Muslims<sup>[7]</sup>. According to an estimate, IS boasts a military force numbered 30,000 at full strength, including thousands of migrant Jihadists<sup>[8][9]</sup>, some of whom come from China<sup>[10]</sup>. In this sense, the threat from IS involves both military conflicts and also the temptation and instigation to some gullible Muslims.

At the Gulf of Aden, where pirates are very active, Somali pirates have witnessing an increase of their ranks at 400 each year while increasing number of countries and international organizations have dispatched their escort naval forces to fight against pirates<sup>[11]</sup>. In 2008, Somali pirates' profits accounted for 30 to 60% of the total by the piracy worldwide. At the fourth anti -piracy session held in United Arab Emirates (UAE), the foreign minister of UAE appealed attention to the links between IS and Somali Youth Party and alertness to conspiracy between terrorism and piracy<sup>[12]</sup>. Therefore, the 21st Century Marine Silk Road is prone to piracy, especially the piracy mingled with IS terrorist activities.

In addition, the attack by lone wolves, the repatriated terrorists from battlegrounds by IS, has come to the attention of international community. The lone wolves prove too hard to be identified because they have no criminal records, no affiliation with known organizations, no assistance in internalizing extremism and terrorism propaganda, and no differentiation in terrorist targets. Presumably, lone wolves' capability in destruction is limited. However, it is hard to anticipate because they are highly localized and concealed with local communities. Their potential can be very damaging both because they may have been trained by IS in making and use of explosives, taking part in wars and because the misconception of migration and advocacy of Jihad will exert negative influence to others<sup>[13]</sup>. Therefore the repatriated terrorists and lone wolf terrorists pose realistic threat to the One Belt & One Road.

To sum up, One Belt & One Road is faced with terrorism of different kinds and various severities,

[6] IS once announced a wide areas as its territory, including Xinjiang in the east, Morocco in the west, Kenya in the south and Kazakhstan in the north.

[7] Providence Research. The Isis threat: The rise of the Islamic State and their dangerous potential [M]. NY: Providence Research, 2014.

[8] The Washington Times. Leaders' deaths a blow to al Qaeda in Iraq [N/OL]. The Washington Times. 19 April 2010. <http://www.washingtontimes.com/news/2010/apr/19/iraq-says-2-top-al-qaeda-figures-killed/?page=all#pagebreak>

[9] Martin Bentham. Ministers 'must do more to prevent young being radicalised here in UK [N/OL]. London Evening Standard. 2014-08-21. <http://www.standard.co.uk/news/politics/ministers-must-do-more-to-prevent-young-being-radicalised-here-in-uk-9683005.html>.

[10] 环球时报. “东突”分子加入“伊斯兰国”充当自杀炸弹[N/OL]. 新华网. 2014-12-11. [http://news.xinhuanet.com/mil/2014-12/11/c\\_127294758.htm](http://news.xinhuanet.com/mil/2014-12/11/c_127294758.htm). 另外, 在2010年于沈阳召开的“反恐与应急管理国际高端论坛”上, 与会国内专家明确指出在工作中发现有境内人员偷越国境参加“伊斯兰国”军事冲突的情况.

[11] 新浪网. 报告显示索马里海盗年获利千万美元[N/OL]. 新浪网. 2008-10-03.

[12] 环球网. 外媒: 伊斯兰国或涉足海盗威胁各地交通要道[N/OL]. 环球网. 2015-08-12. <http://mil.huanqiu.com/world/2014-11/5189695.html>.

[13] Muhammad al-'Ubaydi, Nelly Lahoud, Danel Milton & Bryan Price. (2014). The group that calls itself a State: Understanding the evolution and challenges of the Islamic State Washington: The Combating Terrorism Center at West Point, p.5.

which casts a shadow to international economy cooperation and culture exchange. Correspondingly, the new concept of security known as “Universality, Comprehensiveness, Inclusiveness, Sustainability” offers inspiration and insight to the effort of fighting against terrorism and escort the projects along the construction of the Once Belt & One Road: With the shared goals, integrated resources, diversified forms of collaboration, construction of One Belt & One Road and multinational cooperation for this purpose will be realized, meanwhile the international cooperation on policing terrorism will be sustained.

## **The principles of international cooperation on policing terrorism**

The philosophy underlying One Belt & One Road is a systematic project with broad and profound connotation. Therefore, it entails a vision and a route chart and refrains from prematurely limiting its connotation and extension at the expense of long term growth[12]. Given this, this essay comes up with some basic principles concerning international cooperation on policing terrorism, which are expected to offer some hints for the sake of the policy.

### **Principle one: Highlighting priority and concerting scheme**

There is question: Which is of greater significance and priority, the economic cooperation and culture exchange or international cooperation on policing terrorism in the initiatives of One Belt & One Road? The answers vary<sup>[14][15]</sup>. Someone claims that the former underpins the latter. Someone argues that the former falls into the sphere of sovereignty, and the latter into the responsibility of related countries. Someone insists on a gold mean approach that both the former and the latter should parallel to each other. The author’s conclusion is that the economic cooperation and culture exchange is the aim of the initiatives of One Belt & One Road; however, the international cooperation on policing terrorism is the means to facilitate the initiatives.

To explain why the former prevails over the latter. Firstly, in the official publication of Vision and Action, what is mentioned and reiterated again and again is economic cooperation and culture exchange. For security concern, only joint construction of security passage is sparingly mentioned for the sake of former. Such lopsidedness serves as a clue. Admittedly, what is sparingly mentioned does not necessarily mean it is not significant. But considering that anti-terrorism earns so limited attention in this official diplomatic blueprint document, it should be by choice rather than just by chance, which resonates with the second reason. The latter is more complicated and multi-faceted than the latter. To be more specific,

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[14] 蒋希衡, 程国强. “一带一路”研究若干观点要览——对近期国内学术研究、国外研讨会观点的调研报告[N]. 北京日报. 2014-10-20.

[15] 李卓成. “一带一路”与国际反恐[J]. 吉林教育学院学报, 2015, 31(416): 142-143.

terrorism tangles with ethnic, religious, cultural and historical elements so much, so that anti-terror strategies will inevitably implicate politics, law and state relationship. As anyone who has some experience in negotiation, knows that it is wise to seek consensus in simple matters and, deepen consensus in difficult matter subsequently. In addition, the wisdom of ancient Silk Road has proved that economic cooperation is naturally followed by cultural exchange and naturally followed by political contacts afterwards.

The prominence of the former does not phase out the latter. Ideally, the latter safeguards the former. Whether or not having a safe environment or a collaboration model should not be a prerequisite for boosting international cooperation on policing terrorism while materialising the initiatives of One Belt & One Road. This is the first implication existed in the relationship between the former and the latter. In addition, defining of international cooperation on policing terrorism as secondary is to remind the authorities concerned to reform their functions and to upgrade their work from passive supervision to active and regular supply with safety evaluation and service for proposed projects. That is the substantial move to promote the construction of One Belt & One Road. Notably, concerted scheme does not equal with a parallel approach, because in some cases, not until economic and cultural exchange are launched and run smoothly and shared interests and consensus have been reached, is it necessary and wise to promote and deepen safety cooperation in policing terrorism efforts.

### **Principle two: Sinking the differences and taking versatile and flexible approaches**

The second principle can be interpreted as common effort to seek efficient measures to address wave of terrorism, to fight crime and to ensure safety in compliance with international and domestic laws and practices. As mentioned above, One Belt & One Road covers geographically most of states and culturally many cradles and birthplaces for civilizations and religions, and encompasses 85% of the world population. The countries are so distinctive in their politics, economy, law, culture and history that it is impossible to impose a unified safety collaboration model on all of them in the context of global pluralism. Therefore, policing terrorism is to provide a safe environment for relevant projects by selecting any measures in the best interests of cessation of hostilities, lower alert level and safety of personnel after weighing the parties' concerned, current circumstances and level of emergency. So it dispenses with the lengthy reconciliation with conflicts in law provisions<sup>[16]</sup>.

In addition, cooperation on policing terrorism could start from various points. In view of the complexity of anti-terrorism per se, it is suggested that cooperation on policing terrorism can be flexible. For example, seeking the programs that satisfying common interest, such as drug trafficking, illegally

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[16] 吴瑞. 国际侦查合作基本特征简论[J]. 河南警察学院学报, 2012, 21(4): 71-75.

border crossing<sup>[17][18]</sup>. In addition some daily routines, such as seeking clues, gathering evidences also sustain potential joint effort. By doing so, the stakeholders will deter terrorists and join the effort, even though, in some cases the fight may not necessarily with the name of policing terrorism or anti-terrorism.

### **Principle three: Extending cooperation and sharing benefits**

Given the complexity of terrorism, many departments are involved in counterterrorism tasks. For example, the Act of Anti-terrorism in Uzbekistan specifies the National Security Bureau, the Ministry of Internal Affairs, the State Customs Committee, the State Boundary Protection Committee, the Ministry of National Defense and the Emergency Department as responsible state agencies in fighting against terrorism<sup>[19]</sup>. Correspondingly, in China, it is suggested that State Security Committee and/or State Anti-terror Leading Groups should authorize the Ministry of Public Security to lead other departments in boosting cooperating with foreign counterparts in alignment for the sake of more extensive exchange, multiplied chances of success in terms of more evidences and higher efficiency in policing terrorism.

In addition, if proceeds of crime are recovered in joint effort, the partner(s) should be dispensed with distribution of the benefits, according to international or domestic law and practice or agreement. If the joint action incurs some costs and wastage, the relevant expenses should be reimbursed by the proposer part. If neither proceeds of crime nor expenses occur, the parties concerned are advised to sign a memorandum of understanding, in which , the substantial contributor(s) is/are duly appreciated. It is believed that such positive feedback will serve as a good example. The shared interests will offer incentives for deep cooperation.

### **Principle four: Supreme national interests and gaming for long term**

To be more specific, cooperation is, in nature, a kind of gaming, aiming for the maximum of interests<sup>[20]</sup>. So is the philosophy underlying international cooperation on policing. But the ultimate benefits belong to the country rather than any individuals. Policing diplomacy is not the end. Pragmatism for the sake of national interests is advocated and encouraged. In this sense, private association and friendship should be sought for their own sake<sup>[21]</sup>.

In addition, gaming is intrinsically cooperative rather than competitive. During the process, any parties, who seek excessive unilateral gains, will face the failures, even maximized loss of self-interest. Accordingly, gaming is to attain the maximum in the reasonable vicinity of expected gains by taking care

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[17] 张杰. 中国与吉尔吉斯斯坦警务合作面临的几大难点[J]. 新疆大学学报(哲学.人文社会科学版), 2007, 35(1): 96-100.

[18] 周江. 从湄公河惨案的侦破谈国际侦查协作[J]. 广西警官高等专科学校学报, 2013, 26(3): 19-23.

[19] 郭军涛. 中亚区域警务合作研究[D]. 乌鲁木齐: 新疆大学, 2010.

[20] 张杰. 论上海合作组织框架下反恐多边合作的博弈[J]. 净月学刊, 2013, 2013(1): 5-9.

[21] 张杰. 国际警务合作成本论[J]. 中国人民公安大学学报(社会科学版), 2008, 135(5):9-13.

of each other's interest. Specifically, effort should be made to assess the counterpart's expectation of his or her gains and our capabilities to satisfy the expectation. Then, if the demand cannot be directly satisfied, other options of interest can be utilized for a swap. And next, if bilateral exchange is not achieved, multi-lateral mechanism should be introduced for such a swap, thereby actualizing one's interests. The theory of conflicts and international cooperation reveal that the more partners one has, the lower cost the partnership incurs<sup>[22]</sup>.

In addition, the joint effort should aim at long-term win-win situation. Instead of being confined by a particular case, a particular person, a particular moment or a particular place, necessary compromise at no expense of national interests will enable participants to take the initiative in the planned long term collaboration. Such retreat for the sake of advancing makes sense in the long run. Since the collaboration on a special-case-special-method basis makes no financial sense, it is suggested that in the early stage of the partnership, the framework of synergy should refer to the existing bilateral or multi-lateral ones. According to incomplete statistics, by July 2001, the Ministry of Public Security have signed 237 cooperation documents with counterparts from 59 countries, leading or participating 81 international organizations, regional organizations or relevant meeting mechanisms<sup>[23]</sup>. Even if the above frameworks do not involve the potential partners along the One Belt & One Road, it is advisable to establish a joint effort framework, by referring to the agreements of the most similar antecedents and studying the relevant special cases so that a precedent is set and followed at lower cost and higher efficiency.

### **The steps in international cooperation on policing terrorism**

According to the description of Four in One (Intelligence, Investigation, Emergency Response and Prevention) by State Anti-Terror Office, the Ministry of Public Security Counterterrorism Bureau, the author suggests the following steps when dealing with work with relevant countries along the One Belt & One Road.

Emergency response is first. To be more specific, in the face of terrorist attack, the authorities concerned must react immediately in order to minimize loss and must deploy forces to besiege and chase terrorists in order to contain repercussions. Recently, domestic mechanism to meet emergency is consolidating, but the overseas mechanism, especially Chinese interests abroad are susceptible to terrorist attack for many reasons, which cannot be avoided in the extension of One Belt & One Road. Hence, the author suggests that anti-terror policing overseas should include and integrate environment security assessment beforehand, pre-plan for emergency management, and self-defence arrangement.

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[22] 张杰.论上海合作组织框架下反恐多边合作的博弈[J].净月学刊,2013,2013(1):5-9.

[23] 栗长江.中国国际警务合作保障机制探究[J].湖北警官学院学报,2013,141(6):15-17.

Environment security assessment. To be more exact, a panel of experts should evaluate the general safety conditions surrounding the amenities or the site, from the dimensions of local terrorism situation, anti-terror capacity, or friendliness of local tribes. A budget must be made and cover all the expenses that incur for the safety of related projects. Pre-plan for emergency management must reflect reality and its operability, including what backup forces are available, where first-aid is, where the bunker is and what are the steps of evacuation. Self-defence arrangement refers to the manoeuvre of self-defence, counter measures, selection of weapons, and the extent of resistance, which are allowed by laws in the host countries.

Intelligence is refined. To specify, intelligence must be in regular and prompt supply<sup>[24]</sup>. International policing, especially international cooperation on policing terrorism could not possibly operate without efficient intelligence support. Intelligence work can operate in the following three steps. Firstly, intelligence is supplied by INTERPOL and regional policing alliance mechanism. Secondly, intelligence is shared from bilateral or multi-lateral mutual assistance mechanism, such sources like, USA, Russia, and Shanghai Cooperation Organization, ASEAN, China-Japan-Korea + 10<sup>[25][26]</sup>. Thirdly domestic intelligence is consolidated and strengthened. It is reported that the Standing Committee of the National People’s Congress has examined and adopted Anti-Terrorism Law, which takes establishing National Anti-Terrorism Intelligence Centre, facilitating the currency of information and breaking the barrier and monopoly of relevant data into consideration. It is believed that its establishment will improve the overall capability in fighting against terrorism in China.

The following is two pieces of advice for the intelligence on policing terrorism. Firstly, more emphasis should be attached to high technology, which mines and utilizes relevant data. The advent of the internet, cloud computing and big data have revolutionized social governance and our concepts<sup>[27]</sup>. In the context of big data, analysis and process of data will expand from a particular specimen to the general. By collecting, calculating and analyzing in various ways astronomical amount of videos, audios, pictures, finger print, DNA, biological features, some clues that cannot be codified yet, the profile of a suspect will be visualized, next offense will be anticipated, and possible location will be marked.

Secondly, manpower intelligence should not and could not be replaced by any other forms of intelligence resources. Such information is obtained from a particular person for non-specified mission, or from a non-specified person for a particular mission<sup>[28]</sup>. For the two reasons, manpower cannot phase out. First, valuable information is often not transmitted by advanced telecommunication devices. For example, in order to avoid the strike and interception by USA, the leadership of al Qaeda exchanged information manually and physically so as to make them invisible in the internet, satellites and electromagnetic

[24] 向党. 论国际侦查协作[J]. 公安研究, 1998, 61(5): 66-69.

[25] 栗长江. 中国国际警务合作保障机制探究[J]. 湖北警官学院学报, 2013, 141(6): 15-17.

[26] 陈龙鑫. 中国开展国际侦查合作问题研究[D]. 武汉: 华东政法大学, 2011.

[27] 赵宇, 李建. 大数据技术与国际警务合作[J]. 中国人民公安大学学报(自然科学版), 2014, 81(3): 30-35.

[28] 张杰. 论上海合作组织反恐情报机制的构建——论人力搜集的必要性[J]. 辽宁警专学报, 2008, 49(3): 42-44.

signals<sup>[29][30]</sup>. Second, in poverty-stricken areas, terrorists cannot afford the bill for sophisticated telecommunication tools<sup>[31]</sup>. Anyway, some information can only be gathered by physical contact, such as the personnel component, organization structure and behaviour pattern.

Investigation is consolidated. The coordination of multi-national investigation is associated with the joint effort of police agencies to obtain evidence for transnational crime by investigating jointly, pursuing and capturing cross-border, collecting evidence abroad<sup>[32]</sup>. The joint investigation consists of two approaches. First, parties concerned, after being briefed their own task, investigate the same case in their jurisdiction respectively and exchange their information when the investigation comes to an end. Second, parties concerned join a team of investigation beyond their jurisdiction. The former applies to the partners with similar capability of investigation and similar legislations, featuring a lower cost. The latter applies to the partners opposite, featuring a higher efficiency. In addition, overseas pursuing and investigation, which is identical in formality, can be complemented with warranty endorsement and persuasion for extradition of certain criminals, who has difficulties in extradition via formal process<sup>[33]</sup>.

In case of difficulty during the joint effort, it is advisable to hire private detectives for its sake. Although the intervention of private personnel has not yet been sanctioned in China, some domestic laws should be adjusted somehow. Internationally, commercial security service has set the trend and made up for shortage of public resources<sup>[34]</sup>.

Prevention deserves priority. Equipment and training is of the same significance as other professional qualifications. Such anticipation entails preparation of personnel, materials and technology, check of daily work, pre-plan. All above work should be put into the whole scheme to anticipate risks. In addition, such anticipation involves integration into local community because the host country boast absolute jurisdiction and any request for transnational cooperation is not compulsory to an independent sovereign state.

Local integration includes the following five aspects. First, a smooth channel and sound collaboration with anti-terror agencies in host countries should be established. Second, contacts with the local armed forces, including police should be secured to ensure armed support in case of emergency. Third, connections with anti-terror departments should be made for due support and cooperation in terms of, e.g. collecting evidence and obtaining files or archives. Fourth, a good relationship with local governments at all levels is maintained in case of administrative negotiation. Fifth, links with local armed forces, political fractions, tribal forces should be kept in case of their support in intelligence, arms and personnel.

[29] Hoffman, B. (2006). *Inside terrorism* (revised and expanded ed.). New York, NY: Columbia University Press.

[30] Jones, S. G., & Libicki, M. C. (2008). *How terrorist groups end: Lessons for countering Al Qa'ida*. Senta Monica: RAND Corporation.

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In addition, it is suggested that panels of experts should be selected, the mechanism of policing liaison officers should be perfected and training for the purpose should be strengthened. The panel of experts who consist of professionals in anti-terror, policing and law should be designated as constituents of One Belt & One Road department and be responsible for security evaluation, budget proposal and publication of safety manual tailored for any particular project in the initiatives. Staffing more liaison officers is a measure to address the safety risks for overseas interests and to escort the extension of One Belt & One Road. Policing is highly professional and involves great responsibility, which illustrates why the officers are staffed worldwide. And training for this purpose not only promotes international cooperation, enhances efficiency, but also eliminates the differences in conception of terrorism and terrorist acts.

To sum up, to meet emergency is to ensure that the relevant projects can be started in a safe environment. Then intelligence is intended to establish and to strengthen the model of joint policing terrorism. Next, investigation highlights its power to combat terrorism. Lastly, prevention features the crux of anti-terror cause and a permanent solution for security concerns. Such a step by step approach, from the shallower to the deeper, follow in proper sequence, which enriches the content of policing terrorism and, eventually establishes a stable and satisfying model of international cooperation on policing terrorism.

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# The Practice and Study of Strengthening Cross Regional Anti-terrorism Cooperation under the Globalization Context

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**Abstract:** Terrorism poses great threat to world peace and development, which becomes world public hazard. Cracking down on and preventing terrorism become the safety issue of international community and countries. China also cannot keep her distance. With Beijing 10-28 fear violence attack as a sign, terrorist attacks show a trend of spreading from Xinjiang to inland China. To win this battle cannot only rely on the strength of a single country or a single region, or on a single method or a single strength. We need comprehensive strengths such as politics, military, economy and culture. We need strengthen all forms of international cooperation and cross regional anti-terrorism cooperation to squeeze the survival and development space of the terrorists and to thoroughly eliminate the soil for fear and violence.

**Keywords:** terrorism; cross region; anti-terrorism cooperation; thinking and practice

After the September 11 attacks, under the encouragement and support from some Western powers, Xinjiang "East Turkistan" as the representative of the "three forces" brings serious threat and challenges to the security of China. In the past two years, Beijing "10•28", Kunming "3•01", Guangzhou "5•06" fear of violence incidents in the mainland China happened consecutively. Terrorist activities began to penetrate from Xinjiang to the mainland, showing new characteristics of a more cruel terrorist means, more diffuse terror range, and more serious harm of terrorism, which has caused a high degree of vigilance on the part of the Chinese government. Always keeping the pressure on the terrorist forces to combat the situation to curb and prevent the spread of terrorist activities from Xinjiang to the mainland has become the primary political task at all levels of Party committees and governments. Under the background of globalization, China is facing increasingly severe anti-terrorism situation. We need to conscientiously implement the general requirements proposed by General Secretary Xi Jinping in May 28th in the Second Central Xinjiang Work

Forum "to crack down on violent and terrorist activities as the focus of the current struggle, vigorously improve the prevention and treatment of early warning capability, and build iron bastions nets above and snares below". With this as a guide, the national anti-terrorism work leading group and the Ministry of Public Security jointly organized to fight against terrorist activities for a period of one year "with Xinjiang as the main battleground, and with concerted efforts", which cracks down on violent terrorist activities. The special action serves as an opportunity, gives full play to the cross regional cooperation against terrorism in the combat platform, improves early warning and rapid combat capability, and crushes the terrorist crimes in the bud.

### **Background of constructing cross regional anti-terrorism cooperation and significance**

So-called cross regional cooperation against terrorism refers to that in order to effectively prevent and combat terrorist activities through interrelated implementation across the administrative division, the administrative regions which are not subordinated function units or departments, take joint functional activity. In practice, the main unit of regional anti-terrorism cooperation can happen in the same clearly announced large administrative provinces, cities, and also can subordinate to different provinces and municipalities.

Current international terrorist activities have become increasingly rampant, and world peace and development face major challenges. Especially with the rapid development of global economic integration, Chinese enterprises go global rapidly, and corresponding terrorist threat level is on the rise. Looking at the domestic anti-terrorism situation, we find Xinjiang, China is in the arc region of northern hemisphere terrorist activities, and ethnic separatist forces funded by overseas organization are increasing and implementation of terrorist incidents of violence are increasing tendency to spread. The Chinese government and the Xinjiang Uygur Autonomous Region has been maintaining long-term pressure against the terrorist trend. On the one hand, the survival and development of space of the "East Turkistan" as representative of the "three forces" in Xinjiang is further squeezed, causing terrorist crime cost to increase gradually, and gradually reducing its influence. On the other hand, the ability to counter terrorism is relatively weak in inland area. With Beijing 10•28 as a symbol, violent terrorist activities spread from heavily controlled Xinjiang area to the vast mainland China. Xinjiang terrorism is no longer a frontier area, but national strategy. We must raise vigilance and pay close attention to it. At present, the key problem is to break the traditional rules of work mode, reform boldly and innovate, according to the viewpoint of value of modern policing needs. Mutual linkage and interaction with free territory resources should be formed. Integration of international and domestic parties' strength can bring together a variety of resources to break the regional limit, form anti terrorist struggle together as a whole and jointly respond to terrorist threats and challenges.

It is not only the trend of the times, people's expectations and hope, but also it is imperative.

(1) Cross regional anti-terrorism cooperation contribute to China's overall winning of the war on terrorism and achieving long period national stability. Through cross regional cooperation against terrorism, the overall national anti-terrorism capacity level will be further improved, which helps to break the regional administrative division and functions of the departments in the definition, forming a dragnet with concerted effort to have civil and military cooperation in the fight against terrorist forces so that the terrorists have nowhere to go and no exploits. How to actively build and strengthen cross regional cooperation in counter-terrorism, and how to take effective measures to eliminate terrorist organization on the survival of the soil, is the most urgent problem. Trans regional anti terrorist cooperation will undoubtedly enhance the level of anti-terrorism prevention ability across the country as a whole, and is conducive to the development of more effective anti-terrorism cooperation among all over the regions to achieve the overall stability of the country.

(2) Cross regional cooperation against terrorism helps release safety pressure brought by the anti-terrorism situation around China. With the gradual withdrawal of U.S. military forces in Afghanistan, and Pakistan, Russia began to lose its influence on the countries of the CIS. Pakistan, Afghanistan, Kazakhstan, Kyrgyzstan and other countries bordering China have many violent terrorist activities, which have become the new foothold of "East Turkistan" terrorist organization. In recent two years there are consecutive terrorist activities in Xinjiang, Yunnan and Guangdong areas which border South Asia and CIS countries, which influenced China badly. Cross regional cooperation against terrorism and the formation of political influence will dilute the strategic space pressure on China's frontier anti-terrorism disaster areas brought by increasingly rampant violent terrorist activities in South Asia and CIS countries, which can achieve effectiveness between national and regional counter-terrorism work effectiveness, and provide efforts in combating terrorism, separatism and extremism. In this regard, we have to roll with the punches, consider the overall international and domestic main battlefield against terrorism and make full use of trans regional counter-terrorism cooperation platforms to effectively combat fear and terrorism and achieve national security and stability.

(3) Cross regional anti-terrorism cooperation will help enhance the rapid response and joint attack. The terrorists carry out terrorist activities not for a city or a pool, but by means of violence terror to increase its influence. In order to achieve their purpose, they will choose the place and the people which are not attracting attention to carry out terrorist activities, so cross regional terrorist activities are very obvious; therefore, the fight against terrorism must be built on the basis of cross-border and cross regional cooperation. Cross regional anti-terrorism cooperation should focus on strengthening major anti-terrorism functional departments such as security, public security, railway, aviation, transportation, border defense, and military to work together and forming a concerted effort to improve the sharing of information, collaborative command, joint strike and linkage prevention as the main content of the work mechanism, which can firmly grasp the initiative in the fight against terrorism.

## **Basic principles of establishing inter regional anti-terrorism cooperation**

According to China's national conditions, cross regional cooperation against terrorism must have "unity of command, sharing resources, joint prevention and rapid strike" for the purpose. The member units should have "fast and efficient joint behavior, coordination and mutual assistance", as the primary construction standards in adhering to the basis of "normal, sharing, interaction and win-win" ; at work they should grasp the following basic principles.

(1) Party committee and government office and anti-terrorism office take the lead. This is the fundamental guarantee to carry out cross regional anti-terrorism cooperation. In the framework of the unified leadership of the Party committee and government and the current laws and regulations, we should give full play to the functions of anti-terrorism office , scientifically develop cross regional cooperation framework agreement, and establish normalization mechanism with unified organization at all levels of anti-terrorism office, and effective coordination of safety, public security, military and main anti-terrorism departments' active role in striving for all sectors of society to participate in anti-terrorism activities by unified command operations, unified deployment social resources, sharing information and intelligence, and efforts to enhance the cross regional joint prevention ability level.

(2) Considering overall situation and keep step with each other. Cross regional anti-terrorism cooperation should have a global view, and the overall view, and guard against local protectionism. In cooperation people should overcome the narrow idea of one standard, resolutely oppose protectionism and requirements of the member units to abandon the idea of safeguarding the interests of the local parochial. Member units should take fact as the basis, take the law as the criterion, not be driven by the profit, adhere to strict law enforcement, enforce the law impartially, and cooperate in concerted efforts.

(3) Active cooperation with each other. Cross regional member units must actively participate in anti-terrorism cooperation with unified action. Leaders at all levels should attach great importance to the people, and to maximize the positive support in technology, transportation, communication and other aspects.

(4) Normal cooperation and emergency linkage response. In accordance with the construction of regional anti-terrorism cooperation framework agreement, the establishment of normal work mechanism, timely consultation, regular meetings, information sharing, communication and other forms of work are conducted to strengthen the vertical and horizontal communication. We should establish a perfect major alarm communication channel, practice power of disposal and emergency plan, with maximum integration of information of professional and technical personnel, of supplies and equipment, of professional base and other social resources and sharing information resources. For regional urgent matters which need cross regional support, we should timely start unified cooperation mechanism with unified judgment and proper disposal.

## **The current basic situation of cross regional anti-terrorism cooperation and existing problems**

(1) The basic current situation of cross regional anti-terrorism cooperation. The establishment of regional police cooperation mechanism is not only the inevitable trend of the development of modern policing strategy, but also the inevitable choice to promote the innovation of modern police forces. In recent years, in order to promote effective regional police cooperation mechanism, regional police forces have established prevention system to protect regional social security and stability, which has achieved inter regional stability and safety. At present, China's police has yielded results in facing the new type of terrorist threat, in maintaining social stability, and promoting regional sustainable development of social security strategy. Since the year 2010, regional police cooperation mechanisms have been built in some northeast, round metropolitan area, northwest area and pan southwest areas; new policing cooperation mode such as multi police cooperation, multi sectional cooperation, cross regional joint enforcement has become more mature and orderly operation, which has been playing an increasingly important role in the maintenance of national security and social stability. Since the Beijing Olympic Games in 2008, the functional departments have been set up all over the country to prevent and fight against terrorist crimes in the cross regions, achieving significant results.

(2) Problems in the current cross regional anti-terrorism cooperation. In recent years, although we called out the slogan of the "war on terror with universal participation" the realistic meaning of cross regional cooperation against terrorism and the important role is less discussed. Some leaders do not pay enough attention, some people think that anti-terrorism are functions just for public security organs and has nothing to do with the regional department, and hold the psychology that each sweep the snow in front of the door, which induced a loophole in combating cross regional crimes, making the fear violence criminals exploit the opportunity. First, the leadership does not have correct knowledge of the situations. Some leaders do not recognize the importance of cross regional cooperation against terrorism, weak of the overall concept of national counter-terrorism work as "a game of chess." Narrow local protectionism and departmentalism are more serious. They think that regional counter-terrorism work is an extra thing, fruitlessly, which does not reflect the self achievement. At work they make concessions to avoid trouble and are perfunctory. Two is inactive coordination and cooperation. Some organizations are selective to cooperate. To those cases they think without problems, non destructive or profitable on the initiative, they will cooperate; to those which can cause loss of their own interests or the loss of their own development, they take the negative response, resulting in low efficiency of cooperation. Thirdly, there is not a sound mechanism. At present, cross regional anti-terrorism cooperation has been paid attention to by the party committees and governments at all levels, but it is still lacking in effective supervision and control mechanism, which makes it difficult to implement the mechanism of command and reward and punishment.

Moreover, there are too many collaborative links, cumbersome formalities, long operation cycles, which delays fighting. Cross area law enforcement investigators experience severe auditing and levels of transfer procedures, which not only waste the limited financial and material resources, but also missed opportunity for handling the cases. The fourth problem is that people do not cooperate in the case under investigating. Because the inter regional combat against terrorism and violence crime is easily interfered by various kinds of human factors, some localities and departments leadership often consider local and departmental interests and think that other regional police force arresting fear violence criminals in his own area will affect local social security reputation, which cause the tendency of protecting inner area when fighting outer area in the investigation and handling of cases, even as "umbrella" for the terrorist violence criminals .

### **Strengthening the research and practice of cross regional anti-terrorism cooperation——Taking the Northeast China police cooperation as an example**

Cross regional cooperation against terrorism is a complicated system engineering . The task of building not only relates to police itself, but also relates to various social functional departments of the party. In September 2010, under the high attention of Party and Government of 4 provinces (regions)and the Ministry of Public Security of Heilongjiang, Jilin, Liaoning and Inner Mongolia, the policing cooperation mechanism in northeast area is established in preventing and combating trans regional crimes involving terrorism and violence; coordinated and efficient work pattern of continuous innovation cooperation mechanism, expansion of cooperation and division of labor cooperation and complementary advantages was constructed, which play an important role in the maintenance of security and social stability in the northeast China.

(1)Constructing four work mechanism. One is the organization and leadership mechanism. Coordinated by the four provinces (autonomous regions) of the Anti Terrorism work, the provinces (autonomous regions) convened a joint meeting of cross regional counter-terrorism cooperation, signed a framework agreement, set up liaison departments and responsible persons, designated special liaison, and established normal work mechanism. They improve the work system and behavior regulations and make detailed work schedule and task time. By the work of the joint meeting, business exchanges, work results report, joint exercises and other forms, they form in the northeast region the overall development of trans regional anti-terrorism cooperation agency horizontally and vertically. Two is the daily management work mechanism. Around the current anti-terrorism situation and work tasks, we develop a set of cooperation, rewards and punishments mechanism, management of information sharing and exchange, major issues negotiation, cross regional transfer of police forces, emergency treatment program and other daily management mechanism, which forms a sound and strong organization, scientific reward and punishment system and perfect management system. We should further the investigation and study and the timely

correction of deviation, so that cross regional anti-terrorism cooperation system could be institutionalized and standardized. Three is the operating mechanism of the security work. Through organizing studies, visiting, field investigating, seminar, and files exchange, we can extensively develop multi-levelled, multi-channelled communications, which can enlighten each other and improve cooperation level. Organizing cross regional joint drills of fight according to close to the actual standard requirements can ensure that in case of major emergencies, the police are in dynamic and quick response, which can shorten the peacetime and wartime conversion time and win the initiative. Four is the online public opinion work mechanism. Establishing a network of public opinion judgment and control cooperation mechanism can realize the online public opinion information sharing, resource sharing and information cues interoperability, which can improve information online judgment, evaluation and disposal capacity, and form online struggle across the region together as a whole. The public opinion guidance and control of cross regional fear of violence should be timely controlled ; we should jointly do a good job in public opinion guidance and control by timely notification, and assisting in the disposal of cross regional online negative public opinion and harmful information so as to improve online public opinion judgment, coping, control and disposal ability and level.

(2) Setting up four working platform. One is related to the fear of violence information sharing platform. Establish inter regional counter-terrorism intelligence information resources sharing systems, by timely notification of important signs and warning information found at work which are unsafe, unstable terrorist incidents , which can actively promote local information system integration involved in fear of violence , and realize information remote query, information sharing and exchange function. Establish a regular consultation system for all kinds of intelligence analysis, information consultation analysis and hazard assessment. The establishment of effective exchange of information and information disposal measures and timely release of regional warning information provide scientific basis for effective prevention and control. Second is key personnel involved in fear of violence management sharing platform . Relying on information platform to achieve information resources sharing of key personnel basic information and activities involved in terrorism related atrocities, and the implementation of dynamic monitoring and seizing blocking control. To those Uygur suspects entering into the locality, and out of "four key personnel" in local area, the governments should work together to do a good job of search and control. Focus on the key figures on the Internet to carry out cross regional joint control, and to achieve seamless control between key personnel in the region. Investigate the activities of the key persons involved in fear and violence and to grasp the dynamic information, and the information of the exchange. Three is the platform for human resources. With imbalanced status of talents construction development from all over the world the establishment of cross regional cooperation against terrorism talent pool, can register especially those talents good at Uygur-Chinese translation, and those experts with qualification certificate of law enforcement and accident treatment and scientific research and technology. The fire rescue, anti-terrorism and anti riot and other sophisticated equipment and other resources gradually entered, which can implement

expert talent resource sharing, professional technology and equipment interoperability. Regular or irregular organization to carry out technical exchanges, intelligence seminar business and work experience promotion can promote transformation of theoretical achievements to police productivity. Cross regional partners in the event of major difficult problems can off-site use the police and be the first to call the other party senior experts to carry out cooperation in the fight against terrorism, who can provide guidance and help in technology and in solidarity and mutual assistance in the realization of coordinated development and common development. Four is a platform for exchange of experience. Make full use of national public security network anti-terrorism work platform, timely develop anti-terrorism front theory forum, typical violence and terrorism case analysis, terrorism related information and practical work skills tactics and promotion of the advanced experience of prevention and treatment of columns and provide each other with good experience and practice to learn and improve together.

(3) Achieve four linkage actions. One is to achieve a major security task linkage. During major security tasks, the main responsible anti-terrorism offices takes the lead, and other provinces send representatives to attend and establish security joint service command to implement the joint office, joint consultation judgment, coordination in solving related problems with unified command over the anti-terrorism department coordinated action. During the 2013 Twelfth National Games, Liaoning as a host province actively coordinates with the anti-terrorism offices of surrounding provinces (regions), strengthens anti-terrorism cooperation and coordination in the inter regional highways, waterways, railways, airports, customs, strengthen joint supervision involving Uyghur personnel and inter provincial passenger vehicles, dangerous chemicals transportation vehicles and, strengthen the briefing of inter provincial import and export quarantine interception, which prevents the key personnel, dangerous goods from flowing in, forming a bastion of iron ring around Liaoning to ensure the safety of the National Games. Two is to achieve the linkage fight against terrorist violence. Implement joint actions in cross regional fight against terrorist violence, especially in the case of cross regional network terrorism violence involving firearms and criminal activities. The regional office of the province hold cooperative work conference to combat cross regional crimes. The organization and implementation of cross regional special strike action curb the spread of terrorist crimes. To terrorist related violent crimes, the incident happening region can start trans regional counter-terrorism cooperation mechanism, carry out joint action from clues investigation, suspect capture, and remote rapid response, which effectively improve the Combat Cross - regional terrorism related violent crimes. Three is to achieve the linkage disposal of emergency events. In the case of occurrence of major emergencies when the regional power of disposal is not enough to quell the situation in a timely manner, anti-terrorism office in the case occurring province can establish temporary headquarters with unified command of police and cross regional police synthesis combat. In the strict implementation of the relevant provisions of the Ministry of Public Security, at the same time, in accordance with the principle of adjacent vicinity, provinces engaged should provide cross regional police officers, supplies and equipment, professional and technical assistance support to quickly quell the situation. Four is to achieve

the construction of preventive network linkage. Comprehensively use various measures and means to build cross regional cooperation prevention network against terrorism, set up resistance in key gateway and important sections, and regularly carry out trans regional counter-terrorism joint investigation. Joint handling of cases, joint action and investigation of special action can build cross regional full range counter-terrorism work, identify cross region fear of violence involving unstable factors and constantly improve the ability of prevention and treatment.

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# Logical Design of the Validity on the Combination of Anti-terrorism Strategies

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**Abstract:** Despite the use of a variety of counter-terrorism strategies, such as the USA's anti-terrorism war, Russia's anti-terrorism strikes, the EU's anti-terrorism intelligence, Israel's anti-terrorism prevention, but the effectiveness of these strategies is very limited. Logical analysis of the factors affecting the effectiveness of the strategies, can be divided into the following factors, namely: National, Religious and Government Regulation; Law, Arrest and Block Funding; Intelligence, Law Enforcement and International Cooperation and so on. Although it is stripped of analysis of these factors how to effect is even more difficult, but through the reasonable combination of strategies, such as contradictions based on the economic development of the resolving strategies, social management of positive prevention strategies and emergency response to crack down on design strategy, can to a greater extent to play the effectiveness of counterterrorism strategy, which is also the research purposes.

**Keywords:** Anti-Terrorism; Strategy Combination; Validity; Logic; Design

Terrorism is the world's cancer, in which the political ecology, terrorism can breed, spread, penetration and growth. Countries are committed to eliminate the threat of terrorism, but not only did not destroy the terrorist activities, and even in a specific time and space, 911 things and IS is its peak. In fact, as an ideology, terrorism is not possible, even if it has wiped out some terrorist organizations and terrorists. Therefore, a core logic problems often quizzing us, namely: the current anti-terrorism strategy combination which is more effective? In order to determine the real situation to, terrorist activities of the global distribution of increasingly prominent. However, the anti-terrorism measures is more closely, as if "the shield and spear of the contest, if can be summed up effective counter-terrorism strategy combination undoubtedly the parties have strong reference.

## **The Limited Effectiveness of Foreign Anti-terrorism Strategy**

The threat of terrorism is based on their respective political, economic, religious, historical, and cultural environment, so the "terrorism" is not a term that has a unified connotation. Western proverb says: "One person's freedom fighter is another person's terrorist." Thus it can be seen that the understanding of the word "terrorism" is not uniform, different classes or group has a different understanding, this is terrorism as ideology to the demise of the root. However, terrorist organizations, terrorists and terrorist activities after all to the nation and the public caused serious danger and real harm, so all countries without exception resorted to every means is committed to establish the anti-terrorism strategy. However, its effectiveness is very limited.

### **1.The USA anti-terrorist use of the form of war, the surface is strong and the actual effect is weak**

American as a super power in the world, it is subjected to a high frequency of terrorist attacks only for nearly 30 years. Prior to this, the United States is rare in the world of national security, at least in the United States is very few terrorist attacks. Since the U.S. invasion of Afghanistan, Iraq, is to invite trouble, not only the United States embassy was attacked several times (The bombings of the US embassies in Nairobi in Kenya and Dares-Salaam in Tanzania in 1998), and the United States also occurred in the deadly attack domestic terrorists from(In the 1995 bombing of the Murrah Federal Building in Oklahoma City),even the United States military targets actually attacked (The suicide attack on the US destroyer Cole in the harbor at Aden in 2000). This series of terrorist attacks in fact already demonstrated the intent and strength of the terrorist organization, it is in order to fight the national interests of the United States, you can go directly to attack the U.S. military, you can not hesitate to cause mass casualties, and said to do. But before this, is generally believed that terrorism "launched attacks against innocent people", so American troops to unscrupulous invasion of Afghanistan. Until 2001, the 9 / 11 terrorist attacks, the United States realized that terrorism has deluged in the world, it has a direct damage to the national interests of the United States, the destruction of the global strategy of the United States, threatening the national regime. So the United States to terrorist organizations and terrorists is no longer the use of criminal investigation means, but directly upgrade to the global war on terror, so this war is not without reason. In 2003, led by the United States to invade Iraq, one of the reasons is that Iraq has weapons of mass destruction, and it is possible that they are in the hands of terrorist organizations, even though the extent of the intelligence and threat of Iraq some exaggeration, but combined with the important background of major casualties caused by terrorist attacks, making the terrorist organization has such weapons of mass destruction intelligence is more credible. As the world's first military power, strength of the U.S. of course impeccable. It led directly to the Taliban regime in Afghanistan withdrawal and the Iraqi regime of Saddam Hussein's downfall. But terrorism is unable to be eliminated, leading to a more decentralized terrorist organization, once the opportunity again, the is is this the. In addition, terrorist attacks in the United States have changed, the

individual terrorist acts (campus gun case), the underground sabotage activities (marathon bombings) continue. This shows that the lack of a war in the form of counter-terrorism strategy, resulting in terrorist organizations or individuals at risk to attack all kinds of targets.

## **2. Russia's anti-terrorist attack, but it is a very risky**

Russia's terrorist organization is the historical succession, and is closely related to the religion, especially the Chechen problem in which, resulting in terrorist activities in the territory of Russia, especially, in 2004, for example: February 6, the Moscow metro trains occurred terrorist bombings, 40 people were killed, more than 130 people were injured; 5 September Russo Chechen capital Grozny's dynamo stadium exploded, 53 people were injured, seven people were killed. Including Chechen President Ramzan Kadyrov, Chechnya, President of the Council of state isaev, August 24, from Moscow Mo Jie DOVO airport takeoff of the two aircraft were terrorists planted a bomb to blow up and 90 passengers and crew were killed. In September 2003, more than 30 heavily armed terrorists rushed The first secondary school in Russia South Ossetia Republic Beslan, hijacked the students, teachers and parents, the hostage crisis continued for nearly three days by 333 people killed, including 186 children. The Russian government of course understanding to the Chechen problem is the product of hundreds of years ago Russia during the colonial military policy, and Islamic extremism has a close relationship, and currently by the initial ethnic contradictions gradually evolved into central government and local separatism against, by domestic problems gradually evolved with some international interests conflict, by a violent resistance gradually transformed into armed confrontation of terrorism, the Chechen problem is almost impossible to solve. So the Russian government of Chechen rebel leader "targeted killings", the Chechen armed military strikes ". However, the rival political and religious differences, ethnic separatism and historical inheritance of the Chechen armed groups as a "terrorist organization "is not appropriate, Russia's strong anti terrorist attack strategy cause involves too wide, especially associated with the Chechen armed groups of individuals, families and groups, when their interests in the Russian government's anti terrorist attacks and implicated. They are also forced to participate in the struggle, whether (black widow) women or children. Therefore, Russia's Anti Terror strategy to combat the lack of national identity, can only be effective in the armed confrontation, and once the terrorist organization and terrorist hiding in the masses, this way to fight against the loss of target and failure.

## **3. The EU's Anti-Terror full use of information, but it is in the event, can not prevent**

European countries are highly social and open, especially the economic integration of EU Member States, especially in the common law enforcement environment (International Criminal Police, the OSCE), not only the security of a country's social security, but the whole of the United States. Based on this state, terrorist organizations also cannot antagonize too much, everywhere attack, moreover in emigration, EU Member States after all is the ideal shelter. So, terrorist organizations can choice some representative

countries attack behavior, its purpose is not really an attempt to subvert regime. Therefore, France and Germany have the misfortune to be the country of choice for terrorist attacks. But the British suffered terrorist attacks is more complex, many times with the United States war factors, and Northern Ireland (IRA). Fortunately, the information system more perfect, after the occurrence of terrorist activities, the EU internal management mechanism can be no barriers to cooperation in law enforcement and judicial cooperation, but intelligence network tentacles are often associated with the privacy of citizens is connected, in spite of the victims of the EU and the United States of America "prism", but the EU information system is also involved in the. And because of the secrecy of the terrorist organization and closed, the traditional means of investigation is difficult to obtain timely and accurate information, resulting in some inaccurate information is as reliable intelligence (2015 Braunschweig, Germany, cancel the carnival), but caused panic among the public. In addition, due to the vast majority of the time there is a serious intelligence behind the terrorist attacks are often true after the police have not mastered the relevant information, resulting in the European Union in the anti terrorist intelligence strategy is usually an ex post to check the way, although the reduction of the next terrorist attacks, but can not advance guard.

#### **4. Israel has a good defense against terrorist attacks, but there are loopholes**

Israel's policy of terrorism is experience, some scholars believe that Israel's security is the first in the world, but because of Israel's terrorism long-term and national, religious, ethnic and racial groups, terrorist activities more to the explosion, shooting, collision, violence and other ways, all the people in Israel to participate, and other countries can not be cloned. For Israel, the military and the police in the first line of emergency disposal capacity is very good, the anti terrorist work in many countries are useful, especially Israel's anti terrorist measures and not too much influence people's lives, the social rank order of Israel does not appear chaotic phenomenon, the army and the police division of labor close, this is very good. In addition, Israel's security checks are very strict, especially the airport and port of entry, Israel's civil aviation for so many years has not been a terrorist attack.

### **Factors Affecting the Effect of Anti-Terrorism Strategy**

The effectiveness of the anti terrorist strategy is difficult to calculate, but it can be found to influence factors, they are:

#### **1. National, Religious and Government Regulation**

Terrorism is a complex historical topic, but we are more concerned about the recent terrorist attacks. However, if not the current terrorist activities in the angle of history and geography to consider, terrorism cannot be understood why. Traditional terrorism is and nationalities, religions are closely linked, if there

is no ethnic and religious issues, the traditional terrorism won't exist for a long time, terrorism is also various groups as a special political tool (political violence). Therefore, to understand the national, religious problems help to put forward suggestions on anti terrorist action. Some governments ignore the problem of ethnic and religious issues, in an attempt to address terrorist organizations and terrorists with a simple means of violence, and of course not to be resolved (Sri Lanka Tigers). There are two forms of terrorist activities: one is domestic terrorism or violence organization, such as Iraq, Indonesia, Japan and so on; the other is foreign incoming terrorism, such as Germany, France, the United States and so on. Apart from religious factors, this phenomenon is closely related to the government regulation, the general government has a strong economic foundation, the government can be fair, terrorism will not come from within. In addition, there is a transformation of modern terrorism, some of the terrorist acts without political demands, such as the shooting of the United States on campus.

## **2. Law, Arrest and Block Funding**

Terrorism is bad, as long as the discovery of terrorist activities, it should be law enforcement. But the legal norms, which belong to terrorist activities, terrorist organizations and terrorists, the law must have a clear boundary. However, the nature of terrorism is an ideological category, terrorism should focus on prevention, but this person if there is no action, you can put it into the blacklist. In addition, the economic survival of the terrorist organization through drug trafficking, gambling, money laundering, looting, theft, financing and donations, as long as the cut off the economic sources of terrorist organizations, the confiscation of income, the prohibition of support and asylum terrorist organizations and terrorists, the natural terrorist organization is not rich, visible through the financial means is one of the effective means to prevent and combat terrorism.

## **3. Intelligence, Law Enforcement and International Cooperation**

Intelligence is the core the anti terrorist, in view of international terrorist organizations of regional exchanges have become more frequent, network and telecommunication means more convenient, makes intelligence collection is not easy. Sometimes due to the territorial jurisdiction and personal jurisdiction, are often unable to share intelligence; and the world hold mechanism method different such as army and police, resulting in the exchange of information is very difficult, unable to realize data sharing. In this regard the United States and the European Union to do better, they built a database and data platforms, such as the United States has specifically for the anti terrorist action database JTTFs and ISE, federal police chief operating criminal justice information library CJIS and law enforcement online system LEO, as well as local information sharing system RISS and ISACs; The EU member states of the International Criminal Police Organization and the European Criminal Police Organization Coordination, can more smoothly sharing information. In law enforcement collaboration and cooperation, the International Criminal Police Organization's red warrant only in member countries and regions, or only use diplomatic means to urge, or

only through bilateral or multilateral agreement. Therefore, the anti terrorist strategy is often because of the national barriers and no avail.

## **Effective Anti-terrorist Tactics Combination Design**

In view of the effective anti terrorist tactics, it is necessary to pay attention to the social conflicts in the design of the Anti Terror strategy, eliminate poverty through economic development, eliminate terrorism from the source, and take the Anti Terror work as a basic content of social management. It is the best way of social management.

### **1. Based on the economic development of the resolving strategies**

Although criminal activities and social development has nothing to do with the debate has been a long time, but there is no denying the fact is: in the period of economic growth and social equity, terrorist activity was significantly reduced. Historical experience and logic judgment, when people can live and work in peace and contentment, who participated in terrorist activities will only is one of the few, unless external (religion, cultural movement), so the more in the unrest in the country, a terrorist organization more faster. Some scholars had compared the China of "Xinjiang independence" and "Tibet independence" and found the Tibet security than Xinjiang better more, of course, there are many factors, but in Tibet in recent years, the rate of economic growth and the employment index better. Therefore, the eradication of the basic measures for terrorist activities should is to improve productivity, popular science education, fairness and justice, advocate of modern life.

### **2. Based on social management of positive prevention strategies**

Country is highly organized groups, the police organization in the legal system of the society has been as the tools of violence exists, has a relatively mature security management system. In this kind of social management system, the police and the public is community of interests, especially in China, the prevention and treatment of agency will security comprehensive management network makes the whole social security prevention costs remain at a reasonable level. If give up the mature network security and as the United States that reorganization of the "Department of homeland security, not to say that wrong but increased security costs. Public policy can create a breeding ground for terrorists, it is also possible to weaken the terrorists. Therefore, the government's actions related to the success or failure of terrorist activities. At present, the police and community policing as the basis of the grassroots security entities have the ability to find information, and the mass line has been China's best quality, lowest price, the most common police resources, social management is to provide a safe, sustainable living environment, so the central task of social management to build an active prevention strategy, will involve ethnic conflicts,

religious hatred and civilization conflict and other easily lead to conflict resolution, is a more practical choice.

### **3. Based on emergency response to crack down on design strategy**

In order to solve the problem of war, it is often aggression and hegemony. Besides, the conflict between ethnic groups, civilization and religion has never been solved. In addition to understanding, communication and negotiation, the most common way is through legal channels. Like disciplinary strategy of anti terrorism is the most serious criminal behavior, of course, should be strictly in accordance with the law on terrorism cases investigation, prosecution and trial, the severity of the criminal judicial procedure, perfect law, therefore we can set up a separate Anti Terror law, detailed provisions of the terrorist organization, anti terrorist force, anti terrorist and Anti Terror of rewards and punishments. Second is in the judicial process to torture and capital punishment and other top grid way to dispel terrorist organizations and terrorists expectation value, so as to strengthen the anti terrorist laws and deterrent force. Finally in the law enforcement work to professional strength (SWAT) disposal of terrorist activities, can not be taken lightly, avoid the Manila hostage event like the professional dispositions to act.

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# A Study on Migrant Muslim Social Integration in Zhejiang from the Perspective of Extramalization

Shao An, Hu Wangyang

**Abstract:** This year the anti-terrorism situation is becoming serious in Zhejiang. We must prevent the extramalization risk which is caused by migrant Muslim social integration. According to the macroscopic evaluation framework of PESC, This research develop the evaluating indexes of migrant Muslim social integration in Zhejiang, which have four dimension and 15 secondary indexes. data analyse show, four dimension's score order is "Economy & Income > Religion & Culture > Social Capital > Mental Belongingness". As a whole, the coming of migrant Muslim in Zhejiang are rather nice, but the degree of mental belongingness is very low. At last, This research offers some policy proposal on strategic planning, personnel education, enculturaton and so forth.

**KeyWord:** Extramalization; Migrant Muslim; Social Integration

## 1. Introduction

BeiJing "10•28", KunMing train station "3•1" and WenZhou "7•24" violence terrorism cases indicate violence terrorism activity in China have these characteristics of region-enlarge, frequency-accelerating, violence-severe. These cases had exposed that foreign terrorist forces have demagogued and commanded the terrorists in China, and also have instigated the Muslim masses to be Extramalizing. As it were, there was the most serious terrorism threat since 1949.

As the developed littoral and great province of population mobility, ZheJiang have 24030,000 floating population in 2013, which contain 2090,000 minority floating population and account for 8.72 percent of the floating population. There are more than 60,000 Muslim floating population in which foreign Muslim account for about 30 percent, and there also have 1000,000 floating person-time annual. These Muslim witness the developing of wholesale market economy in Zhejiang, who also become the object that terrorists covet. Some terrorists have tried to slip into somewhere in ZheJiang, laundering money, and raise fund by cover of business, recruit new member actively. Now, ZheJiang have become the anti-terrorism frontline apparently. Cases show the Extramalization and violence have soil to multiply only if drawing

support from local Muslim. The people that their Social Integration are low are more easier be demagogued by terrorists. Moreover, a lot of researches found there exists the low degree of Social Integration between Migrant Muslim and local society (Li Ji He 2014).

As a place which live many Muslim, Yi Wu, Tongxiang and Keqiao how to deal with the potential risk. Further, G20 summit 2016 and the 19th Asia Games are coming soon, ZheJiang will face more serious security challenge. Therefore, we need to know the truth of Migrant Muslim Social Integration In ZheJiang.

## 2. Literature review

Social Integration are interact process of contact, compete, conflict, adapt between Migrant and local people. There are three main perspectives, the first is social adapt theory, include social level, social level, culture level, mental level. (Sunyan 2014). The view of culture conflict attracts a lot of researchers. The second is point of massive interact. One hand is the relationship between Migrant and local people, another hand is the relationship between the later Migrant Muslim and the former Muslim (Samuel 2011; Edward 2007). The third is perspective of individual factors, such as age, period, income, language, type of job, etc. (Wubijun 2014).

Negative effect that be brought by the low degree of social Integration are as below. First, the low will lead to dualistic social structure of "Migrant and local people", which aggravate culture opposite (Gezhuang 2011). Second, the low degree of social Integration make these people.

More easier to be marginalizing. Meanwhile their social belongingness sense are decreasing (Xuyinyin 2010). Third and last, these Muslim more tend to exclude real society, and incline to resort support and console from religion (Wang Ya 2012).

In quantitative study, relating researches is rather rich, and most place flock Muslim have been investigated. At present, the evaluating indexes system of Migrant Muslim Social Integration have two type, one is stem from sociology, and be adjusted according to different researches (Jifangtong 2011). Another is rather highly subjective, and lack theory support to divide dimension (Changfeng 2014). The above-mentioned achievements and deficiency is just the basement and point of my research.

## 3. Developing the evaluating indexes system

Base on the connotation and extension of Social Integration, Research Group refer the evaluating frame of PESC, according to the four respects of Political, Economic, Social, Culture, construct the first round indexes system that contained four dimension of Economy & Income, Religion & Culture, Social Capital, Mental Belongingness, and 15 secondary indexes. In order to decrease subjectivity and enhance objectivity, we apply the membership analysis to the first round indexes system.

We choose 12 experts from university, public security department, religion management department. And we give the experts the first round indexes system contained 18 indexes, and ask them pick out 14 indexes. Result show there have three indexes should be deleted because their membership coefficient are

below 0.5(see table 1).And construct the second round evaluating indexes systemA(2)(see table2).

**Table 1 the 3 indexes which be deleted for under 0.5 degree of membership**

Dimension	Indexes	degree of membership
Economy & Income	Time of Career	0.405
Religion & Culture	Diet culture	0.368
Social Capital	policy on minority nationality	0.396

**Table 2 The second round evaluating indexes system A(1)**

Goal	Dimension	Indexes
Migrant Muslim Social Integration In ZheJiang	Economy & Income	Annual Income
		business stable
		job normal
	Religion & Culture	convenience for worship
		atmosphere of worship
		Satisfaction of Government' Religious policy
		exclusion of Religious culture
	Social Capital	local friend proportion
		participating in local community
		language level
		Political ecological environment
	Mental Belongingness	Willingness of long term living
		Family completeness and reunion
		children education
		Aid in difficult

#### 4. Date collecting and Statistical analysis

(1)Participants

by the principle of random sampling we have survey 60 Muslim from Shaoanxing City and 64 Muslim from Yiwu City and 60 Muslim from Tongxiang City. The sample’descriptive statistics are as below.

**Table 3 descriptive statistics**

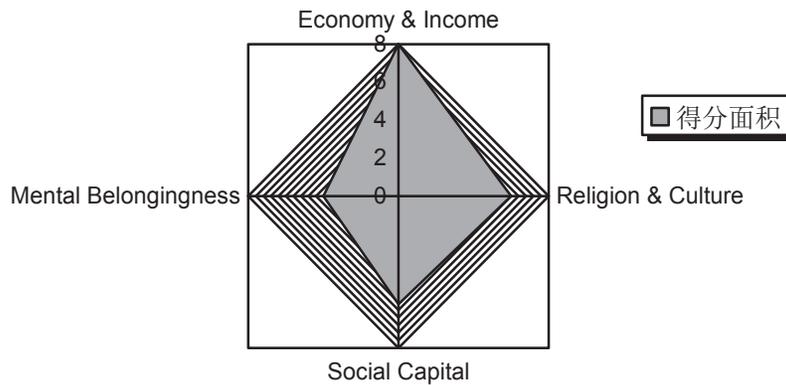
	option	number people	percent
Sex	male	162	88%
	female	22	12%
Age	Under 20	10	0.05%
	20—30	36	0.19%
	30—40	64	0.34%
	40—50	58	0.31%
	Above 50	16	0.08%
Educational background	primary school	18	0.09%
	Junior middle school school; junior high school	44	0.23%
	Junior high school	72	0.39%
	University	25	0.27%
Time of local living	3—6 months	6	0.06%
	6—12 months	19	0.20%
	1—3 years	41	0.44%
	Above 3 years	26	0.28%

(2)Dimension statistical analysis

Now, we have take non-dimensionalizing to all the indexes by the Utility value method. For convenient, the Utility value range is from 0 to 100. The compute formula is as follows:

$$V_{ij} = \frac{X_{ij} - X_{imin}}{X_{imax} - X_{imin}} \times 100$$

And the analysis in dimension level show,the order of four dimensions score is “Economy & Income >Religion & Culture> Social Capital > Mental Belongingness”. As it were, Migrant Muslim In ZheJiang have rather nice income,but their Mental Belongingness is rather low.

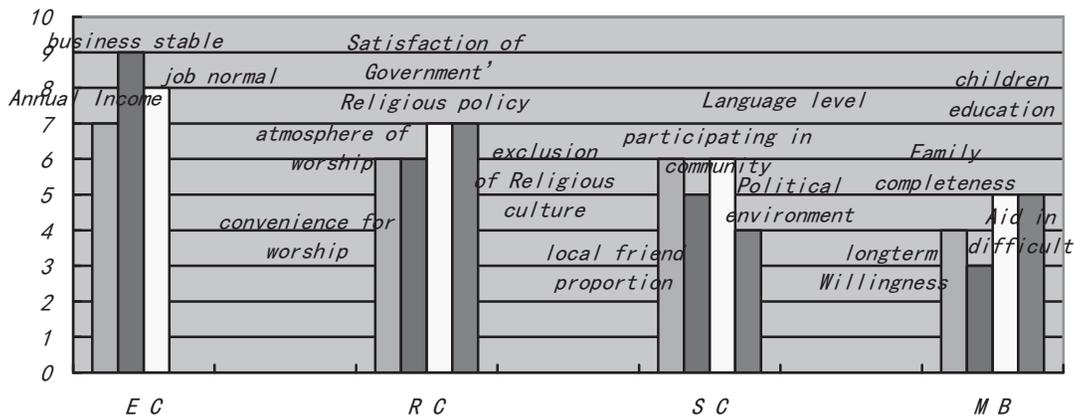


**Chart 1 Score order of four dimensions**

In fact, the four dimensions are interactive and interdependent. Economy is the base of living in city; religious life is also base of social integration, because Islam is not only faith for Muslim, but also their life style. The social level is more senior, which reflect the width of integration. Mental level is symbol of integration of deep. Therefore, the process of Migrant Muslim Social Integration is from Economy & Income, Religion & Culture, and Social Capital to Mental Belongingness successively.

(3) Indexes statistical analysis

The result in secondary indexes show, Annual income, business stable, job normality have all high score. economic benefits is the most obvious incentive for Muslim to migrant.



**Chart 2 Secondary Indexes statistical analysis**

Convenience for worship, atmosphere of worship, Satisfaction of Government' Religious policy has a good condition, but the "exclusion of Religious culture" indicates the Muslim Religious cultures are not accepted well by local resident.

As show in the social captain dimension, although the immigrant Muslim will have more and more non-Muslim friends, they are seldom going to participate in community activities. That is to say, the local won't invite the Muslim neighbour to join their party. And more Muslim has more willing to learn Chinese.

In the dimension of Mental Belongingness, the most important index, Willingness of long term

living, have a very low score. That means a lot of Muslim want to go back to their hometown in the near future. The other three indexes of Family completeness and reunion, children education, Aid in difficult also have rather low score. For parent, children education is quite vital, but they are not satisfy with the current condition. Some Muslim are not live with his family in ZheJiang, so they often miss family and fell alone.

## 5. Policy proposals

Since The Reform and Open, ZheJiang have been discovering the economic mode of "low cost, good market", and constructing the develop templet of "Safe ZheJiang". Face the huge terrorism threat, We should raise the immigrant Muslim mental belongness, rise social integration systemically, Maintenance the image of YiWu etc. Accordingly, the research group put forward the eight proposals as below.

(1) strengthen the top-level design, draw up "plan of Migrant Muslim Social Integration In ZheJiang"

Raising the Migrant Muslim Social Integration has conformed to the Extramalization situation. Make sure the Migrant Muslim can live and business safe and sound. Governments should put it on the schedule, suggest one vice governor lead relating government departments to establish the lead group and the research group, going to design strategy plan from the respects of goal, emphases, direction. and drawing up "plan of Migrant Muslim Social Integration In ZheJiang" based on the survey, the plan should confirm work phrase, support system, responsibility and personnel, etc.

(2) Heighten the democratize level in religious management, enhance morals to official and imam

First, it is necessary to allow more people of different age, sex, and social rank to join the managing committee of religion. and government religion management department could give more self-government power to the civil managing committee of religion.

Second, further enhance the morals and abilities of official. the relation between government and self-government should be more regular, avoid official discriminate Muslim.

Three, imam should have been ask to know the significance of social integration, should have more distinctive attitudes about terrorism and Extramalization, should have ability to guide believer to distinguish and resist the religious extramalization.

(3) Make the Online and offline Chinese learn environment, pave the output load of ZheJiang culture

As a information system, language have play a vital role in the social activity. More high level language, more easy to integrate the local society. Nowadays, more and more Muslin want to learn Chinese. So, we should create more convenient to learn language, add more schools and teachers. Government could edit teaching materials and make the VCD and give out for free. Meanwhile, construct the online network, set some forum, extend self-study space. In another hand, the contents of language course can reflect ZheJiang custom, landscape, arts... that sort of thing. Also make some micro film that teach the trade knowledge and commercial rules or tell people the true moving thing happened around them. All of These course recourses are open and free to everyone.

(4) More introducing Muslim culture to the local, promoting dentification among various nationalities

As a whole, city residents have still keep at a distance from migrant Muslim. One is the problem stem from migrant Muslim self, another is some city residents have lack the right and objective know to migrant Muslim. So, we should introducing More Muslim culture to the local, especial in music and dance form. and sport can beyond nation, religion, region and so on, therefore we could hold sports game, invite and motivate Muslim sports enthusiast. last, food and clothing are also important form to communicate with each other. One example is holding the “stretched noodles” match.

(5) Optimizing environment of child education, help the second generation Muslim growing up

Data shows family members of migrant Muslim is becoming increase, the great proportion is children and teenage. children and teenage are future of family. as the culture and language, the second generation Muslim’ education face various difficult. We suggest government should publish special policy and transfer financial fund to support these policy. and encourage civil school of Muslim education. in a word, this is in favor of the second generation Muslim to growing up.

(6) Building the mechanism of neighbour keep-watch, shape the image of “YinWu Uncle”

The mechanism of neighbour keep-watch is community volunteers and police together prevent crime, which play a quite useful role to maintain the public order and safety. We also need similar mechanisms to cope with terrorism threat. In fact, Chinese government always has emphasized the strategy of masses. Such as “ChaoYang” “Westcity aunt”. ZheJiang can shape the “YinWu Uncle” image. which is symbol of goodness and kindness.

(7) Arouse Muslim’ anti-terrorism power, creating a strong anti-terrorism opinion mood

Terrorism is the common enemy to all human beings. No one can ignore the Muslim’ anti-terrorism power. In Europe case, Muslim is the most serious casualty. Now, terrorists advertise the religious extramalization, such as “heathen”, “jihad” etc. So, we should disseminate the orthodox Islamism doctrine in more breadth and heft and depth. And relating departments should edit handbook and make video, teaching how to recognize terrorists quickly, and issue “the rule on reward people for report information”.

(8) Constructing terrorism risk evaluating model, building the ZheJiang terrorism risk synthetical index

Since “9.11”, Americans pay more attention to analyze risk of terrorist attack. Connecting the information, previous this case data, specialist opinion, circumstances the attack circumstances and consequence, and all down to risk evaluating model. So, we suggest invite professional team to construct anti-terrorism data base, and compute the quantization model. on this basis, draw up three-dimensional map of terrorism risk. And calculate the synthetical index of terrorism risk in ZheJiang.

## 6. Conclusion and further studies

As a important task at national anti-terrorism in 2015, eliminating the religious Extramalization is long term and arduous. We should rely on people, raise the migrant Muslim social integration. in the next step, research group will add number of sample, optimizing evaluating index, calculating the weight

coefficient.

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# Some Hints from US Anti-terrorism Intelligence Work to Establishing China's Anti-terrorism Intelligence Mechanism

Zhang Chengxian

**Abstract:** China faces very serious antiterrorism situation. After 911, there're very through changes in US: strategic antiterrorism documents, laws and regulations have been issued to secure intelligence collection systematically; intelligence authority has been reformed to collect, coordinate, and handle information more effectively; information share mechanism has been established; the standard of intelligence information and the process of collecting, analyzing and handling intelligence have been made clear. The intelligence progress made by US can offer the followings to establish anti-terrorism intelligence mechanism in China's police authority: establishing laws and regulations, building anti-terrorism information system, strengthening coordination, and establishing the standards and procedure for intelligence information.

**Keywords:** Anti-terrorism in US; Police Authority; System Construction; Hints

March 14th accident in Tibet in 2008, October 28th Tiananmen Terrorism accident in 2013, March 1st Kunming Yunnan Terrorism Accident in 2014, the June terrorism accident in Shache, Xinjiang in 2014, the January Terrorism accident in Shule, Xinjiang in 2015, the occurrence of all these terrorism accidents reveals the followings: 1. China is facing increasingly serious situations in the fight against terrorism; 2. The terrorist attacks had been extended from border area of Xinjiang to inland of China, such an extension increases the fears of the whole country with extraordinary harmfulness; 3. The intelligence work plays a crucial role in preventing and attacking terrorism. Intelligence is an important platform to prevent and attack terrorism in time, which is a crucial element to promptly handle terrorism activities occurred or to be occurred, to safeguard the life and property of the public, and to gain the victory of anti-terrorism war. Police is the main part of anti-terrorist work, but there're many problems in sharing of intelligence information, such as no effective coordination mechanism among all anti-terrorism authorities, no unified

technical standard, and limited anti-terrorist intelligence sharing, etc. Therefore, it is very urgent to establish the anti-terrorists intelligence mechanism among police authorities in China to make up for all the shortcuts in anti-terrorists intelligence work.

After the ‘9•11’ terrorism attack, US made the anti-terrorists strategy led by intelligence, and very through change occurred in anti-terrorist intelligence work. It is very effective after the change of anti-terrorist intelligence work, there’s no such heavy terrorist attack in US. We can learn from US practice. This article introduces current US anti-terrorism intelligence work, and proposes advice for China to improve its anti-terrorism intelligence work, with the hope of offering theoretical supports for establishing antiterrorism intelligence mechanism in police authorities in China.

## **Issuing strategic documents, laws and regulations to offer systematic support for collecting intelligence**

### **i. Issuing Anti-terrorism Intelligence Strategy**

US formed a very through and complete anti-terrorism strategic system. This system covers several documents issued consecutively: National Security Strategy (which focused on establishing United States Department of Homeland Security, to strengthening the pre-warning capacity of intelligence), National Strategy for Combating Terrorism(which legalizes anti-terrorism actions, puts anti-terrorism work in detail),National Counterintelligence Strategy(which stipulates that the approach orientations of attacking before the opponent taking actions in state anti-terrorism intelligence work, ), and National Intelligence Strategy.

### **ii. Passing USA Patriot Act**

The most remarkable characteristics of USA Patriot Act is extending the power of anti-terrorism intelligence work and sharing the intelligence between the Intelligence authority and the executing authorities. USA Patriot Act empowers the executing personnel to investigate intelligence without the supervision from the judicial system, which includes tapping and supervising, check citizens’ network information, investigating citizens’ personal information without prior consent, and storing the citizens’ personal information into their database. USA Patriot Act connects the work and authorities of the domestic criminal investigation and intelligence investigation, that is to say, when intelligence investigation targeting one part of someone’s life as the working field of criminal investigation, the executing personnel shall tap or search the suspect(s), and at the same time, the criminal investigator shall suggest the intelligence authority how to carry out further investigation.

### iii. Passing New Migration laws and Regulations

The Enhanced Border Security and Visa Entry Reform Act requires the following in intelligence collecting and sharing:

1. Intelligence authorities should share intelligence with Immigration and Naturalization Service and United States Ministry of Defense.

2. State Council and Immigration and Naturalization Service shall share foreign people's visa documents in the form of electronic intelligence, and secure these documents can be used by US border migrants' procurators.

3. The database and database system in Immigration and Naturalization Service shall form a complete 'inner data sharing system', and a supervision group shall be formed to supervise the system.

4. A complete 'US Exit and Entry Registration System shall be established. Such a system aims to register all entries to US by foreign people with a visa. It allows the Immigration and Naturalization Service to apply biological identification tool and more hi-technology on passport and visa to enhance its anti-forgery function. When there's entry from foreign people, the custom can apply relating technologies such as digital photo analysis, fingerprint detection, retina identification and so on to identify the real people in accordance with the name, birth date, and visa of the person to be entered, such an approach shall minimize the possibility of the illegal use of the visa by other people in entering US.

There're similar regulations aiming at foreign visitors with non-immigration visa entering US. I am a visiting scholar at US now, therefore I concern how US controls foreign people with similar identity. For foreign students and visiting scholars studying and visiting at US universities, there's a unique 'Foreign Students and Visiting Scholars Information System'. This system offers an one-stop service for foreign students and visiting scholars entering US: from visa application, arrival, university registration, change of visa type, travelling in US, to departure from US. This system records all the movements of foreign students and visiting scholars in US. Via the system, Department of Homeland Security, port of entry, State Council and its embassies, and universities accepting foreign students and visiting scholars can exchange information.

5. The background of the visa applicant shall be strictly examined. In visa management, in accordance with US laws, the visa officer in US embassies has to examine the applicant's background before granting the visa. The visa officer has to log in the 'Consulate Examination and Supporting System', which records the information on terrorists and their supporters, drug dealers, international criminals inputted by US State Council in accordance with the intelligence offered by US intelligence system. Now there're about 15 million data records about those people in this system. For some students and visiting scholars from certain countries, US visa officer should further examine their background in consulting the records in systems with the nicknames of 'Vultures' and 'Mantis'. US embassies become a frontier to prevent the terrorists. The strict examination of visa application for foreign people can reject the persons with terrorism risk from entry, at the same time, the collection of visa and entry information shall help to

supervise and control foreign people after their entry to prevent them from carrying out terrorism or other illegal activities under the cover of lawful identity.

US also utilize migration preferential policies to get terrorists intelligence.

## **Reforming Intelligence Agencies to Effectively Collect, Coordinate and Handle Intelligence**

### **i. Agencies Reform**

1. Department of Homeland Security was established. This department consists of five main sub-departments, that is, Border and Traffic Security Bureau, Emergency Preparation and Action Bureau, Scientific Technology Bureau, Intelligence Analysis and Infrastructure Security Bureau, and Management Bureau. In addition, other relating departments were transferred to this department, which includes Coast Guard, Secret Service (originally belonging to the Finance Ministry), and Immigration and Naturalization Service. There are about 1840,000 employees in Department of Homeland Security that is the third largest agency in US federal government. The Intelligence Analysis and Infrastructure Security Branch combines all intelligence and infrastructure protection authorities in federal agencies such as former Federal Investigation Bureau, Defense Ministry, Commerce Council, State Standard and Technology Association, Energy Department, and General Services Administration, to focus on intelligence analysis altogether. The major task of Department of Homeland Security is to secure the domestic security in US, accumulating all terrorism intelligence aiming at homeland of US, analyzing and exchanging these intelligence, and issue pre-warning information on terrorism threats in accordance with these the result of intelligence analysis.

2. State Anti-terrorism Intelligence Center was established. State Anti-terrorism Intelligence Center is responsible for intelligence analysis work with the following major tasks:

(1) To treat, analyze, and combine all intelligence held by US Intelligence Community all terrorism and anti-terrorism.

(2) To carry out strategic planning on anti-terrorism activities.

(3) To command anti-terrorism combat.

(4) To save all intelligence on terrorists and terrorism group. Anti-terrorism Intelligence Center belongs to Director of State Intelligence Bureau, all its employees come from different agencies, and they work together, share intelligence and analyze and accumulate intelligence.

3. To reform Central Intelligence Agency. Several thousand of agents and intelligence analyzer were recruited to enlarge CIA by one half. Till now, there are at least about 17,000 employees for CIA, of which, there're 4500 secret agents. The State Secret Operations Division was established in CIA to integrate the intelligence operations of CIA, FBI, and Pentagon.

4. To establish the position of Director of State Intelligence Bureau. Director of State Intelligence

Bureau has the power of finance and personnel within the whole intelligence system, who is the head of the intelligence system to realize the full integration and coordination of the intelligence community.

5. To establish special intelligence agency in Department of Defense. Strategic Support Agency was established to collect intelligence secretly in other countries. Intelligence & Security Headquarter, as part of Department of Defense, established intelligence Full Identification System. It is stipulated by Department of Defense in its first homeland security and civil support strategy that a special terrorism intelligence specialist analyzing group was established in state defense intelligence field, some members of the this group shall be sent to work in homeland defense and anti-terrorism.

6. To reform FBI. FBI experienced reforms in organizations, capacities, and cooperation as follows:

(1) Anti-terrorism department was reconstructed. Deputy Director of anti-terrorism affairs was appointed to be in charge of the whole country's anti-terrorism plan.

(2) The capacity of analysis was enhanced by the followings: first, to increase analysis personnel; second, to establish Analyzing Institute; third, to enhance the capacity of analyzing the terrorists' fund collection and communication.

(3) To enhance intelligence sharing. The sharing mechanism includes: first, to share intelligence among united anti-terrorism troops; second, to establish intelligence office; third, to establish intelligence publications; fourth, to establish frequently updated comprehensive intelligence application database; fifth, to establish file management department.

(4) To improve technology as follows: first, to propose 'three steps plan' to offer corresponding devices to foster intelligence exchange among different authorities; second, to enhance the inner sharing on confidential and sensitive materials; third, to establish standard PC working environmental; fourth, to propose 'Terrorism Intelligence and Defense System Plan' by Ministry of Justice and FBI; sixth, the database of 'known and suspicious terrorists' to be established by terrorists identifying center under FBI to achieve the sharing of anti-terrorism intelligence.

The reconstructed FBI aims to prevent and combat terrorism.

7. To establish anti-terrorism financial intelligence division under Ministry of Finance to cut off the flow of fund to terrorists.

## **ii. Characteristics of Organization Reform**

### **1. Sorting the leadership between different levels in order**

US intelligence system is a very large system consisting of 16 agencies such as CIA, FBI, State Security Bureau, and Intelligence Bureau of Ministry of Defense. Before 2004, the director of CIA is the head of US intelligence system, and he only got very limited power on collecting intelligence. After 2014, the director of State Intelligence Bureau became the head of US intelligence system. The director of State Intelligence Bureau has greater power on finance and personnel; he is responsible not only for intelligence collection, but also for the analysis and making and issuing of intelligence. The clarity of leadership in

intelligence community made clear the leadership of State Intelligence Bureau and the supreme leadership of Director of State Intelligence Bureau with enough power, which helps the effective work of State Intelligence Bureau and the Director of State Intelligence Bureau.

## 2. Parallel relationship sorted

State Emergency Plan is a comprehensive plan to deal with emergencies such as terrorism, natural disasters, and humane disasters, which definitely stipulated the following: Department of Homeland Security as the heading authority, working target in recent days, and all tasks and responsibilities for the coordinating authorities such as State Council, CIA, Ministry of Defense, Environmental Protection Agency, Ministry of Justice, FBI and local governmental and non-governmental organizations. All organizations such as CIA, FBI, and Department of Homeland Security, shall attend the anti-terrorism intelligence analysis and pre-warning, but with different responsibilities. US Department of Homeland Security is responsible for pre-warning of terrorism information, while all organizations of US intelligence system shall finish all anti-terrorism intelligence work before pre-warning.

## **To establish information sharing system**

### **i. Information sharing system among federal, states, and local places has been established.**

After ‘9•11’ accident, US government invested a large sum of money on information resources sharing to establish the unified national intelligence information-sharing network. Now US government departments at every level are trying to build ‘full and whole criminal judicial information system’. The criminal judicial information system shall be stored in the working stations of the law-enforcing personnel, and the working station can be set in the patrolling cars, working platforms, portable computers, and the working desk of the judges to be consulted anytime. With the full application of this system, each law-enforcing unity can share information not only within different law-enforcing unities at the same area, but also within different levels such as federal, state and local. According to the design of this ideal criminal judicial information system, this system can be open to non-law-enforcing departments. Non-law-enforcing departments can review the party’s criminal record in accordance with lawful responsibilities and power limit before employing, approving license, and buying weapons. The full criminal judicial information system is to be built, but the national criminal intelligence sharing plan initiated from 2003 has been established and on operation. Via this plan, the police station at every level can share key information and information on preventing terrorism.

The aim of another ‘Anti-terrorism Information Exchanging System among States’ is to enhance and extend the exchange of sensitive information such as terrorism activities and other criminal activities among law-enforcing authorities at federal, state, and local levels. This system uses software named as ‘Criminal Threats Solution Analysis’, which offers an investigation tool based on technology to finish all

indexing in federal and public records. Such software can analyze and sort all different data in the system, connect data from different sources with the stored 400million records and independently consulted data. The system covers criminal records, driving license records, automobile registration records, criminal and prison correction records, digital pictures, and other public data resources. The investigator can execute consultation task by not complete information, such as a part of someone's automobile registration number.

**ii. Information sharing mechanism among local places is established.**

US police system is based on a power-distribution mode; policemen from different states, counties and cities may execute different laws. Under such a system, it is very important to coordinate vertically and horizontally among different authorities. To secure the communication between relating authorities, the typical anti-terrorism information sharing system is built at local places. Take los Anglos as an example, more than 30 authorities established local anti-terrorism information sharing system. These authorities cover police and judicial departments, fire-prevention, traffic control, universities, airport at federal, states, counties, and cities. The aim of such a mode is to accumulate and analyze information from all sources to attack terrorism and secure public safety.

**iii. To carry out international anti-terrorism cooperation**

Cooperated with more than 20 countries, CIA initiated a multi-cooperation mode: a unified operation center. US also signed bi-cooperation agreement with many countries such as China on terrorism prevention, which covers intelligence exchange program. The specific contents of US and Europe cooperation are as follows:

1. "SWIFT" agreement. "SWIFT" agreement is a data agreement recognized by US and Europe on allowing the US to utilize the data of international united banks based on Belgium. US takes it as part of the tracing procedure for terrorists financial sources by Department of Homeland Security, and shares about 1800 records with EU via SWIFT platform.

2. "PNR" database. In 2004, US and EU initially reached an agreement on allowing US authorities to achieve the air tickets reservation information and all travellers' information 15 minutes before takeoff in Europe. The sum of the information data is called "PNR" database.

3. US and EU data privacy and protection agreement. In 2010, EU Congress drafted a data sharing agreement on all lawful data, the congress hopes to heighten the grades of citizens' personal information protection, which does not act as the legal basis for US and EU to exchange anti-terrorism information with very little practical effects.

## **To clarify the standard of intelligence information and the procedure of collection, analysis, and handling**

### **i. Standard and regulation of anti-terrorism intelligence**

There're regulating requirements on the recording and accumulation of anti-terrorism intelligence, the forming, issuing, and application of intelligence, the training, selecting, and using of intelligence agents in Criminal Intelligence Filing Direction. Department of Homeland Security established common templates such as 'information briefing', 'network security review Notification', and the personnel at the lowest level can report or analyze intelligence in accordance with these templates. There are specific requirements on the type of training, the targets of training, and the role of the trainee for policemen at the lowest level, policemen regulators, intelligence analyzers and professional intelligence educators in National Crime Intelligence Sharing Plan.

### **ii. Standard procedure to achieve anti-terrorism intelligence**

The process of anti-terrorism intelligence is called the anti-terrorism intelligence chain, which is a recycling process. There are some special practices on US anti-terrorism intelligence chain.

#### **1. The logical starting point of anti-terrorism intelligence is the demands for intelligence**

Department of anti-terrorism intelligence shall achieve, producing anti-terrorism intelligence in accordance with the demands of the party served, and the decision-maker of anti-terrorism leading authority is the party to be served by anti-terrorism intelligence department. Anti-terrorism intelligence chain initiates from the demand of decision-maker on anti-terrorism intelligence.

#### **2. Making intelligence working plan and project**

After the intelligence demand being offered, the working plan and project shall to be made. To make working plan and project is to secure the intelligence demand being satisfied by the eventual intelligence product. Only clear and reasonable plan can secure the steps of intelligence collection, evaluation, sort, analysis and report to be well organized, and to avoid the chaos in other steps of anti-terrorism intelligence chain.

#### **3. Collecting anti-terrorism information**

The collection of anti-terrorism information is to collect original information from different sources in accordance with plan and project.

##### **(1) US anti-terrorism information comes from wide sources**

There are two major anti-terrorism information sources within US: first, the inner source, i.e. from law-enforcing authorities and the inner intelligence authorities; second, the outer source, i.e. from other organizations and persons beyond the law-enforcing authorities and intelligence authorities, mainly from government agencies with the function of serving the society or public operating organization (such as

social security organizations, library, etc.), companies, and persons. The major specific sources of inner part shall cover: 911 calls, reports of patrolling policemen, crime interrogation records, technological investigation materials, and informers' report. The latter comes from the followings: records from bank saving or taxpaying, records of stock transactions, telephone records, travellers information saved by the airliners and travel agents (including the time, location, and route of trip), the clients' information, identity, and driving licenses saved by medical institutions, insurance companies, libraries, clubs, and websites.

(2)The importance of human resources in collecting anti-terrorism information

There're two major approaches applied by US in collecting anti-terrorism information: human resources and technological resources, and the human resources is highly emphasized. Human resources is applied to collect information on the intent, plan and military capacity of the leaders and their members of terrorism organizations by sending personnel to terrorism organizations or the areas of terrorism activities.

4. Evaluating and arranging information

Prior to the analysis of terrorism information collected, the evaluation and arrangement has to be done. There're two aspects of work on evaluating anti-terrorism information: the reliability of information source evaluated, and the correctness of the contents of the information evaluated. The reliable information source cannot secure the correctness of its contents; while unreliable information resource may not mean the wrongfulness of the contents.

5. Analyzing information and producing intelligence

Anti-terrorism intelligence departments always face large amount of original information, and they have to analyze these information and get valuable intelligence. To achieve this, anti-terrorism intelligence departments should know thoroughly the final aim for achieving intelligence, use analyzers with special technological expertise, use suitable approaches, and produce intelligence in accordance with standard regulations.

6. Reporting and transmitting anti-terrorism intelligence

The anti-terrorism intelligence shall be reported and transmitted to higher authority or other relating authorities for sharing.

## Hints

There are some hints for Chinese Police authorities to build anti-terrorism intelligence system from US anti-terrorism intelligence work.

### **i. To pass Anti-terrorism Law and other relating laws and regulations as soon as possible**

China should pass Anti-terrorism Law, China Intelligence Sharing Strategy, Anti-terrorism Intelligence Sharing State Strategy, and Ministry of Public Security shall issue relating intelligence sharing

policy such as Anti-terrorism Intelligence Sharing Strategy at Ministry of Public Security Level to establish the intelligence sharing policy system from the central to the local.

**ii. To establish anti-terrorism intelligence information system**

The anti-terrorism intelligence information system shall be established within police system to reorganize the anti-terrorism intelligence information.

1. To establish unified and standard intelligence database

Public security authorities shall establish an intelligence database with detailed items, detailed contents, convenient search and same standard. Special authority and personnel shall be established and employed to maintain this database.

A professional and powerful anti-terrorism intelligence sharing system shall be built to collect and sort all data scattered in different departments to form unified and updated dynamic data system under the direction of unified data standard.

2. To enhance the research and development of anti-terrorism intelligence technology

With the fund specially invested by the state, special personnel shall be organized to carry out research on important new technologies (esp. data searching technology, bio-character identification technology), such as inputting bio-character information of photo and fingerprint into passport and ID, and the database based on bio-character identification and computer network technology shall be widely applied in borders, embassies, airports, and hotels. At the same time, the data searching technology shall be applied to analyze suspicious persons, funds, dangerous items, and matters.

**iii. To enhance cooperation and establish a fully covered anti-terrorism intelligence information cooperation network**

State Anti-terrorism Leadership Group shall be built under State Security Committee, which shall initiate the anti-terrorism intelligence cooperation network with domestic police authorities, population authorities, border examination, customs, banks, tax authorities, transportation departments (including civil aviation and railway). Corresponding anti-terrorism leadership group shall be built at governments of each level.

State Anti-terrorism Intelligence Center shall be built. State Anti-terrorism Intelligence Center shall belong to State Anti-terrorism Leadership Group under the directions of State Security Committee. Its function shall be carrying out state anti-terrorism intelligence strategy by utilizing all intelligence resources from the country. The head of the Center shall be the Director to be responsible full anti-terrorism work, who shall be the prime consultant of State Anti-terrorism Leadership Group. The office of the Center shall be responsible to plan, co-organize, co-organize, and direct the building of state intelligence system. The branch of state intelligence center shall be built at every provincial area under unified technological standard.

The following shall discuss on how to enhance the coordination and cooperation between different departments, different areas, and different countries from a perspective of public security anti-terrorism intelligence information.

1. To enhance the cooperation between different departments of public security

Anti-terrorism committee shall be established at public security authorities at each level, to include the followings as its members: anti-terrorism office( bureau, department, division, section ), public security, criminal investigation, economic crime investigation, domestic security, headquarter, drug control, internet supervision, border police. The key is to establish anti-terrorism intelligence information collection and accumulation system, and the anti-terrorism office should get anti-terrorism intelligence information at the earliest time.

2. To enhance the cooperation between local police authorities

Anti-terrorism intelligence informing mechanism shall be built between neighboring areas, such as the police department of Jiangxi Province establish anti-terrorism intelligence informing system with police department of Hunan, Guangdong, Anhui, Hubei, Fujian. The police authorities at municipal level or the county level shall establish the same anti-terrorism intelligence informing system (not limiting to one administrative area), such as the police authority at Yugan, Shangrao shall build anti-terrorism intelligence informing system with police authority at Dongxiang, Fuzhou. In such a case, the anti-terrorism intelligence shall be informed to the police authority at neighboring area at the first time as it is reported to the higher authority. Given the developed traffic system, the terrorism suspects may run away at a very short time. The police authority at neighboring area can arrange the preventing and control line at first time after receiving relating information.

3. To enhance cooperation with foreign police

Now terrorism organizations not only set their own network domestically but also internationally, take Dongtu for example, it sets its own network abroad widely. To effectively strike terrorism crimes, China should take full advantage of organizations such as Shanghai Cooperation Organization and International Police Organization to extend the communication and sharing channel for anti-terrorism intelligence, and to enhance intelligence communication and cooperation with relating countries.

First, to establish fully connected, highly shared, and strictly controlled intelligence information network to secure the exchange and confidentiality of intelligence information.

Second, the intelligence database for foreign cooperators shall be built(multi-language function shall be a must, each cooperator can search the data by its own language). This database should have functions of accumulating, sorting, and searching, including information of the list of terrorists and terrorism organizations, current methods and characteristics of terrorism activities.

**iv. To make standard and regulated procedure for anti-terrorism intelligence**

1. To make standard for anti-terrorism intelligence

The standard of anti-terrorism intelligence is the scope of intelligence to be collected.

(1) Basic information of terrorism organization: name, ideology(including religious belief, political views, etc.), their history, important events and their dates, the date of important leaders being killed or imprisoned (terrorism attack may occur at such dates), and their guiding principle or declaration.

(2)Financial information of terrorism organization: source of fund, their earnings, bank account(sudden money transferring shall indicate the preparation of terrorism attack, and the supporter of terrorism organization can be traced via bank account. ), and financial supporters.

(3)Personal information of members of terrorism organization: the structural details (including latest change) of the leaders, the structural details of the members (including former members), contact between members and members of other similar ideological terrorism organizations, the skills of members (including the training of using weapons and electronic skills ), the family background and growing experience of their leaders, and the organization details.

(4)The regional information of terrorism organization: the headquarter, dwelling place (usually owned by the leader of the organization), warehouse(to save weapons, ammunition, explosives, and other items), and the exit to escape.

(5)The analysis contents of terrorism activities: types of terrorism crimes, individual case of terrorism crimes, and the combination of a series of terrorism activities.

## 2. To regulate anti-terrorism intelligence procedure

### (1)To collect information

First, to collect information by technological methods, such as spy satellite, internet, radar station, tapping, and photographing.

Second, to collect information by humane resources. The special agents shall be sent to the terrorism organization or by bribing the members of the terrorism organization via intelligence network, and collecting information via shielding organization and shielding profession. The policemen, officials, and market investigators can investigate the organizations or personnel accommodating terrorism organization, terrorists.

Third, to collect intelligence on the scene. The places for terrorists to carry out activities, train, and hide shall be searched.

Fourth, to collect intelligence via interrogating terrorism suspects.

Fifth, to carry out anti-terrorism intelligence work by utilizing the local organizations of communities and villages, and the people.

### (2)To analyze information

First, to determine the two aims of anti-terrorism intelligence analysis: first aim is the reasoning and conclusion, including who, what, when, where, why and what in the past, which helps to find current and future tendencies of terrorism crimes, and to describe the structure and characteristics of terrorism group and terrorism organizations. Second aim is to offer operating plan for decision-makers to attack terrorism

crimes and prevent terrorist crime.

Second, to analyze by following the five steps: compare and review crime information, to build all charts, to achieve primary conclusion, to re-examine whether the crime information is complete, to achieve final conclusion.

Third, to analyze terrorism crimes, suspects, and anti-terrorism approaches.

(3) To process intelligence

The original information shall be delivered to the higher authority, police authority of neighboring areas, relating authorities, and lower police authorities and the inner departments as well at first time after being processed in accordance with anti-terrorism intelligence standard. All these work shall be carried out at the same time without priority.

China's anti-terrorism intelligence work is just breaking the ice, of which, there's a lot of basic work to be done and improved. Just mention some, the migrating population control system shall be improved; the real name shall be registered in renting rooms, accommodation, and taking vehicles. The professionals of anti-terrorism intelligence shall be emphasized and nurtured. The strategy of anti-terrorism intelligence-orientation shall be enhances. At the same time, China should learn from other countries. Only by this, can we handle serious anti-terrorism situation to master terrorism crimes at first time, to vanish terrorism crime at the very beginning, and to effectively strike terrorism crimes.

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# Review of Data Mining of Counter-Terrorism Research Domain: Now and Future<sup>[1]</sup>

Meng Xi, Tian Huawei

**Abstract:** This paper reviews the research literatures on data mining under Counter-Terrorism domain. We try to identify (1) the key subjects that the modern data mining technique are mainly focusing on,(2) the major data resources that support the data mining on counter-terrorism related information, and (3) the gap between the real world and the theoretical researches at the present stage. The current research state of art of counter-terrorism domain can be answered through these questions and the future direction in data mining methods to support Counter-Terrorism domain can also be suggested.

**Keywords:** Counter-terrorism; Datamining; Data source; Domain Research;

## Introduction

About twenty thousand people were killed innocently in terrorist attacks in 2014 around the world (approximately 55 people per day)[1]. People's daily lives are under danger all the time. More and more Law-enforcements, intelligence organizations and counter-terrorism analysts have taken Counter-terrorism seriously. The primary task for them is to look for small nuggets of highly significant data, because the terrorists try very hard to hide their plans and their traces[2].

With the expansion of terrorist attacks, many countries encourage and support researches activities to study on how to detect the pattern of terrorist activities, and how to predict them as precisely as possible. NATGRID, the core counter-terrorism project of US government has used big data analysis technologies to work on the data that collected from various intelligence agencies and law enforcements in order to help track suspicious terrorists and prevent the happen of terrorist attack[3]. A bunch of relevant information in different formsexists in counter-terrorism research domain, e.g. approximately 70% of counter terrorism

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information resources originate in the research articles and books[4].

Data mining (DM) has emerged as a very popular and useful research methodology in counter-terrorism domain. With the development of data mining technology, it has become a methodology that includes natural language processing (NLP), knowledge management, machine learning (ML), visualization and other innovated data processing methods to efficiently convert data into valuable information, intelligence and knowledge. After data mining of one research domain, large document collections under this domain can be retrieved, classified, extracted and visualized.

Recently, using data mining to analyze, detect terrorist attacks, (such as its unusual pattern, the propaganda strategy of terrorists), and tracing their fraudulent behavior has drawn lots of interests[5]. In this paper, we focus primarily on data mining researches under the counter-terrorism domain. Since counter-terrorism domain has the interdisciplinary nature, the scientific literatures encompassing many areas that include: mathematics engineering, computer science, information studies, religious studies, history, law, international relations, linguistics and so on. Each research area can observe and study counter-terrorism domain from their point of view.

Two representative literature databases are retrieved in this paper: IEEE Xplore and ACM digital libraries. Besides that, Google Scholar as a supplementary is also included in this review. We mainly use “counter-terrorism + data mining” to search literatures. In order to include comprehensive literatures under counter-terrorism domain, we also try to combine “counter-terrorism” with terminology related to specific data mining methods (e.g. text mining, text clustering, classification, information extraction, etc.). Some citations are also retrieved through Backtracking search method to discuss the data mining of counter-terrorism related information.

## Counter-terrorism domain

Counter-terrorism is an umbrella term for terrorists' characterized by different terrorist threats. Terrorism is no longer considered as a single kind of threat. Nowadays, terrorism may start developing in any patterns and is usually named by the mode. The types of terrorist threats include non-information related terrorism, information related terrorism, and bio-terrorism and chemical attacks[6]. These are three main types of terrorist threat; however, there are more potential causes to trigger terrorists' attacking in the real world. Therefore, terrorism as a term covers a diverse set of terrorist attacks, which are differentiated by a growing set of reasons. Naturally, different types of information will be included in different types of terrorist attacks. So how to prevent and detect terrorists' plans in vast amounts of information in advance is a very critical research area. Many researchers expect that data mining approaches could play a very important role in solving these problems of this domain[7-16]. Accordingly, a large amount of literatures emerged in recent years. But which parts of counter-terrorism domain have been the subject of data mining

efforts exactly is still inexplicit. Nonetheless, it would be necessary to know what knowledge resources can be used in the specific domain.

The literature review revealed that most of the articles on data mining for counter-terrorism have emphasized the necessity and practicability in order to raise the awareness that data mining could detect and help predict terrorist attacks[17]. For practical purposes, this article only focuses on the analysis methods which are under data mining methodology framework.

## Data sources

With the development of large scale information technology, data analytical system has been evolved. Data mining methodology provides the different rules to analyze relationships and patterns in stored data. So in fact, when data mining methodology is applied in counter-terrorism domain, the data that need to process is usually the data in the data warehouse or web.

Terrorism-related information is presented in various types of scientific literature, web documents and those found in specialized databases. Besides that, some videos and images are also as a data sources. In this section, we focus on different types of text data used in data mining studies to support counter-terrorism research. Most research, such as mining of terrorism-related information, has been conducted on literature. There are several angles of views to do analysis.

### (1) Keyword-based

Using keywords to analyze the scientific literature or web title is the most convenient and directly perceived through the sense method. Authors' keywords are usually the theme of their article. Keyword as the data sources, it can represent theme and the change of themes.

### (2) Abstract-based

The accessibility of article abstracts via EBSCO database has made them the most popular source[18]. Compare with keyword mining, abstracts ensure the breadth of information that can be mined, they can't provide depth, and for example, more detailed information can only be found in the main body of the article.

### (3) Full-text-based

Unlike the two data source mentioned above, mining the counter-terrorism documents through the full text will be a complex method, especially full text article are often in different formats, which poses difficulties in mining process. In the meantime, the accuracy of data mining is hard to guarantee, because we need to segment the data in terms of critical data and non-critical data.

### (4) Images-based

Images from terrorist or violence spot serve the same purpose of conveying the hidden information and relate it to the signs that terrorists want to deliver. According to different imaging technique used, we

can observe very subtle details of images through deductive inference.

While data mining can be applied to counter-terrorism research domain, there are still ethical and legal issues associated with citizen's privacy. The challenges are to extract useful information from data mining but meanwhile protect privacy.

## **Data mining processing**

In this section, we highlight the data mining methodology framework with a review of methods and techniques used to solve problems in the counter-terrorism domain. Even though data mining can't solve all the terrorism problems, its ability to extract hidden patterns and trends from large quantities of data that is very important for detecting and preventing terrorist attacks. We differentiate among 3 major data mining tasks: information extraction (IE), text classification, text clustering, in order to assess and compare each approach which to what extent can convert data into useful information that somehow these information can help detect and predict terrorist activities. But first of all, evaluation is discussed, which is about how to assess the feasibility and precision of each method, how the researchers in this domain validated their analysis results to prove their work.

### **1. Evaluation**

Most data mining methods can be viewed as clustering and classification problems which could be a system that predicts its clusters and classes. How would the content of these clusters take effect at guiding decision making after immediate aftermath of terrorist attacks? In spite of that most of this content can be accessed in intelligence organizations, the clusters' structure provided by the system might have been suggestive and drew the whole picture of the situation at that time. The relative important subtle connections of various aspects could rise to the surface. For instance, a system which is called "ATHENS" started from the term "al Qaeda" and "bin Laden", then running the system. There were 9 main clusters revealed and it is clear from these results how widespread the connections were between al Qaeda and Islamic terrorism groups and factions in other settings [19]. Similarly, information retrieval systems will examine the classification of a document as relevant or irrelevant with respect to user's information need.

Various kinds of measures can be used to evaluate and validate the performance based on data mining processing. For clustering methods, researchers often compare the analysis result through more than 2 other clustering methods' results [20]. The author discussed the advantages and disadvantages of Independent Component Analysis (ICA) and classical link analysis, and tried to indicate Singular value decomposition (SVD) outperforms in that terrorism detection experiments. For classification methods, three measures typically used to evaluate the precision, recall, and F-measure. The articles from other domains commonly used these indicators, while research in counter-terrorism domain chose to use terms such as precision

and recall. Precision can be called as positive predictive value, whereas recall is typically referred to as sensitivity[21]. F-Measure is also called F-Score, and it is used to measure the balance between precision and recall.  $F_{\beta}$  measure can be calculated as  $((1+\beta^2) \times P \times R) / ((\beta^2 \times P) + R)$ . When  $\beta=1$ , F measure is commonly F1 measure, which gives no preference to either precision or recall. In the research domain of counter-terrorism, researchers used different indicator or system to demonstrate the validity and feasibility[22].

## 2. Information extraction

Information extraction (IE) was developed to extract the usual details on all the types of entities in counter-terrorism domain, and pre-specific types of entities and relationships of interest are selected or extracted in this process. For instance, a general information extraction of counter-terrorism domain focused on the extraction of related information including: individual, organizations, places, facilities, documents (bank records or drive license etc.), money, vehicles, weapons and so on[23]. However, since this article mainly concerns counter-terrorism research domain, information extraction mostly refers to free-text records of keywords, abstract, or full-text of research articles under this domain. These free-text scientific records need to be converted into a structured form and stored in databases. In this task, the sentence “this paper is argued that the field of terrorism research should be explored through scientometric analysis and relevant ethical issues also should be concerned.” should be converted automatically in to a structured form as follows: keyword1=“terrorism” keyword2=“scientometric analysis” keywords3= “ethical issues”

These keywords indicate the particular information which was contained in this sentence. The given example explains the need to extract named entities (e.g. scientometric) as well as the relevant domain information (e.g. terrorism). Next step, the relationships between different entities (e.g. when the research was carried) are processed. Different from other domain researches, counter-terrorism domain pays more attention to three relevancies: (1) entity-to-entity; (2) entity-to-event; (3) event-to-event[24]. However, some other domain researches may usually concern on the first one.

Structured information which is extracted from counter-terrorism research domain aggregated across different time quantum and terrorist events can support longitudinal analysis of this domain status, such as predicting patterns of terrorist activities or the relationship between events. In this study, we find that rare articles focus on information extraction of counter-terrorism research domain. In other words, there was no framework or system which aims to extract complex information to obtain a structured representation from free-text documents in counter-terrorism domain. So we could say that, it is difficult to guarantee the real precision and recall of the analysis without this standard. We conclude this section with a detailed standard template for extraction of terrorist-related information in no matter research documents or terrorist events description. The main metadata and their attributes in this template are as follow (Table 1):

**Table I. Terrorist Attacks record template**

Metadata	Attributes
History	background
Location	detailed place
Attack time	day, month, and year
Attack means	bomb, hijack, and others
Attack target	crowd, key man, and common people
Weapon	knights , submachine gun, explosive
Dominating figures	family, educational and work background
Consequences	casualties scale

The template is not very complete but it provides a very basic framework for information extraction of counter-terrorism domain.

### 3. Text classification or clustering

IE provides structured information for text classification or clustering that can add significant value to the analysis of this domain. A metaphor describes information extraction turns different bunch of paper work into Excel spreadsheet, which make statistical work possibly. However, the most important step of data mining of any domain is text classification or clustering which add more value by analyzing the patterns in the original text. The implications such as domain themes, research trends or changes of the domain can be achieved through features extraction and classes from a predefined scheme, or clusters automatically. Using counter-terrorist research domain as an example, imagine classification of terrorist attack event into an assessment categories: 0(negative), 1(a less damage degree), 2(minor damage degree), 3(moderate damage degree), 4(severe damage degree), 5(major damage degree). Text classification or clustering aims to unlock the structured information and reveal the hidden intelligence.

**Table II. (Terrorist Attack Assessment System)TAAS**

Index	Assessment categories
0	negative
1	a less damage degree
2	minor damage degree
3	moderate damage degree
4	severe damage degree
5	major damage degree

However, to the best of our knowledge, there is no classification research in counter-terrorism. The classification and clustering system can cover most of the terrorist attack types and patterns. The system also can be used to assess the stage of terrorist attack. So we propose the TAAS (Terrorist Attack Assessment System) (see in Table II) which can classify the terrorist attack based on information from the documents of these attack events. This system could include text classification and clustering techniques (Support Vector Machine, Naïve Bayes, Random Forest, C4.5, Multi-dimensional Scaling, Self-organizing Mapping, Component Principal Analysis and other algorithms) to analyze the features of the new attack event and assess its damage degree.

## Discussion and conclusion

This article reviewed the research of current data mining approaches in counter-terrorism research domain. It put emphasis on information extraction, information classification and clustering which can help discovery patterns and find out implicit connections. It also summarized the data types which usually are processed in counter-terrorism research domain. Three main questions were discussed, (1) which part of counter-terrorism domain have been the subject of data mining efforts, (2) which data resources can support data mining of counter-terrorism related information, and (3) the gap between real world and theoretical researches at the present stage, which refers to two sub-research topics (information extraction, classification and clustering of counter-terrorism research domain). Besides that, we proposed a template which aims at metadata and attributes of this domain, and the TAAS (Terrorist Attack Assessment System) which can classify the terrorist attack based on information from the documents of these attack events.

Counter-terrorism is a typical advanced interdisciplinary domain. The questions we discussed in this review could be the tip of the iceberg. What need to add to our review in the future will include: (1) a more comprehensive overview of available information resource that can support semantic analysis of counter-terrorism domain. (2) new data mining methods and techniques used to do the empirical research in this domain, (3) the breakthrough can devote to the decision making and prediction of terrorist attacks from the data mining methodology point of view.

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# What Chinese Traditional Culture Can Contribute to Psychological Health for Police

Liu Yong

**Abstract:** Throughout the development of Chinese police mental health, the phenomenon which foreign things serve China is prominent, but the past serve the present is overlooked. Chinese traditional culture can inherit national culture gene, take effective in national cohesion and spiritual motivation, promote person's harmonious development and self improvement. Researching Chinese traditional culture can play a positive and valuable role in clarifying the objectives of police mental health, integrating the approach of police psychological consultation, riching the content of police psychological consultation, strengthening the measures of psychological training of public security force. Strengthening the construction of police psychological service function of traditional culture, the public security need to strengthen top-level design and innovate psychological services, the police need to improve Chinese literacy as a lifelone issue.

**Keywords:** traditional culture; mental health; psychological training; psychological consultation; police

Currently, psychological health service for police prospers in different provinces in China. Chinese police psychological health service covers the fields like psychological counseling, psychological training and psychological crisis intervention. In some provinces with advanced concepts, complete psychological service mode has been formed, which has important support effect on healthy development of police team. However, the development and application of psychology in China, including police psychology, ignores the important methods of "making the past serve the present" and lacks of consciousness to make use of the essence of traditional Chinese culture to support and serve police psychological health.

Psychological counseling and psychological training, which originate in Europe, are "imported ones" for China. Due to the difference of cultures and police management systems, western police psychological service mode is not suitable for China. Psychological health service has localization characteristics. Therefore, it is of times significance and special values to discover, inherit, and carry forward psychological

health ideas of the essence of traditional Chinese culture. It also needs the wisdom and efforts of police psychological researchers.

### **Feasibility of Studying Police Psychological Health from the Perspective of Traditional Chinese Culture**

Traditional Chinese culture is the total of material wealth and spiritual wealth created in the process of historical practice of human society in China. It is the culture formed and accumulated by the Chinese nation under different geographical environment, economic conditions, political structures and ideologies and the culture is identified by most of the people. The culture covers economy, politics, morality, art and other aspects.

(1) Traditional Chinese culture can inherit the gene of national culture. Culture is the source of social support, problem solving and spiritual happiness. The psychological health theory and technology rooted in traditional Chinese culture inevitably carries its maternal cultural gene. The dominant role of maternal culture finds its utmost expression in its high accordance with the spirit and thoughts of the nation. Thus, psychological health service can serve the people to larger extent.

(2) Traditional Chinese culture has the effect of national cohesiveness and spiritual motivation. Traditional Chinese culture not only integrates in the identification and characteristics of Chinese nation, but also cultivates the national spirit of self-reliance and forging ahead. Moreover, it reminds people to unite personal interest with national interest and collective interest. Police who crack down on crime and maintain public order as their own responsibilities are more in need of national cohesiveness and sense of national pride to do their challenging work.

(3) The function of traditional Chinese culture lies in the harmonious development of people. The core of traditional Chinese culture is traditional Chinese philosophy. According to the tradition of Chinese philosophy, the function of philosophy is to improve human mind, transcend the real word and experience values above morality and the core of it is to pursue harmonious development of man and nature, man and society and construct the ideal personality that man is an integral part of nature. This function value is highly consistent with the duty of the police, i.e. to pursue equity and justice and harmonious order of the society.

(4) The inevitable choice for professional demand, self development and improvement. The profession of police has the characteristic of intense pressure. Police have to face negative information of the development of human society. In addition, the stimulation of stressors impacts the self development and improvement of police’s career. Without traditional culture’s molding and supporting effect on ideal personality, integration and nourishment of the strong inner world of police, improvement and enlightenment of the rich inner life of police, the psychological health status of police will have difficulty in

meeting the requirements of the profession.

## **Inspiration for Police Psychological Health Work Drawn from Traditional Chinese Culture**

(1) Traditional Chinese culture can clarify the goal of police psychological health work. The exploration of the connotation of traditional Chinese culture from the perspective of values can be carried out in the aspects of man and nature, man and man, and man and himself. In the aspect of man and nature, we should realize the theory that man is an integral part of nature and the ideal that people are my brothers and all things are my kinds. “The theory that man is an integral part of nature” is an overall summary of traditional Chinese culture and the most fundamental of the basic spirit of traditional Chinese culture. It reflects a personality that can discover natural law and at the same time adapt to natural law to reach the harmonious unity of man and nature. In the aspect of man and man, we should pursue self-discipline, fulfill social commitment and be inclusive. A moral man should treat all the things of the world with a merciful heart. Inclusiveness and integration play an important part in making traditional Chinese culture extensive and profound. In the aspect of the internal part of man, we should constantly strive to become stronger and make progress every day. The cultural spirit is seen as concentrated embodiment of “the theory that man is an integral part of nature” and inclusiveness in the attitude of living, which marks the subjective initiative and high consciousness of man in traditional culture and is also historical summary of the overall personality status of the Chinese nation.

The goal of police psychological health work is to help police realize lifelong self improvement and development.

First, we should help police maintain correct self-consciousness and unified personality. We should enable them to evaluate themselves correctly so that they will not over evaluate themselves and do things they cannot handle or underestimate themselves and abandon opportunities for self development and improvement. We should enable police to maintain the harmonious unification of ideals, concepts, values, world outlooks, needs, interest, motives and the explicit behaviors. We should build the concept that “man is an integral part of nature” and enable police to realize their own advantages and disadvantages through the practice of public security work so as to constantly improve and develop themselves and realize the harmonious unification of man and nature and ideal personality state.

Secondly, we should help police maintain stable emotions and good interpersonal relationships. It is necessary for police to experience and toughening a virtuous and merciful heart to treat all the things in the world to maintain stable emotions and good interpersonal relationships. A tolerant and merciful heart helps police keep stable emotions and face danger fearlessly and response properly at critical moments. Facing difficulties and frustrations in work, life and study, they can keep optimistic attitudes and find out positive

factors in negative situations. They can work passionately and live optimistically and gain happiness through interpersonal communication. They can treat others with positive attitudes and care for others and the collective and they are willing to sacrifice individual interest for collective interest and the interest of others.

Last but not least, we should help police realize good socialization and good self-control ability. To realize good socialization and good self-control ability, police should constantly strive to become stronger. It will help them adapt different kinds of complicated environments and show their competence in their work. Moreover, it will enable them to act in the way that is accepted by the society in the process of adapting themselves to the society and control their own emotions, expressions, way of thought and behaviors so as to keep stable emotions in dangerous situations and be fearless, act correctly and make quick decisions.

(2) Chinese traditional culture can integrate the psychological counseling methods used for police. Cognition and behavior is the main discussion of psychological counseling methods. As for the relationship between cognition and behavior, brilliant expositions can be found in ancient thoughts of Chinese traditional culture. Two thoughts mark the acme of the philosophy of knowledge and action of idealism in ancient China, which include the thought that knowledge comes before action from Zhu Xi and the thought that knowledge and action are unified as one from Wang Shouren. Zhu Xi, a philosopher in ancient China, holds the view that truly intelligent activity contains nothing but knowledge acquisition and intelligent action. He often said "Knowledge and action always require each other, but with respect to order, knowledge comes first". As to Great Learning (one of the "Four Books" in Confucianism), he said "the investigation of things and knowledge acquisition are first taught, after which sincerity, mind rectification, self-cultivation, family harmony, country management and world peace are instructed". In Doctrine of the Mean, "earnest practice comes after extensive study, accurate inquiry, careful reflection and clear discrimination", he said. "As to teaching, knowledge acquisition always comes before action, an order that cannot be changed", he said. Wang Shouren, a philosopher in ancient China, believed that knowledge and action, which are the same by nature, cannot separate from each other. Knowledge and action complement each other simultaneously, meaning action is in the knowledge acquisition process and vice versa. Knowledge and action all exists in human consciousness and belong to subjectivism. All thoughts should follow the human nature of innate knowledge and ability instinct. By taking a panoramic view of the Chinese ancient philosophical thoughts related to knowledge and action, it can be concluded as with respect to order, knowledge comes first, and with respect to importance, action is more important.

The mental health service for police put cognitive therapy and behavior therapy in equally important position, which reflects the dialectical unity of cognition and behavior.

First, general psychological counseling methods focus on cognitive training and are supplemented by behavior training, which is one of the methods to serve visitors. As for common methods used for changing cognition, rational-emotive therapy (RET) is the most frequently used. People who create RET hold the

view that men are not disturbed by things, but by the views they take of them. Therefore, by changing irrational beliefs of the visitors into rational ones, their behavior is then changed. For example, in the process of live fire training, a student of police training school may be unable to pull the trigger of a pistol due to his great fear of the pistol. In this case, psychologist will communicate with the student to change the irrational beliefs and reduce the students' fear, after which a behavior training of pistol shooting practice, a supplementary therapy, will be carried on. By doing so, the fear of pulling the trigger will be overcome.

Second, the crisis intervention for police primarily focuses on behavior training, after which is cognitive change. As for the visitor who undergoes critical incident, psychologist, in the early period of psychological crisis intervention, are more like a mother looking after and accompanying the visitor. When the visitors' emotion is stabilized and a good relationship between the psychologist and the visitor is established, psychologist then serves as a teacher. During the role transition from mother to teacher, behavioral intervention takes a dominant role in psychological service. Psychologists will utilize various psychological intervention methods to distract police's attention, help them release negative emotions and comfort their traumatic feelings, such as breathing relaxation training, painting training, graffiti training, handwork training, even playing Mahjong and bridge. In the later period of psychological crisis intervention, the roles of psychologist are psychotherapist and priest, who will help police overcome sadness by finding out what causes their mental problem, and then tell them the significance of the critical incident and the meaning of life. Based on behavioral intervention, psychologist will use cognitive adjustment method to help police get rid of psychological predicament and recover themselves.

Last, daily psychological trainings for police mainly reflect the highly unity of behavior training and cognitive training. Daily psychological trainings for police focus on outdoor training whose common activities include trust your back, walk like a crab, island survival, blindfold to walk through obstacles, hold a bar in the air, go like a wheel, climb over a 4-meter wall, loose a complex knot and others. During the training process, the first part is organizing police to do outdoor training, then police come together to share their training experience. The whole process aims at making police understand more of the psychological meaning of the training, the psychological qualities of the training, and the importance of cultivating these psychological qualities in their daily work. The above outdoor training seeks to integrate cognitive training into behavior training, during which police can realize the importance of sharing experience. As a result, cognition will be deepened, mental quality of the police will be enhanced and their work efficiency will be improved.

(3) Chinese traditional culture can enrich the contents of psychological counseling used for police. The 5,000-year history of the Chinese nation has created splendid culture, which generate rich psychological counseling contents. Among them, Confucianism, Buddhism and Taoism are deeply rooted in the hearts of the people. A number of thoughts from Confucianism, Buddhism and Taoism are closely lined with police's confusion of life. For example, thoughts from Confucianism are "paying equal attention to learning and thinking", "self-examination and introspection", "repose in poverty and delight in wisdom", and "work so

hard as to neglect one's meals and being so happy as to forget worries”, thoughts from Buddhism are “live in the moment”, “be able to understand truths and affairs of human life”, and “harmonious world”, thoughts from Taoism are “govern by doing nothing that goes against nature”, “let nature take its course”, and “be content with one's lot”.

Based on Chinese traditional culture, psychological counseling can help police to set up a dialectical, developing and positive attitude and viewpoint so as to face and address the obstacles in life and work.

First, Confucianism can help police create a stable and positive view of life. Confucianism deems the golden mean as virtue and praise highly the desire to devote oneself into the society. It also attaches great importance to introspection and restraining in privacy and emphasize on obtaining happiness from oneself and integration of human and nature. During the counseling process, psychologists should do more work on proposing the idea of work and live positively. Besides, they should help police face obstacles with a positive and moderate attitude, find the positive meaning of the negative incidents, and cultivate a habit of Introspection. Moreover, psychological counselors should take measures to eliminate the confusions for police who are busy at seeking personal fame and wealth, and assist them in finding ways of obtaining happiness and satisfaction from nature and one's spiritual world. Confucianism successfully addresses the problem of deliberately breaking the law. For example, during the process of law enforcement, some police sink deeper and deeper into the quagmire of crime by trading power for money, seeking power rent, hankering after gains, and seeking private interests at the expense of public interests. Such illegal acts are like harming other people without benefiting oneself. On the one hand, they will take the legal consequence and be punished and on the other their illegal acts will damage the prestige of law enforcement agencies. The above showcases the consequences of failing to follow what Confucianism has upheld, namely introspection and restraining in privacy.

Second, Buddhism can help police establish a friendly interpersonal relationship and realize the harmonious unity of mind and body. The people-oriented Buddhism seeks to correctly deal with the relationship between others and oneself, objective things and oneself, and mind and body, and make all relationships harmonious. Police work and live in a special environment where they have to handle complex interpersonal relationships, such as relationships with leaders, colleagues, friends, family members, criminal suspects, aggrieved persons, witnesses and the general public. The relationship with colleagues is a particular one. Ordinarily they are close companions, but become rivals when compete for job promotion. In order to handle the relations of these contradictions, it is necessary to build positive thoughts about interpersonal relationship. The emphasis is to abandon selfish, fame and wealth ideas and to change the mind of “feudal official thought” and “hedonic treadmill”. What's more, one should focus on finishing one's job and solving problems, during which creativity can be displayed and the sense of joy and self-value can be got. In complicated police work, police should achieve body and mind harmonious, listen to his heart and control his behavior and emotion.

At last, Taoist ideas can help the police to build dialectical view of life and strengthen self- control.

Taoism emphasizes on indifference, inaction, purity and letting nature take its course. The function of Taoism, the origin of the world, is to let nature take its course. Taoism asks people to keep a peace mind that is to have less desire, don't force anything and be calm when facing temptation. Most importantly, Taoism stresses unity of opposites and the change and development of things during mutual transformation of two contradictions. The police work is complicated, in which police may contact with people and things that are unhealthy, alluring or even toxic. Therefore, it objectively requires police to have self-control to control the emotion and behavior and others. The thoughts that keeping a peace mind and letting nature take its course enable police to promote self-control. Since police work is a work with high-stress, high-load and high-strength, it is indispensable for police to build dialectical, developmental and contradictory viewpoint to see the development and change of things. In addition, police should cultivate thinking habit, which is to find positive factor in negative things, and open-minded thought to avoid splitting hairs.

(4) The traditional Chinese culture can improve the psychological training method of public security force. Psychological training is of great importance to improve fighting capacity of public security force. Especially the viewpoints in traditional Chinese medicine, i.e. harmony of body and mind and inter-restriction among emotions, have a great influence on improve psychological training of police. The most influential thoughts in Huangdi Neijing are the theory of yin-yang and five elements and the holistic view of body and mind. The application of yin-yang and five elements supplement each other and the theory of unity of opposites can explain the change. The holistic view of body and mind emphasizes on the idea that the good function of viscera is the basis of mental health. Therefore, Huangdi Neijing holds the view of treating viscera first and treating mental as fundamental.

In police work, police needs strong psychological control ability and good psychological quality to deal with various complicated stress environment. Thus, psychological training is of great importance for police. The decision-making level, organizations at all levels and the police should integrate the psychological training method related with traditional culture into decision making, management, work and life, which can promote the fighting capacity of public security force unconsciously.

First of all, emotional therapy is used to manage public security force. According to Huangdi Neijing, emotional therapy includes five aspects. Firstly, excessive joy impairs the heart, while if fear restricts joy, heart will be nourished; secondly, anger impairs the liver, while if grief restricts anger, liver will be nourished; thirdly, sorrow impairs the lung, while if joy restricts sorrow, lung will be nourished; fourth, anxiety impairs the spleen, while if anger restricts anxiety, spleen can be nourished; fifth, fear impairs the kidney, while if anxiety restricts fear, the kidney can be nourished. Undoubtedly it will present different features of emotion in different stages of police work. The result will be serious if there is emotion overreaction and the police are unconscious and have no restraint experience. For example, after a difficult case has been solved, all police are too happy to keep watchfulness in daily life. As a result, the accident happened occasionally when the police drive home. According to the rule that fear restricts joy, if leaders preach the police to make him feel sense of fear, it will enable him to enhance watchfulness, drive him back

to normal and avoid non-combat casualty. What’s more, basic-level police always encounters difficult case litigants who makes police burn up. According to the rule that sorrow restricts anger, taking the opportunity of holding a meeting or training, police can be gathered to gain gratitude education, during which the police with strong appearance can shed tears. As a result, the anger can be reduced and the emotion will back to normal.

In addition, the training methods to relax police both physically and psychologically. Huangdi Neijing holds the view that the emotions are influenced by “Qi” which means that breathing control has effect on adjustment of emotions. The psychological status can be reflected not only by emotions, but also by body. Through adjusting one’s physical state, especially through breathing adjustment, one’s emotional state can be improved. In the process of relaxation of breathing, independent consciousness has suggestion effect on controlling the movement of muscles. Through this process, one’s body and mind will relax. In-depth relaxation training can be used in various aspects of police work, i.e. the police can take in-depth relaxation training, after shooting someone, to reduce stimulation brought by stressful event. In live-fire training, police can combine imagery training with in-depth relaxation training to increase accuracy of fire. Moreover, in the process of performing important security task, group in-depth relaxation training can be carried out in the spare time which is helpful for energy conservation and enhancing group cohesiveness. In addition, in-depth relaxation training can improve interpersonal relationship and self-confidence, promote happiness and develop one’s potential.

Lastly, the thought of shifting the attention can be used to enrich spare-time cultural life of police. Wu Shangxian, doctor in Qing Dynasty, holds the view that, for patients who have emotional disease, reading books can relieve boredom and listening music can allay grief which are better than eat medicine. Through shifting one’s attention and focus from disease to things interested in to change the inner directivity and achieve the aim of relieving the emotion. The decision-making level of public security should strengthen the top-level design of enriching spare-time cultural life of police intentionally. The spare-time cultural activity groups conforming to the features of the unit should be constructed in accordance with the hobbies of police in the unit, i.e. reading group, calligraphy group, traditional Chinese painting group, traditional Chinese culture group, the game of go group, erhu group, football group, badminton group, cross-stitch group, yoga group, eight trigrams boxing group and bodybuilding group. Moreover, it can carry out recreational and sports competition combined with annual work schedule, in which the unhealthy emotions can be shifted, internalized and sublimated. The recreational and sports competition applies mental quality training intangibly and it enhances the sense of pleasure of police and improves the group cohesiveness of public security force.

## Confusion and Prospect of Psychological Services of Traditional Culture

Strengthening the construction of psychological services of traditional culture is a brand new topic for public security force. In the process of accelerating this work, many actual difficulties will be arising. Accelerating psychological service work of traditional culture cannot be finished in a short period of time. It needs to take lots of measures simultaneously, give overall consideration and move forward steadily.

(1) The contradiction between strong learning interests of the police and their insufficient cultural literacy. In the process of promoting traditional culture learning, a large number of policemen develop strong interests in sinology. As a result of different knowledge structure as well as traditional culture being too obscure to understand, some policemen whose primary degree is in high school or secondary school level are easily satisfied with a smattering of knowledge about traditional culture learning. It's difficult for them to go into it and hold on to it, not to mention integrating profound thoughts of traditional culture with outlooks on world, life and values.

(2) Contradiction of combination of traditional culture and psychological service work. Traditional culture is extensive and profound. Numerous ideas and knowledge, beneficial to public security management and the police's mental health, scatter in bottomless Chinese classics. Aiming at actual demand of the police's mental health work, it is necessary to eliminate all but the essentials, eliminate the false and retain the true, explore deeply and integrate useful resources. Establishing series of psychological education courses which conform to police service work needs systematic design, R&D and implementation.

(3) Contradiction between traditional culture communication and arduous police service work. How to solve the contradiction between working and learning is always a difficult subject of professional education. Public security organs which undertake the responsibility of fighting crimes and maintaining orders cannot put the education of traditional culture in the first place. While a sophisticated, experienced, competent and excellent policeman not only is the best in aspect of professional skills, but also owns a high ideological level. Therefore, the communication of traditional culture and promotion of police service skills are equally important for the sound development of public security force.

Faced with these contradictions of construction of psychological service of traditional culture, firstly, public security organs should reinforce top-level design to create good education environment of sinology. Strengthening the construction of police style of public security organs should start from policemen's daily behaviors, working style and observance of regulations and disciplines. Post educational traditional aphorism in proper places like passage, wall space and culture publicity blackboard, to make policemen absorbed in the atmosphere of sinology spirit. As for the construction of learning style, hold the night reading lecture class of sinology and invite regularly scholars in universities and sinology master to deliver speech on the topic of Chinese classic culture. In the process of learning sinology knowledge, policemen can promote cultural literacy and improve personality structure.

Secondly, public security college and related research intuitions should strengthen the construction of psychological service system of traditional culture. Develop series of research subject about the construction of psychological service system of traditional culture and confirm professional research strength and fund guarantee. In view of research results, carry out the survey of the first-line practical experience of psychological service system and constantly integrate and improve application value and function of the first-line psychological service system. In the courses of public security degree education and on-job training, set related courses of national education and mental health. The choice of courses should integrate wide sinology knowledge with practical application of police service work to construct course objective, course structure and teaching process with public security characteristics.

At last, leading cadres and basic-level policemen of public security organs should consider sinology education as lifelong task for promoting self-improvement. Sinology education has very important practical significance in healthy development of public security force and personal career planning of the police. Sinology education is the life-saving medicine to cure “moral decline”. In times of easily unbalanced spiritual world of people, sinology education can enrich people’s soul as soon as possible, make people abide by laws and morality and build correct values. Leaders and policemen should regard sinology education as lifelong task of self-growth, thus keeping away from moral decline and delinquency, improving professional level continuously and maintaining professional integrity for life.

Building sophisticated psychological service system should adhere to the principle of “make the past serve the present and foreign things serve China” and play full role of Chinese traditional culture and western culture. Psychological service of Chinese traditional culture and psychological service of western culture should supplement each other and provide useful support for the police mental health work. In the process of critical use of western psychological counseling and training technique, police psychological workers should dig up consciously the essence of Chinese traditional culture and serve basic-level practical police. The model of police mental health service with combination of Chinese and western culture should consists of four levels. The first level is the training of psychological skills and Chinese learning behaviors, including basic skill training by using psychological basic apparatus like nine-hole apparatus, frame apparatus and psychological feedback apparatus as well as behavior training which integrates behaviors required by sinology thought with police regulations. The second level is the training of psychological counseling, crisis intervention and psychological behavior training which combines sinology culture with western culture. It makes “Trinitarian” service work in the combination with experience sharing of sinology knowledge of Confucianism, Taoism, legalist, Mohism and the Book of Changes. In the process of accepting psychological service, the police can experience profound principles of traditional culture. The third level is the systematic learning of police psychological knowledge, focusing on understanding psychological common sense in the process of police practical training and police service work. The fourth level is deepening classic sinology education. The police should understand sinology knowledge from perspectives of philosophy, economics, politics, management and literature and improve knowledge

structure. The police are expected to deepen traditional cultural accomplishment and mould rational personality characteristics conforming to cotemporary police professional requirements.

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# Rights of Police Power in the Framework of the Constitution

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**Abstract:** It is the police power based on the theory of logical starting point, which the police power in the Constitution and analysis within the framework of power. As a kind of widely used constitutional rights, Police power has inextricably linked with the public. The value goal decides the service of police power, but it is armed and mandatory because of methods and ways of the exercise of power. There is a natural conflict, to balance the dynamic changes in the relationship between the police power and the rights of citizens. Therefore, researching the police power of constitutional framework, we also need a dynamic perspective and thinking of development.

**Keywords:** The constitution authority; the police power; the administrative power

As an important part of administrative power, the Police Power once represented the whole administration at earlier stage that it resulted in the era of "Polizeistaat", which continued till the emergence of Rechtsstaat which gradually defined and controlled the administrative power and Police Power to restore the true features of the power. It is always controversial in academia on the status and nature of Police Power, and it is inevitably a little bit partial to analyze the status of Police Power merely form the view of administrative law. Therefore, it is necessary to determine the constitutional status, find out the constitutional sense and analyze the power structure of Police Power from the composition of the whole framework of constitutional power.

## I. Constitutional basis and power structure analysis of Police Power

There seems to be no explicit stipulations and sections on Police Power in the framework of constitutional power, and the procedures and borders of exercising Police Power are mentioned only in certain civil rights protections. Therefore, the author suggests that it must be the first step to determine the constitutional basis, i.e. the justifiability and legitimacy of Police Power for the analysis of power structure of Police Power.

(i) Constitutional basis of Police Power

As an important power to maintain national ruling and social order, Police Power itself has a kind of special coercive force of the state or which can be called "violent nature". The exercising of Police Power always results in restricting and depriving of personal right and property right, etc. of citizens, therefore, the justifiability of Police Power must be based on the constitutional basis, otherwise it will become autocracy. What needs to point out is that, although there were offices and power that were similar to police administration in the feudal age, the author suggests that the Police Power in modern sense was born after the constitution. The Constitution not only provides basis for the source of Police Power, but sets up the target and limit for the operation of Police Power.<sup>[1]</sup>

1. Constitutional source of Police Power

The value goal of Constitution is to accomplish such a situation that the public are able to live a free and equal life and to pursue their happiness. Whether such pursuit can become true will be inevitably restricted by the individual particularity, natural particularity and the objectively required system. One of the important premises is the existence and maintenance of safety and order. Police Power is such a kind of power to ensure public security by the constraint and control of individual behaviors for the stable external order in civil society. In other words, it requires a kind of constitutional power, which is called Police Power, to realize the constitutional order and protect civil rights by balancing the conflicts in civil society that are caused by different benefits and are difficult to settle by the parties concerned themselves, and by maintaining and protecting personal safety and property safety of the public. In the view of Hegel, state and society are two split subjects. The state refers to a kind of essentially reasonable concept, which means the concept is in line with the unification of universality and particularity as well as the unification of subjectivity and objectivity; the society is embodied by such a system that is caused by a series of activities of the public for their own objects and needs and dominated by the universality and ethicality.<sup>[2]</sup> The former is the representative of the universal principles of people's rational activities, while the latter is the mirror of realistic condition of people's perceptual life. It is the power system established by the Constitution that can realize the collaboration and unification of the two fields, and Police Power, as a constitutional power that has the closest relation with public life, is the most important intermediary factor in that system. The emergence of Police Power facilitates the universal nature included in the particularity in civil society, and can protect the special purpose and interests that both exist in the universal nature by external orders and facilities so as to realize the sense of the state.<sup>[3]</sup> In a word, it needs Police Power to make sure the

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[1] Chen Xiaoji: Research on the Balance Between Police Power and Civil Rights -- and the Establishment of "Balance Theory" in the Research on Police Power, which is selected from the website of China's Constitution and Administrative Law <http://www.cncasky.com>, 2007—11—20.

[2] Written by Hegel [German], Translated by Yang Dongzhu, Yin Jianjun and Wang Zhebian: Elements of the Philosophy of Right, Beijing: Beijing Publishing House, Page 90 - 113, 2007.

[3] Ditto, Page 110.

establishment and favorable operation of constitutional orders at the state level, and also needs Police Power for the balance of conflicts on public interests as well the safe and stable life at the social level. Based on the above, the constitutional basis are obtained for the emergence and existence of Police Power, and the justifiability and legitimacy are also proved for the existence of Police Power.

## 2. Constitutional sense and norms of Police Power

The realization of Police Power always needs the help of its special coercive force of the state which is also its important feature different from other constitutional powers. Coercion is illegal in the abstract sense as it denies the existence of free will. However, from the realistic viewpoint, coercion is legal sometimes because it can also act as the coercion of coercion as so to make itself affirmative. The emergence of illegal and criminal acts is an invasion to others' free will, which can also be called a coercive act. At this time, it needs an external manifestation of power, i.e. Police Power to realize the protection of free will and resistance to illegal acts. Therefore, Police Power is the coercion of illegal acts, i.e. the coercion of coercion, which can be deemed as legal and legitimate. Coercive power of Police Power shall be given by the Constitution on the premise of the realization of national security and order as well as the maintenance and protection of civil rights.

However, the coercive and expansionary features of Police Power itself can easily result in material invasion to civil rights. The necessity and significance of regulation of Police Power by the Constitution is far beyond that of other administrative powers. As there is infinitely complex relationship between Police Power and social objective matters, and all actions are determined by individual free will, therefore, there are no ready-made criteria that can draw a clear distinction between harmful and harmless behaviors, which is the same as the crime that there is no established limit that can make a clear distinction between suspected and unsuspected. Therefore, all the criteria and limits are determined by such factors as the spirit of the whole state system, the current social custom and hazardous situation, etc. For example, the social harm of certain behavior under emergency condition will be expanded and deemed as an crime, which will certainly result in dynamic change and increase of uncertainty of limits in the exercise of Police Power. However, the characteristics of the administrative power will certainly make everything possible to be incorporated into its own power spectrum, thus to cause interference to personal daily life<sup>[4]</sup> as well as the tension between the police and the public. Therefore, it has also become inevitable for the Constitution to standardize Police Power.

### **(ii) Police Power structure under the framework of the Constitution**

As shown in the above, there are two functions in the Police Power under the framework of the Constitution. One function is to ensure the maintenance of social security and social order as well as

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[4] Ditto, Page 106

provide guarantee for the operation of state power and the enforcement of the Constitution; the other function is to provide safety and guarantee for the personal rights and property rights of citizens by preventing and cracking down on illegal acts. Therefore, universality and enforceability are given to the Police Power beyond other administrative powers, in addition, the complex and multilevel features are also shown in the Police Power structure.

#### 1. Composition of theory of Police Power

When analyzing the composition of theory of Police Power, the concept of Police Power must be defined, given there has always been controversy in academic circles, and it is mostly studied in a broad and narrow sense, here the author will adopt the general concept of Police Power for special concept of Police Power has great difference and is not easy to conduct analysis of its power structure. The general Police Power refers to all powers vested to police agency by the country, including all powers applied by police agency during performance of its function.<sup>[5]</sup> Meanwhile, it is important to emphasize the relationship between Police Power and police authority, the Police Power is the will of a state, while police authority is the specific conversion of Police Power, i.e. the Police Power enjoyed and exercised by police agency during implementation and operation of specific power by the power subject in the name of police agency. Because the content of Police Power is extensive, nuanced, complicated and more professional, so the specific police agency and policeman must be clear for implementation. The Police Power vested legally to specific police agency and policeman is police authority. In other words, the relationship between Police Power and police authority is the relationship between abstraction and concrete, the police authority is the external concrete manifestation of Police Power in reality. Based on the localization and function of Police Power in the framework of the Constitution, it belongs to executive power, and its specific composition framework in theory has three aspects: Firstly, security administration power. Essentially, the Police Power embodies a kind of political design, which is mainly generated for social security and order, one of the significant values for its existence is to maintain national security and social order, from this perspective, one of its important powers is security and maintenance of public order. Just as Karl Marx said: "Security is the highest social concept of civil society and the concept of police, based on this concept, the existence of the whole society is to guarantee the personal and property rights of its members are inviolable."<sup>[6]</sup> Therefore, security administration power is an important part of its power composition. Secondly, judicial assistance power. On the other hand, the Police Power could assist the judicial authority in remedying citizen's violated rights and interests in crack down on illegal practices and ensuring enforcement of criminal punishment. Therefore, the word "police" also often appears in chapter of judicial power in constitutional text of different countries, however, it cannot be thought to be judicial power or

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[5] GaoWenying, Research on the Issue of Police Power Allocation in the Social Transition Period in China, Beijing: Qunzhong Publishing House, Version 2012, Page 20.

[6] Karl Marx and Frederick Engels) (Vol-III), People's Publishing House, Version 2002, Page 184.

have judicial power attribute, and this is also the cause of Police Power attribute remaining controversial, the author considers that the Police Power is mainly used as a function and role of assisting judicial execution regardless of investigation and punishment execution during judicial process, that is an executive power assisting judicial power in exercising and playing its role, therefore, the enforceability determines that its fundamental attribute is still executive power. There are also other scholars who define it as criminal jurisdiction, the author considers that this concept may confuse the administrative attribute of Police Power, and it is inappropriate to distinguish it from judicial power, so the definition of judicial assistance power embodies its power property and power target more. Third, emergency disposition. It refers to the police's authority conferred by law to quickly restore security and order by taking some emergency and compulsory means for site disposal when the country or region is under emergencies such as unexpected public order incident, violent terrorist attacks or huge public security disaster accident. In other words, emergency disposition is an interlaced power between Police Power and administrative emergency power, it is generated based on administrative emergency principle, unlike the security administration power and judicial assistance power, it has more prominent compulsory nature and higher time-effect for what it deals with is not normal society or normal behavior object, so it has characteristics of transience and flexibility.

## 2. Police Power composition in positive law

The realization and implementation of Police Power composition in theory must be with the help of positive law in reality, in fact, the Police Power composition in positive law has different characteristics as affected by various factors such as the regime, police system and historical tradition, etc. The author selects five representative countries with advanced police system, and conducts comparative analysis for the Police Power in their in positive laws. (See Table 1 for details) It is not hard to see by comparison that the power composition in positive law is similar to that in theory, generally, it consists of the following specific powers: First, investigation power and compulsory power. Since the crime investigation are closely related to public security administration activity, laws in different countries entrust the investigation power to police agency for implementation. However, during social order management and cracking down on crime, only compulsory measure of persons and items for administrative objects and criminal suspects who fail to perform the legal obligations and unwilling to comply with punishments can achieve the objective of making them to perform the legal obligations or accept punishment, so the compulsory power is also an important safeguard for realizing police function. However, the key points of Police Power varies emphasized in chapter arrangement and statement due to different manifestation of police law. For example, it stipulates in Article 65 of Japanese Police Law: "The police may use the Police Power concerning arrest of active criminal stipulated in Article 212 of Criminal Procedural Law anywhere."<sup>[7]</sup> While it stipulates Article 112 of Part 3 Control Area of British Police Law: "(1) The resident magistrate may order the

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[7] Liu Boxiang: Foreign Police Law, Beijing: China Legal System Publishing House, Version 2007, Page 18.

person to leave if it considers that a person is barred from entering a place due to the following reason based on reasonable grounds:... (5) Any person willfully violating instructions issued under this section shall constitute a crime and perform summary conviction... (6) The resident magistrate in uniform may arrest the person without warrant who are carrying out or has carried out the criminal behaviors provided in Subsection (5) that it reasonably doubts."<sup>[8]</sup>Second, power of police weapon use. The realization of police functions and completion of police task depends on police weapons and equipments to some extent, so positive law in different countries has established provisions for the power of police weapon use and implement legal restriction for its standard exercise. For example, it stipulates in Article 9 of National Policemen Occupation Morality Code Law of France: "The police may use the force within the scope authorized by the law, but has to moderately and reasonably use the weapon strictly according to the need and the corresponding target during use."<sup>[9]</sup>Third, traffic control power. As an important social order, traffic order is also the key point of police maintenance and management, therefore, traffic control power is an essential composition of Police Power in positive law, mainly including vehicle traffic monitoring and and vehicle accident investigation, and the specific power may include the power of interception, search and detention of traffic vehicles and pedestrians, road visitation power and traffic maintaining power, etc. All of the above is reflected in the analysis of four countries except for France in Table 1. Fourth, power of intelligence collection and analysis. With the arrival of information age, the collection, analysis and use of all kinds of intelligence and information has become an important means of maintaining national security and social stability, in an attempt to maintain their own national interests and prevent intensified terrorist attacks, all countries have strengthened the intelligence collection and analysis, which is also reflected in the Police Power stipulated in positive law, and the countries in Table 1 also gives provisions of corresponding intelligence collection in their own positive laws. Fifth, emergency disposition. The emergency disposition in positive law is divided into two levels, firstly, in micro level, many countries entrusted the police to exercise a few special dispositions when encountering unexpected event and emergency during carrying out police activities, e.g. power of temporarily calling traffic vehicles and communication tools, etc. Secondly, in macro level, how will the police agency deal with and exercise power jointly with other state agencies under emergency state of country, and the special provisions in chapters and sections of Police Law of the U.S. and Japanese Police Law in Table 1 belongs to the emergency disposition of this level.

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[8] Ditto, Page 448

[9] Ditto, Page 661.

**Table 1: Power Composition of Representative National Police Law**

Britain's Serious Organized Crime and Police Law 2005	Section 2 Investigation, prosecution and trial of crime and proceeds of crime	Chapter 1 Investigation power of chief procurator, etc.
		Chapter 2 Criminals assisting in the investigation and litigation
		Chapter 4 Protection of witness and other people
	Section 3 Powers of the police, etc.	Arrest, control, search and evidence collection and other powers
	Section 4 Public order, behavior in public, etc.	Power of security management
	Section 5 Miscellaneous provisions	Action protection, vehicle registration, insurance and traffic crime, publish of public security information for certain organizations
Homeland Security Act 2002	Part II Intelligence Analysis and Infrastructure Protection	Intelligence collection and infrastructure protection
	Part IV Border and Transportation Security Administration	Immigration enforcement power, border and transportation security assurance
	Part V Emergency Preparation and Response	Emergency disposition
	Part IX National Security Council and Homeland Security Council	National security maintenance
German Federal Police law	Section 2 of Chapter 1 Powers of Federal Criminal Investigation Bureau	Subsection 2 International cooperation
		Subsection 3 Criminal liability investigation and case information storage
		Subsection 4 Protection of state constitution organization personnel
		Subsection 5 Witness protection
	Section 3 of Chapter 1 General Regulations	Collection, utilization and protection of data information

National Policemen Occupation Morality Code Law of France	Title 1 Obligation of national police	Article 8 Maintenance of public order, protection of citizens' personal safety and state property
		Article 9 Power of weapon use
		Article 10 Power of arrest
Japanese Police Law	Chapter 2 National Public Safety Commission	National public security maintenance, combating organized crime, traffic rules transaction processing, international policing cooperation, information collection and analysis, security and stability maintenance of citizen's life, crime prevention, community police and patrol, security police professional work and power of weapon use
	Chapter 3 Police agency	
	Chapter 4 Prefectural police	
	Chapter 5 Police officer	
	Chapter 6 Special disposal of emergency	Emergency disposition

## II. Police Power in the framework of the Constitution

As a widely applicable important constitutional power, Police Power inextricably links the public at all times, its value objective determines its serviceability of power, while the means and way of exercise of right determines that it is armed and mandatory, in addition, it has a dynamic changing relationship of continual conflict and balance with citizen right naturally, therefore, dynamic development perspective and idea are required for studying the Police Power in the framework of the Constitution.

### (i) Police Power in the framework of the Constitution

As described in the previous section, no direct stipulations are laid down for Police Power in China's constitution, police mode of the Republic of China and Soviet Union, the concept of public security rather than of police is adopted in this paper. Police, as a generic name in specific areas, has been recognized in international community. While the public security of China is only used as a pronoun of police, emphasizing the pursuit of management order and management objective of public security, for example,

the "police" mentioned in Article 107 of China's constitution is intended to have such meaning.<sup>[10]</sup> It can also be considered that the power exercised by the public security organ stipulated in the framework of the Constitution is Police Power.

#### 1. Police Power in China's constitutional text

The Police Power in China's constitutional text is mainly shown in three aspects: firstly, the administration of Police Power is pronounced, both of central government and local government put emphasis on public security work, i.e. the power of security management of Police Power has prominent status in the framework of the Constitution is Police Power. According to China's constitutional theory, as an important administrative power existing in the framework of the Constitution is Police Power, it is reflected that the leadership and management of Police Power is mentioned in the power exercising related to the State Council and local governments in China's constitutional text. For example, Article 89 of China's Constitution stipulates: The State Council exercises the following functions and powers:... (8) to direct and administer civil affairs, public security, judicial administration, supervision and other related matters; Secondly, it also puts emphasis on the judicial assistance power of Police Power. As a special administrative power jointly cracking down crime and maintaining state security and social order with judicial assistance, it is mandatory exceeding other administrative powers. For example, in Article 37 and 40 of Chapter 2 of Constitution, Fundamental Rights and Duties of Citizens, it specifically stipulates the exercise of power of arrest and power of investigation of public security organ. And it specifically stipulates in Section 7 of Chapter 3 The People's Courts and the People's Procuratorates: The people's courts, the people's procuratorates and the public security organs shall, in handling criminal cases, divide their functions, each taking responsibility for its own work, and they shall coordinate their efforts and check each other to ensure the correct and effective enforcement of the law. It puts emphasis on its judicial assistance power. Thirdly, the armed force of Police Power is reflected. As the limits of authority of Organs of Self-Government of National Autonomous Areas, Article 120 of China's Constitution stipulates: The organs of self-government of the national autonomous areas may, in accordance with the military system of the state and practical local needs and with the approval of the State Council, organize local public security forces for the maintenance of public order. The author considers that the constitutional power set as a local autonomy armed power is only mere paper talk due to lack of constitutional practice, but there's no doubt that the armed force of Chinese Police Power is expressed clearly in the Constitution.

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[10] Article 107 of Constitution of the People's Republic of China stipulates: Local people's governments at and above the county level, within the limits of their authority as prescribed by law, conduct administrative work concerning the economy, education, science, culture, public health, physical culture, urban and rural development, finance, civil affairs, public security, nationalities affairs, judicial administration, supervision and family planning in their respective administrative areas; issue decisions and orders; appoint or remove administrative functionaries, train them, appraise their performance and reward or punish them.

## 2. Police Power in China's positive law

It takes 14 years from starting to draft the Chinese Police Law in 1982 to issuance in 1995, with the constant extension and development of our country's reform and opening-up, great changes and transition have taken place to the all respects of overall society such as politics, economy and culture, and many new problems and new situations appear in public security, all of which leads to constant adjusting and changing of Police Power. The current police law gives a comparatively detailed regulation of Police Power, which is mainly reflected in Chapter 2 Police Powers (See Table 2 for details), it should be noted that the Chinese Police Law gives a comparatively detailed regulation of Police Power, and Police Power is exactly the external manifestation of abstract Police Power, therefore, we can have a clear understanding of power composition of Chinese Police Power in positive law through analysis and sorting out of Police Power. As shown in Table 2, Article 6 of Chinese Police Law gives a generalized General list and classification of police's general administrative power, and Article 7 to Article 17 gives a detailed classification regulation of special administrative power. Based on the difference of power properties, the author considers that it can be classified as follows: First, power of security management. It is a special administrative power entrusted to public security organ from the State for maintaining public security order effectively. It includes traffic control power, fire fighting power, household registration management, entry and exit administrative power, dangerous goods administrative power, special industry administrative power, guard power, etc., which is shown in Article 6 of Chinese Police Law. Second, punish power of public order. It is a special power entrusted to police, and is subject to special authorization and specification by China's Law on Public Security Administration Punishments. Article 7 of Chinese Police Law is the basis for establishing ultimate power. Third, compulsory power. It includes administrative compulsory power and criminal compulsory power, in order to realize cracking down crime and maintaining public security order, the police has the power to take coercive measures for persons who fail to perform the legal obligations or take urgent and immediate compulsory measures for their personal or property right. The Police Power of Article 7, 12 and 14 of Chinese Police Law belongs to the above kind. Fourth, judicial assistance power. In order to assist the smooth progress of criminal procedure enforcement and realize attack on crime behavior, Chinese Police Law specially stipulate the police's power of investigation and power to execute punishment, which is mainly expressed in Subparagraph 1 and 11 of Article 6 and Article 16. Fifth, power of police weapon use, which is mainly expressed in the regulation of Article 10 and 11 of Chinese Police Law. Sixth, emergency disposition. It is mainly expressed in Article 13 and 17 of Chinese Police Law.

**Table 2: Power Composition of Chinese Police Law**

Article 6	Right to execute punishment, traffic control power, fire fighting power, dangerous goods administrative power, guard power, household registration management, entry and exit administrative power, administrative supervision power, administrative guidance power, etc.
Article 7	Administrative compulsory measure, administrative punishment power
Article 8	Site disposal power
Article 9	Interrogation and examination power
Article 10 and 11	Article 9 Power of weapon use
Article 12	Criminal compulsory power
Article 13	Emergency requisition utilization power
Article 14	Administrative compulsory power
Article 15	Traffic control power
Article 16	Technical investigation power
Article 17	Emergency control power

## (ii) Development and change of Police Power in the framework of the Constitution

China's Constitution has undergone four times of overall amendment and four times of partial amendment, and the Constitution's power composition has also undergone some changes, and the Police Power in the framework of the Constitution does not remain constant, instead, it is constantly adjusted and changed with the development of Constitution and reform of society.

### 1. Change in Police Power during the development of China's Constitution

From the building of new Chins to today, four constitutions are issued, the constitutional power has also undergone some changes, and the Police Power in the framework of the Constitution has also changed. Firstly, it stipulates in Subparagraph 3 of Article 70 of Constitution of 1954: "The autonomy authorities of autonomous region, autonomous prefecture or autonomous county shall organizes its own public security forces pursuant to China's military system." It is a highlight for the armed force of police, and is also a kind of Police Power existed as national autonomous local armed power, from which it can be seen that it only focuses on emphasis and highlight of armed force and violence nature of power nature at that time. The Police Power is mainly considered as an indemnificatory power for ruling of state politics. Secondly, Constitution of 1975 has mentioned the Police Power twice, one is the regulation of

Paragraph 2 of Article 25: "The functions and powers of procuratorial organs shall be enforced by public security organs at different levels." The other one is the regulation of Article 28: "The personal liberty and residences of citizens are inviolable. No citizen shall be arrested except by decision of people's court or with the approval of public security organ." At this time, due to the ramifications of Cultural Revolution, the rule of law has damage and backward phenomenon, and the procuratorial power is also canceled, which is exercised by Police Power as an agent, and the decision power for capture is also put under Police Power, which disappears completely under the motto of "the Public Security Bureau, the Procuratorate and the Court" by the "Gang of Four". It stipulates in Paragraph 2 of Article 47 of Constitution of 1978: No citizen shall be arrested except by decision of people's court or with the approval of public security organ and enforcement of public security organ." It is the correction of mistakes of Constitution of 1975, and is also the redetermination of mutual coordination and division and cooperation relationship of criminal additional litigation of the Public Security Bureau, the Procuratorate and the Court. Meanwhile, it embodies the respect and protection of citizen right. Finally, the status of the Police Power receives attention in the current Constitution, which is mentioned six times in the constitutional text, (See Table 3 for details). With the comparative analysis of constitutional text, it is not hard to see that the Police Power is gaining more and more attention and development with the progress of legal condition in China, and the multilayer nature and normalization of Police Power is gaining highlight and emphasis.

**Table 3: Position of "public security" in Chinese Constitutional Text**

Chapter II The Fundamental Rights and Duties of Citizens		Paragraph 2 of Article 37
		Article 40
Chapter III The Structure of the State	Section 3 The State Council	Subparagraph 8 of Article 89
	Section 5 The Local People's Congresses and Local People's Governments at Various Levels	Article 107
	Section 6 The Organs of Self-Government of National Autonomous Areas	Article 120
	Section 7 The People's Courts and the People's Procuratorates	Article 135

## 2. Design and changes of Police Power in the positive law in China

After China built up new country in 1949, China founded Ministry of Public Security under Central People's Government, regulated lots of police law regulations, however, facing lots of administration and

management matters with absent police legislation experiences, temporary legislation and decentralized legislation had to be taken such as police security management right, e.g. Provisional Regulations on the Governance of Populations, Measures of the People's Republic of China for the Control of Firearms in 1951; Police criminal executive right, e.g. Regulations on Confiscation Counterrevolutionary Prisoners' Property by the Government Administration Council, therefore, the Police Power framework could not be formed under the level of national power. In 1957, with the publication of Regulations of People's Police of the People's Republic of China, the construction of Chinese Police right was designed and regulated.<sup>[11]</sup>In the Regulation, the specific Police Power specifically lies in Article 5 Responsibility of the People's Police and Article 6 Competence of the People's Police. They can be classified in 5 categories in accordance with the contents: Firstly, maintenance right for national security and society security order, includes Subparagraph 1, 2, 9, 10 and 11 of Article 5. Secondly, Security Management Right, includes Subparagraph 5, 6, 8, 13, 14 and 15 of Article 5, and Subparagraph 3 of Article 6. Thirdly, detective right on assisting criminal judicature and power of executing punishment, includes Subparagraph 4 of Article 5, and Subparagraph 1, 2 of Article 6. Fourthly, administrative right on instruction and supervision, includes Subparagraph 3, 16, 17 and 18 of Article 5. Fifthly, other rights, includes Subparagraph 12 Power of Guard in Article 5, Subparagraph 4 Power of Weapon Use and Subparagraph 5 Power of Emergency Treatment.

Compared with the regulation of the People's Police in 1957, subtle adjustments were only conducted

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[11] It was regulated on Article 5 of Regulations of People's Police of the People's Republic of China in 1957 as following: the Responsibility of the People's Police are as follows: (I) Prevention, stop, detecting destroyed activities of counterrevolutionary elements and other criminals, searching for and arresting escaped investigation, judgment and execute criminal; (II) Control counterrevolutionary elements and other criminals according to the law; (III) Instruction of Security and Guard Commission, guiding the people to conduct prevention of spy, bandit, and protection against burglars and fire; (IV) Guarding the Court, escorting the criminal, alerting the prison, detention house and labor camp sites; (V) Management of explosive goods , poisonous materials, firearms and ammunition, radio component parts, printing and casting industry, engraving industry; (VI) Management of the registered permanent residence; (VII) Management of foreigners and non-nationality residents, travel etc.;(VIII) Management of traffic, vehicles and drivers; (IX) Maintenance order and safety of public area and mass meeting; (X) Maintenance order at stations, ports, airports, in the train and ship, protecting security of the passengers and transportation; (XI) Protection security of any embassy in China; (XII) Guarding security of key institutions, factory mining enterprises, etc. ; (XIII) Supervision of public health and city appearance; (XIV) Firefight; (XV) Tracking robbed and stolen properties, searching lost children and unaccounted people, relieving victim and people who suddenly fall ill without support; (XVI) Delivery of natural disaster forecast to residents, actively assisting the relevant units and mobilization of the people to prevent and defeat disaster; (XVII) Actively participating and assisting other work related to people's welfare; (XVIII) Conducting propaganda to the people for increasing revolutionary guard, protecting public property, obeying the laws, and public order and respecting social morality; (XIX) Other matters related to the scope of responsibility of the People's Police. It was regulated on Article 6 in Regulations of People's Police of the People's Republic of China in 1957 as following: (I) Executing arrest, detention and searching counterrevolutionary elements and other criminals; (II) Arraigning the suspect and witness according to the law during detecting criminal cases; (III) Banning or give security administrative punishment with the citizen's behaviors which are harmful to the public order and social security without formed criminal behavior; (IV) Using weapon if necessary, when People's Police execute his duty and encounter resisting arrest, riot, attacking, robbing guns or to other emergency conditions like destroying social security with violence and refusing to listen to stop; (V) People's Police can borrow transportation tools and communication tools from the institution, group, enterprises and citizen individual for emergent arresting criminal and saving citizen's life danger; (VI) Other privileges of the People's Police regulated by the law.

for the construction of the Police Power in 1995 People's Police Law of the People's Republic of China, the overall power structure had not changed on a large. Adjustments are mainly shown as follows: Firstly, expanding security administrative right, increasing management right for gathering, parade, protesting activity. Secondly, increasing supervision management right for the information, stress on the security protection for the computer information system in the Internet era. Lastly, combining responsibility and privilege of the police, and removal of some responsibilities as duty and law contents. Such as Subparagraph 15 to Subparagraph 18 of Article 5 retained principally, adjusted to Chapter 3 Compulsory and Discipline. After combination, it corrected as Article 20 and 21.

### **III. Some thoughts on Police Power under the framework of the Constitution in China**

Police Power has always been the hot spot and focal issue in the field of police theory in China, many police system problems could not get away from the research of Police Power, and constitution basis of the Police Power as logic starting point are also concerned by many scholars naturally. GaoWenying thought that Police Power are equipped with righteousness<sup>[12]</sup> only if built on the basis of the Constitutionalism, some scholars combed these research results from scholars on the Constitutionalism basis of Police Power, it would be divided into three kinds, that is it was reflected on the traditional Constitutionalism, the idea of power separation, and the public area.<sup>[13]</sup> However, construction of Police Power under the framework of the Constitution power and analysis of the Constitution still are absent of systematic proof and research, it also becomes a pity in the basic theory research on the police right.

#### **(i) Transparency and confirmation of administrative property of Police Power**

The issue of property of Police Power always becomes argumentative in the research circle, that the focus is how to treat and define criminal jurisdiction authority in Police Power. Article 1 of the Regulation of People's Police in 1957 regulated that People's Police of the People's Republic of China belongs to the people, it is one of important tools of the people's democratic dictatorship, also is national security administrative power with the armed property. It shows stress on armed property of Police Power at that time and confirmation of the political status in China. However, Article 1 in the Draft of Law of the People's Police in 1994 regulated that the People's Police is the security administrative power and judicial power with the armed property of the people's democratic dictatorship. Comrade Tao Siju who was the Minister of the Ministry of Public Security at that time cleared that considering that, "The People's Police are not only the national security administrative power with the armed property and also equipped with criminal

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[12] For details, see the book written by GaoWenying: Research on the Issue of Police Power Allocation in the Social Transition Period in China, Beijing: Qunzhong Publishing House, Version 2012, Page 13.

[13] For details, see the book written by Shi Wei: Research for Several Issues on the Police Law, Beijing: University of China People's Security Publishing House, Version 2012, Page 66.

judicial functions, such as criminal detection, executing punishment, the People's Court, the People's Procuratorates and judicial police. To more correctively embody the nature of People's Police,<sup>[14]</sup> draft added the regulations on judicial power. Because of argument existed for the point of view, about Police Power property was withdrawn when the Law of People's Police was issued in 1995, only regulated duty and scope of the People's Police in Article 2. In addition with regulated principle nature and ambiguity of the position for Police Power, its property becomes continuously argumentative focal point in academia. New argument on the property of Police Power in positive law appeared in Regulations on Police Organization Administration in 2006. Article 2 regulates that, "Public security organ is the important tool of the people's democratic dictatorship, the People's Police is the security administrative power with the armed property and the judicial power, bear the responsibilities with prevention, stopping and punishment of the illegal criminal activities, protection of the people, service of the development of economy and society, preservation of national security and social security order." Therefore, some scholars thought that the Police Power in China is equipped with administrative right nature and judicial right nature. Montesquieu's theory of power balance are the foundation stone of modern constitution theory, and also theoretical basis of constitutional power balance in China, he pointed out that "When the legislative and executive powers concentrated in the same individuals or agencies with a hand, you will cease to exist; ... If the judicial power of the different legislative powers and the separation of the executive power, the freedom also does not exist." In other words, according to the modern constitutional theory, in the framework of power, the power integrating with administrative power and judicial power is absolutely not allowed to occur. So the Police Power with both the administrative and judicial nature in the framework of the Constitution is absolutely impossible to exist. Therefore, the author thought that the police using the right of investigation and execution of the punishment in order to prevent, stop and punish illegal and criminal activities still belongs to the scope of administrative power, which is for helping achieve judicial purpose assisting the judicial power and to excise the administrative executive power.

The gradual cancellation of the Police Preliminary examination system in our country also reflects the development trend of Police Power removing the judicial nature from the power. In 1990s, preliminary examination right was discussed as the important composed part of the Police Power in the police law study and research.<sup>[15]</sup> However, preliminary examination is a criminal procedure system in foreign countries, it is the activity of audit and supervision when the judge excises the judicial power for investigation and prosecute, undoubtedly belonging to the scope of judicial power. Preliminary examination exercised by the police institution has more disadvantages than advantages, which has caused lots of cases in which people were wrongly, falsely and unjustly charged, and formed a kind of system that the public questioned

[14] Li Zhongxin: Research of Several Issues on the Act of People's Police, Beijing, Qunzhong Publishing House, Version 1998, Page 165.

[15] For details, see the book edited by Liu Shifu: Police Law, Beijing: Law Publishing house, Version 1991, Page 69.

criticism. Therefore, the public security organ gradually canceled the system of preliminary examination, renounced the use of the power, it is also a significant embodiment of improvement on the development in the stage of nomocracy in China, built up the foundation of further transparency and confirmation for the administrative nature of the Police Power.

## **(ii) New problems confronted by the Police Power and its trend of development**

We know from the above analysis, the construction of power for the Police Power shows differences in the positive law in different countries, meanwhile, with the development of the society, continuously conduct adjustment and change of itself. Currently, the society is in the stage of transformation in China, with the increase of social contradictions, situation of the public security is abnormal complexity, in addition with the increase of violence incidents and terrorist crimes, new problems and challenges are also confronted by the execution of the Police Power. Currently, the draft of anti-terrorist act in China is in the stage of deliberation and discussion, based on the Police Power set in the People's Police Act, it adds part of the Police Power, such as Chapter 4, intelligence information and investigation regulates the information collection right and special investigation right on anti-terrorist for the police. This is the new development on construction of the Police Power in China, however, it is worth to notice that with the expansion of the Police Power, norms and constraints in the level of constitution shall be relevantly moved, otherwise, it shall lead to the deluge and wreak havoc of the power. In details, the author thought that news problems confronted by the Police Power in China and the future development trend for the current Police Power in China lie in the following aspects:

Firstly, with the increase of violence incidents and terrorist crimes, the national security and social stability seriously threaten, the Police Power shown the expanding trend. Recent years, more violence incidents and terrorist crimes gradually increased from original board areas gradually expanding to the inner land, behaviors of violence and terrors gradually upgraded from Urumqi accident to Yunnan Kunming Railway Station terrorist accident, clouding terrific shadow for the public psychology. That was also direct cause for issuing the draft of anti-terrorist act. To the effective strike violence and terrorist crime, maintain public personal safety, properties safety and stable social order, it becomes necessary for the expansion of Police Power, identification right for terrorist organizations and terrorists, anti-terrorist organization and coordination right, anti-terrorist intelligence information collection right, anti-terrorist emergency disposition and anti-terrorist special investigation right were the key points of development.

Secondly, new requirements for the development of the Police Power were proposed under the theory of modernization of national governance. Compared with mainly depending on the superincumbent mandatory management mode of the country, the theory of national governance modernization stressed in the national law, the exercise of Police Power to take the public and social organizations to carry out horizontal communication, consensus and agreement, negotiation, etc.. In the way of governance, it highlights the complexity, inclusiveness and cooperativeness, and the public understanding of power

and consensus of the rationality of police, so that it can improve the efficiency of the police work. At present, China's Police Power is mostly based on command, power, regulation, setting up the burden of responsibility and punishment as basic methods. The modernization of social governance should be highlighted in the lateral communication and negotiation with the public, social organizations, social groups and other government departments in order to realize the target of management through more ways of consensus, service, motivation, administrative guide. In other words, the police's positive administrative content is increasing, the Police Power of the administrative service and the administrative guidance type will become the key point in the power structure.

Thirdly, the public nature and social nature are highlighted in the Police Power, and parts of power have been transformed. Crimes of terror and violence increased and realization of modernization of national governance have presented many challenges of Police Power in the aspect of social governance, relying solely on the limited resources of the police shall be overstretched. The development of modern police system shall be integrated with the theory of modernization of national governance and structural transformation from a single way to the multi-interactive shared governance, bringing the social organizations, social groups and the citizens into the main body of governance. Putting the limited police force to the most needed areas, and some of the public nature, social demand obviously for the Police Power to carry out the social transformation, allowing other social organizations such as private organization to provide part of the police service (mainly in security services), there are some similar public security organizations with mass character, security companies and other social security forces existing in reality. But compared with foreign matured commercial security company, we still lack in the aspects of business scope and service protection. Therefore, confronting with the needs of social reality, the Police Power shall carry out social transformation to some powers. On the one hand, it can meet the different needs for safety for different levels of public. On the other hand, it also can intensively and efficiently play the role of the proper value.

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# From Standardization to Legalization: Innovation and Sublimation of Contemporary China's Police Power System

Sun Zhenlei

**Abstract:** Standardization of Police Power is the development of the standardization of enforcement of public security, and the legalization of Police Power is also the sublimation of the standardization of Police Power. Under the overall background of comprehensive implementation of ruling by law and deepened reform, neither the standardization of enforcement of public security nor the standardization of Police Power is unable to meet the needs of the construction of contemporary China's police administration. During the modernization of national governance, the positioning of Police Power system is supposed to be the legalization of Police Power. There should be three aspects in the basic contents of the reform of Police Power by law, i.e. moderate separation and reasonable demarcation between national Police Power and local Police Power, transferring of the space of public Police Power as well as the training of civilian security forces, refinement and reinforcement of professional Police Power.

**Keywords:** Standardization Legalization Police Power Sublimation

## Introduction: Discussion from the viewpoint of the standardization of enforcement of public security

"Standardized construction of enforcement of public security" has once become the hot topic since 2008, which is still the significant concern of the central senior leaders on decision-making as well as what the national public security organs at all levels are doing with great effort. Much effort has been made for significant issues of a country, which also results in significant achievements as well as several lessons. We should rethink profoundly up to this day that whether the standardized construction of enforcement of public security is a true statement or false one. It's really meaningful and significant for careful reflection as

it is in relation to the subsequent innovation of the reform of Police Power system as well as the solutions for difficulties in standardized construction of enforcement of public security.

The author suggests that enforcement of public security is supposed to be standardized, which is also the proper meaning of enforcement of public security. Standardization is the minimum essential requirement of enforcement of public security, and such formulation is not supposed to be a statement theoretically. Every statement has certain conditions for its existence. Standardization is such a condition for the enforcement of public security. The enforcement of public security will have no meaning if its standardization is unable to be realized. Therefore, standardization is the prerequisite for formulation of the enforcement of public security. However, there will be logical mess if standardization is regarded in turn as the target of or requirement for the enforcement of public security, which is certainly unsustainable.

From the view of practice, however, there really exist some prominent problems during the enforcement of public security. The existence of several factors, such as insufficient concept of law enforcement, imperfect system of law enforcement, professional level of law enforcement that needs to be improved, guarantee and equipment for law enforcement that need to be further improved, etc., all of which result in many events that have attracted high attention from the society, such as the police-involved death of Zhou Xiuyun in Taiyuan, Shanxi in December 2014, the police-involved death of XuChunhe in Qing'an, Heilongjiang in February 2015, the death of Police XueYongqing in Su'ning, Hebei in June 2015, etc. Even though there are some reasons in relation with the parties involved in these events, it can't be denied that there also exist some errors in different degrees during the enforcement of public security. From the view of the above, there seems to be practical significance for the formulation of the standardization of law enforcement. The practical significance means that the standardization shall be solved firstly when it's unable to fully conform to the standards that are supposed to be followed for the enforcement of public security. Therefore, the standardization of the enforcement of public security will be nothing but the practical problem and actuality problem instead of the theoretical problem or should-be-what problem. In this article, the above analysis is taken as the logical starting point to discuss the standardization and legalization of Police Power.

### **Standardization and legalization of Police Power**

Compared with the standardization of enforcement of public security, the legalization of Police Power appears to be a vast expansion on its extension. From the perspective of modern police law, the Police Power includes original Police Power and derivative Police Power . For example, the contents of Police Power such as police mediation, police guide, police contract and police service, etc. derived under new social norm, which has subverted the basic meaning of original Police Power featured limitation of power and management by traditional police law for a long time. The enforcement of public security is

only a basic area of implementation of police law, not the whole. Certainly, they are the same in terms of standardization requirements. As for common paradigm of research, the standardization problem discussion of Police Power is likely to ensure the depth and breadth of thinking and academic standardization.

Throughout history, shared governance, the rule of man and the rule of law are the basic ways for development of political civilization in human society. As an important content of state public power, Police Power is also in continuous development along this route. The development of each stage is increasingly sophisticated and more challenging. In contemporary China, the development of Police Power system is in stage of the rule of man, stepping to the rule of law. In such a specific historical stage, what is the goal of reform of Police Power system?

Let's comb the reform ideas in these years. In recent years, from the introduction of concept of law enforcement of "rationality, peace, civilization and standard" to the deployment of standardization building of enforcement of public security, in practical fields, both the decision level and execution level gradually determine the basic idea of standardization building of Police Power. After the Eighteenth National Party Congress of the Communist Party of China, with the leadership of guiding ideology of comprehensively promoting reform and comprehensively implementing the rule of law (hereinafter referred to as "Two Comprehensives"), the senior Chinese officials also clearly put forward the idea of construction of "rule of law in public security organs", later, they issued the Framing Opinions on Several Significant Issues for Comprehensively Deepening Policing Reform in February, 2015. Obviously, from the introduction of concept of law enforcement to standardization building of enforcement of public security to building of rule of law in public security organs, the reform idea of Police Power system is continuously revised and becomes richer, the legalization of Police Power, a new idea consistent with the requirements of "Two Comprehensives" is gradually established.

The legalization of Police Power and standardization of Police Power have distinct differences. The standardization of Police Power is a phased target put forward during the stage stepping into the rule of law, and is also the basic content and basic means of phased Police Power system reform. The standardization of Police Power is the actuality problem and practical problem, and is also the microcosmic problem at technical level, while the legalization of Police Power is not only the actuality problem and practical problem, but also the should-be-what problem and theoretical problem. Meanwhile, the legalization of Police Power is not just the microcosmic problem at technical level, instead, it is the top-level design problem and macroscopic problem. When developed to a certain stage, the standardization of Police Power will certainly be replaced by the legalization of Police Power. The standardization of Police Power is the prelude and transition of the legalization of Police Power, while the legalization of Police Power is the sublimation and inevitable result of the standardization of Police Power. Compared with the standardization of Police Power, the legalization of Police Power is more comprehensive and more advanced, meeting the general rule of development of political civilization in human society. And how to achieve the legalization of Police Power in particular practice belongs to the basic category of police politics construction in the

socialism with Chinese characteristics. For it should be combined with the concrete national situations and developmental stage, and there is no finiteness. Of course, it is an incontrovertible fact that: the legalization of Police Power is an important part of the socialistic democratic politics construction with Chinese characteristics, and must adopt comprehensive arrangement with superstructure as a whole, coordinating with each other to carry a step forward steadily. Any police reform detaching from the present economic and social development and reform practice of other superstructures is reckless and unsustainable. The difficult promotion of many Police Power system reform tests in different places in recent years has proved this point.

### **Legalization--Orientation Thinking on Reform of China's Police Power System in the Process of National Governance Modernization**

The concept of national governance system and governance competencies modernization was initially advanced at the Third Plenary Session of the 18th Central Committee of the Communist Party of China. Referred to as "the fifth modernization" after Four Modernizations by some scholars, it is not only the result of great importance attached to and persistent research taken on modernization by Communist Party of China (hereinafter referred to as "CPC"), but also the latest achievement of CPC's recognizing on modernization . In my point of view, legalization is the first step leading to modernization of national governance. Right understanding on legalization spirit is a guarantee for proper orientation thinking on China's police power system reform in the process of national governance modernization. Legalization spirit, simply speaking, means control over public power by law. The original meaning of legalization was control over public power, rather than direct protection of human rights. As clearly stated in *The Spirit of Laws* by Montesquieu, "to prevent the abuse of power, it is necessary that by the very disposition of things power should be a check to power." He not only indicated power control as the essence of legalization but also introduced such a way of control that "power should be a check to power". If legalization has a function of realizing basic human rights through control over public power, it must be the fundamental way to control police power.

From this perspective, China's police power system reform in the process of national governance modernization is, in essence, police power legalization, which turns out to be the ultimate value of police power configuration and running. From system nature, police power legalization involves construction of a police system that adapts to a specific democratic and political model, basically contains police power division and supervision and takes legality as its fundamental carrier. Police power legalization has four essential features: firstly, addressing power division; secondly, focusing on duty distribution; thirdly, encouraging system supervision; and lastly, with laws as carrier, taking legality as supreme standard.

There are five main elements that have effect on police power legalization. The first one is economic

foundation. As Karl Marx stated in *Capital*, the economic structure of society is the real basis on which the juridical and political superstructure is raised. As an important composition of the superstructure in modern society, police system must be influenced decisively by economic foundation. In the past three decades since China's reform and opening-up, our economy system has had dramatic changes, socialist market economy has been set up basically, and construction of democracy corresponding to it has been progressing steadily. Market economy requires governmental functions to transform from administration to service and from negative administration to positive administration. Along with this, function positioning, law enforcement concept and service mode of police agency shall be adjusted accordingly. In respect of police resource allocation, democratic deployment and legalized running of police power shall be realized at first so as to avoid contravention with socialist market economy. Therefore, economic foundation is deemed to be the first element that shall be taken into consideration in the process of developing police power legalization. The second element is political system. A nation's system consists that of politics, economy, culture and others. Political system involves a nation's features, form of government, the nation's structure and so on. Police system falls into the range of form of government and is restrained by the nation's features. Form of government decides upon nation features, so police power legalization will be also determined by nation features. Democratic politics shall be taken as a prerequisite for realizing police power legalization. The third element is historical heritage. Legal culture inherits and such heritage is not affected by any personal or political group's will. After the Second World War, Japan underwent an inactive reform to police system subject to the authority of the United States, but the traditional centralized authority has been still acting potentially for so many years. The system finally came into being in a form of power division but in the essence of centralized authority. Forced confession is still frequently occurring in nations with centralized authority despite repeated prohibitions, which may be due to the past long-lasting cultural influence of inquisitorial-litigation model in the Middle Ages. In conclusion, historical culture plays an important role in police system for a nation. To realize police power legalization in China, we must sort out and filter better parts from the traditional legal culture and police culture to facilitate localized improvement of police power legalization development. The fourth element is maturity of legalization which is deemed as an important symbol of a nation's civilization degree. If legalization is immature, police power is difficult to realize. Contemporary China has made a great progress in legalization process since the Reform and Opening-up, but there is still a long way towards basic requirements of legalized nation. We can say that contemporary China is in the journey towards legalization. Correspondingly, the goal of police power legalization cannot be reached in one step; it's a progressive course. As a part of democratic politics and legalization development, police power legalization shall be progressed together with other parts. This can be supported by a great example of hard journey due to overeager actions taken on police reform by some local governments in several years. The last element is specialized public security situation. The ultimate objective of police construction is to keep public security in a good condition. Public security situation at different times has critical effect on dominant position, duties and services of police. For example,

advanced democratic nations generally obey such a basic political principle as "Police will not participate with political policy making". However, at specialized history period of a nation, this principle might be changed temporarily due to complex and volatile public security situations, and there might be even discrepancy with the objective of police power legalization. As contemporary China has entered into the critical stage of reform and opening-up, social public security situation is getting complex as never before, and public security responsibilities and duties shouldered by police agencies turn to be extremely rough. Police agencies must be granted with enough political and legal guarantees to ensure they have the power to mobilize police resources of the whole society, accomplish their public security goal of safeguarding the nation's political steadiness and provide a good public security environment for China's reform and opening-up. In this sense, under such a special period of history, it might be a reasonable deciding that main posts of each police agency are held concurrently by Member of the Standing Committee of the CPC Committee at the same level or government deputies. But we must recognize that, as a historical phenomenon, police has its own inherent development rule; specialized measures taken at specific times will not become a long-term system planning. When the public security situation gets steady and the socialist modernization reaches a stable stage of development, police agencies can return to the right track. This idea was ever applied by Japan during the Meiji Restoration and by France and Germany in modern age, which has evidenced the influence of specialized public security situation on police power legalization development.

In summary, police power legalization development is a complex process influenced by multiple elements such as economic foundation, political system, historical heritagematurity of legalization and specialized public security situation, among which, economic foundation is the fundamental motivation and political system becomes the decisive factor. Police power legalization reform for contemporary China must take these elements into consideration for overall design and choice of measure.

### **Combing, adjustment and several suggestions on the current reform of China's Police Power by law**

Based on the establishment of target and orientation of the reform of Police Power by law, it's time to think about the system construction and emphasis of the reform of Police Power by law. The author suggests that there are at least three aspects as follows on the current reform of China's Police Power by law:

#### **(i) Moderate separation and reasonable demarcation between national Police Power and local Police Power**

The separation and separate establishment of national police and local police is the universal police administration mode for a country under the rule of law. It has been proved by practices that this mode can

not only effectively prevent the variation of public power caused by the centralized mode but maximize the positive function of Police Power. However, as China is a centralized country traditionally, Police Power has always been exercised in the name of country during 60 years after the establishment of New China. The separation of national and local Police Power was not mentioned either in the Regulations of People's Police in 1957 or People's Police Law in 1995. Under the background of market economy and democracy and the rule of law, various disadvantages gradually appeared about the blending establishment of national and local polices. On the one hand, local police force always conducts offside police affairs such as crackdown on serious economic crime and cross-border smuggling, etc. that are supposed to be within the scope of the national police power, the effect of which are not satisfactory as they are driven by local interests. On the other hand, the national police force also always puts the incidental before the fundamental that too much intervention is put in such police affairs as education and training of primary and intermediate police, management of traffic order, etc. that are within the scope of local police power, which also results in different effects on the positivity of local police force. Therefore, it has become an inevitable trend to separate and separately establish the national and local police power.

As the structural form of China is unitary, one of the problems that can't be ignored is that whether there exists conflict between that structural form and the separation of national and local police power, which can result in institutional barriers. The author suggests that there exists no changeless form of state. Unitary structural form of state has never rejected the autonomy allocation of local government, and the federal structural form of state has never taken the laissez-faire towards the autonomy of local government. In fact, with the evolution of political civilization and compatible growth of systems of all countries, countries in the two structural forms are learning from each other for respective improvement, which has achieved satisfying effect. As far as in China, the reform of tax sharing system in 1994 resulted in successful separation and separate establishment of financial power of central and local governments, and the next result will inevitably be the separation and separate establishment of administrative power. As Police Power is an important administrative power in local government, its institutional reform is imminent. This tendency is also embodied by the police affairs reformation that each local government has carried out positively in recent years, whether successful or not. Unitary structural form of state should not and will not become the institutional barrier for the separate establishment of national and local Police Powers.

In terms of specific system design, the author suggests that the following aspects are necessary to be considered. Firstly, there should be clear demarcation between rights and obligations. Any police affairs that are in relation to national interests, such as anti-smuggling in relation to national tax revenue, anti-terrorist in relation to core national interests, etc. shall be undertaken by national police force. As for the police affairs that have close relationship with local social and economic development and have prominent social functions, such as public security administration, fire administration, census administration management and community policing, etc., shall be undertaken by local police force. Secondly, attention shall be paid to law cost control. It can be taken into consideration that the Ministry of Public Security can

be transformed to the national police headquarters on the existing basis to adapt to the on-going reform of judicial system, and several national police branches can be established by regions and accredited to all provinces to uniformly exercise the national police power. In the meantime, sub-provincial public security organs shall be vertical to uniformly exercise the local police power. Thirdly, the political attribute of public security organ and police force shall be maintained changeless. The fact that local public security organ is responsible for local government doesn't mean that there is no need of the Party's leadership or the guidance and cooperation of national police. The principle shall be changeless that public security work shall be under the uniform leadership of party committees at all levels.

**(ii)Space transfer of the public Police Power and cultivation of mass security force**

Modern police law thought that non-governmental security force is an important part composed of national police force in a country. It is different from professional space of public police, they are supplementary each other and support each other, totally composed of the basis of democratic police administrative system. In democratic developed countries, legislation general clearly confirmed that lawful main identification and basic authority for the non-government security forces, the industry of non-governmental security service is thus to flourish. Taking the United States as an example, its quantity of practitioner on the service industry has far exceeded the public police, formed matured governing model "small government and big society", it includes limited responsibility jurisdiction of the public police and large business space for non-governmental security service. Although we still have otherness with economic social development stage America experienced, its historic experience of non-governmental police development is worth to borrow to such economic developing countries like China.

In China, the phenomenon and fact in the field of original national monopoly the Police Power is hard to develop. With the more colorful in the social economic life, as resource factor with material form flowing the process, safety assurance needs have become increasingly prominent, economic dispute also increased. It does not depend on public law resources wholly to solve these problems. In social life, emotional disputes and conflict of interest apparently are not suitable for interruption by national power, especially for special interests and safety needs, even impossible to be provided by the country for free. The highlight of these new securities provides indispensability and possibility for cultivation and development of non-government security service industry. Pitiful is, some development for non-government security service industry through twists and turns in China was made, but it still difficult wholly with weak legal safeguard, even no enough concern on ceiling design. The author thought that we shall clearly divide occupational boundary of public police and non-governmental security forces with the chance of change the People's Police act in the next move of reforming the Police Power system to provide protection for the development of non-government security forces by means of legislation. Meanwhile, it also clearly defined that public police have responsibility to guide the non-governmental security business and inter business connection.

**(iii) Refinement and strengthening of professional Police Power**

Professional Police Power is one police power in any kind of specific administrative areas which mainly is responsible for security and order. Professional Police Power is the outcome combined with expansion of the Police Power and administrative internal resources. Compared with normal police, professional police has several characteristics as follows: Firstly, it does not generally belong to the local government; it is vertically led by the central government and belongs to the national police scope. Therefore, the professional police do not make regional allocation in accordance with administrative regions, but industry configuration is made in accordance with the security needs of industry field. Secondly, it takes responsibility on the field of industry related closely on state interests or social public interests and it is necessary to set up professional police such as aviation industry, railway, university, park, etc. Thirdly, professional police shall not only meet with the professional requirements of normal police, but also has professional requirements on specific industries. For example, railway police shall be familiar with structure of the train, operating principle, railway dispatching, station distribution and geography along the line, etc. Otherwise, it is difficult to do the work as professional police.

Set up professional police is one of important contents on police administrative construction in every country of the world. Through many years' development, such water police, tax police, etc. as professional police have developed very matured, and have created a system in U.K., U.S.A, Russia, etc. They not only equip the security management authority in their own industry, but also have independent investigation power for happened criminal accidents. In China, besides five traditional professional police systems of railway, civil aviation, transportation, forest, and anti-smuggling, in recently years, some new professional police have been set up, such as campus police, city inspector police, bus police, oil field police, mine field police, engineering police, etc., and its field continuously expanded.

Then, is there any boundary for professional police? Is there any scientific standard for setting professional police? The author considers that setting professional police generally should follow the following three standards: Firstly, the enforcement domain should have special relevance with national security interest or public security interests, it is inappropriate to be taken up by local police for disposal, instead, it should only be in the charge of professional police. Secondly, the incompetence of other administrative means renders the intervention of police power necessary. Li Shizhen, a police scientist in the Republic of China, had summarized the functions of police in three aspects: positive police's function, negative police's function and function assisting various administrations. The biggest difference between other executive powers and police power is their impossibility to constrain personal freedom, thus they are significantly weakened in enforcement intensity, and they can't do without police power's strong support when encountering enforcement resistance, that is how the police's functions assisting various administrations. The special relationship between other executive powers and police power determines that the police power can not only replace other executive powers beyond their scope of business under normal circumstances, but also should realize organic connection in setting and exercise of function. Therefore,

as an extension of police power to other fields, professional police and its power setting must be on the premise that the incompetence of other administrative means renders the intervention of police power necessary. Third, it should have relatively independent enforcement space. The enforcement space here includes regional space and industry space. The enforcement space of water police is mainly water areas, which is specific forestry area for forestry police, specific tax enforcement area for tax police and specific customs enforcement area for anti-smuggling police. Having one of regional space and industry space can be regarded as necessary to set up professional police.

In the next legalization reform of police power in China, in view of adjustment of professional police power, the several aspects of the following works must be focused on: First, progressive adjustment should be conducted according to the needs of executive law enforcement for professional police configuration within administrative hierarchy. The dismemberment and assignment of police power is the general rule of police development, which has been proved by developed democratic countries. And this is the proper meaning of legalization of police power. The dismemberment and assignment of police power includes decomposition and reset within police agency and reasonable assignment to other administrative agencies (the latter includes establishment of professional police agency). The developed democratic countries have these two successful examples. In the US, IRS Criminal Investigation Department is the maturely functioning professional police, the Immigration Office has police powers such as detention and deportation, Federal Mail Examination Bureau also has the power of mail examination involving public privacy, however, they cannot be called police agencies, and they are only agencies enjoying police power, With this as an approach, the Chinese customs anti-smuggling police has been constantly improved and has become relatively mature since its establishment, it could be taken as a model for professional police adjustment and construction within other administrative hierarchy. Secondly, the professional police agencies including colleges and national enterprises existing only based on special interests protection of industry may be gradually abolished for inconformity with inherent requirement of equality of subject of market economy, and their relevant security responsibilities may be transferred to local public security organs. The special security requirements of individual fields and individual enterprise can be resolved gradually by means of diversification reform and introduction of folk security forces of police ownership instead of occupying too many public police resources. Thirdly, there is no sound legal system for setting, power, law-enforcement procedure and law enforcement supervision of professional police at present in China; it should be gradually incorporated into the legalization track by legislative perfection. The present reality is that, in organization and management, the regulation of professional police is mainly dependent on policy, in enforcement service, the professional police carries out law enforcement activities only according to few fundamental laws like Customs Law of the People's Republic of China, etc. and departmental rules with low enforcement levels such as Regulations for Procedures of Administration Cases by Public Security Organs and Regulations for Procedures of Criminal Cases by Public Security Organs, etc., and in police supervision and remedy, the external supervision of professional police is weak, for it does not belong to local government hierarchy, so it has systematic obstacles of external supervision in administrative reconsideration and

administrative proceedings, and the channel of the rights and benefits of the private part is not smooth. Therefore, it is necessary to strengthen legal regulations of professional police at the legislative layer and gradually reduce policy guidance so as to make more regulated setup, power execution and supervision of professional police and more in line with the basic requirements of modern democracy and legal system.

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# Research on Working Stress of Basic Level Police Station Chiefs: An Organizational Diagnosis Perspective

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**Abstract:** the basic level police station chiefs have a high stresses in contemporary china. There are many stress resources, and the relations among stress resources are also complicated. This research is based on the stress resources of organization factors. The research method combing with individual and questionnaire survey are adopted, factors analysis and regression analysis are used to carry out organization diagnosis the results indicated that the rules, the relationship between supervisor and colleagues and the working circumstances are the three key factors which led to significant effects on police station chiefs stresses. In conclusion, construction of rules, changing the form of leadership, strengthening the key values of police forces are the effective ways to solve the problems.

**Keywords:** police officer stress organization diagnosis

## Introduction

The research of occupational stress is always a hotspot in the western psychology, management and sociology field since the 1960s, and its research trend has the feature of tending to be detailing and professional. Research on police stress belongs to a traditional topic in psychology field, with research fields mainly concentrated in aspects as research of stress source, stress influences and consequences, relationship between stress and performances, and the occupational burnout problems caused by stress. Such relevant researches are devoted to construct a police psychological stress framework system, which is used to illustrate and solve the psychological stress problems of police; however, the representativeness of its common features is to be discussed. There are different police classifications in public security organization, and different police classifications face totally different stresses due to their differences in job nature. There are also significant differences between the work stress faced by police officers with

different administrative levels in the public security organization. Therefore, a group with distinctive common features should be taken as sample in the research of occupational stress on police, in this way the conclusion and stress-related coping mechanism obtained will be more accurate and effective. The mainstay force in public security management-superintendents of basic level police stations are chosen as research objects in the research.

### Summary of Previous Researches

The word stress in English is derived from the word stringere in Latin, its original meaning is expansion and extension. Stress is the abbreviation of distress in the 15th century, with the meaning of pain and uncomfotableness, however, it's not equal to illness. Until now the connotation of the world stress is not unanimously defined in the academic circle, and different researchers have different definitions on stress. The stress response characteristic theory with Hans Selye, Ruff and Akster et al as representatives considers stress as an imbalance symptom of the organism caused by external environmental stimulus, and the stress reaction theory with Matteson and Summer et al as representatives considers stress as a non-specific physiological reaction pattern made by the organism toward the environmental stress events. While the stress subject characteristic theory with Lazarus, Folkman, Taylor and Cooper et al as representatives considers stress as a special psychological state of people, and it's an imbalance caused by inconsistency between people's psychological demands and the objective environment. Lazarus further proposes on such basis that stress is an interactive product of the subject and object in a dynamic environment. The stress source is an external stimulating factor causing the stress subject to produce stress, and is the reason causing the stress. Different subjects have distinctive differences on judgment and perception of the stress sources, and stress source will also vary with the changes of time and environment, which determines that the stress source cannot be unanimously defined. The overseas representative stress source theories including: Weiss (1976) considers the stress sources in work organizations mainly including (1) factors from the work itself; (2) organization role; (3) interpersonal relationship in organization; (4) career development; (5) organizational structure and organizational style<sup>[1]</sup>; Cooper and Marshall(1978) put forward the representative stress source model, and enumerate five classes of stress sources: (1) factors from the work itself; (2) role in organization; (3) interpersonal relationship in work; (4) career development; (5) organizational structure and atmosphere<sup>[2]</sup>; Quick considers the work-related stress sources mainly include four aspects (1) task demand; (2) physiological need; (3) role demand; and (4) interpersonal

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[1] Glazer H I, Weiss J M. Long-term interference effect: An alternative to learned helplessness[J]. *Journal of Experimental Psychology: Animal Behavior Processes*, 1976, 2(3): 202.

[2] Marshall J. *Understanding executive stress*[M]. London: Macmillan, 1978.

need; Mclean puts forward the four common stress sources in an organization including (1) conflict and uncertainty; (2) work pressure; (3) work scopes; (4) relation with the management level; Summers, DeNisi and DeCotiis (1995) establish the research models to work stress sources, and put forward that the personality characteristics, organizational structure characteristics and role characteristics are constituents of work stress sources<sup>[3]</sup>; Rice (2000) concludes work stress sources into working conditions, role stress, interpersonal relationship factors, career development, organizational structure and family mutual effect<sup>[4]</sup>, etc; Robbins<sup>[5]</sup>(2002) puts forward that stress sources including external environment, organization and individual. It's to be highlighted that Sutherland & Cooper<sup>[6]</sup>(2001,2003) put forward that the various stress inducements are in an interactive overlapping relationship, so the classification of stress sources is relative.

Currently, the stress theoretical models with significant influences mainly including GAS (general adaption syndrome), Selye (1956) summarizes the GAS of stress into three stages from the physiological perspective, that is, alert stage, continual stage and exhausted stage<sup>[7]</sup>. Personal-environment fit model, French & Caplan (1972) put forward that favorable results only occur when the personal characteristics and work environment are matching each other, otherwise, will pose remarkable stress<sup>[8]</sup>. Job-demand-control-support model, Karasek<sup>[9]</sup> (1979) Van der doef et al (1999) consider that the work stress is not only determined by job demand and job control, is but also determined by interaction degree between the two, and Van DerJ<sup>[10]</sup> adds social support factors into it. Cognitive-phenomenon-theory, Lazarus<sup>[11]</sup> (1984,1995) considers that stress is a dynamic interaction process between the individual and environment, and the individual copes with the stress exceeding personal resource scopes through continuously altering cognitions and behaviors. The generation of stress is determined by two appraisals-the first is the degree of importance from individual appraisal work to itself, and the second is the individual considers stress could only be generated when the job demand is beyond its resource capacity. Lazarus calls his theory as emotional cognition-motive-relation theory, and puts forward the coping modes of emotion center (2003)<sup>[12]</sup>

[3] Summers T P, DeCotiis T A, DeNisi A S. A field study of some antecedents and consequences of felt job stress[J]. *Occupational stress: A handbook*, 1995: 113-128.

[4] Coop Philip L Rice. *stress and health*[M]. Shilin, Beijing: Light Industry press of China, 2000. er C L,

[5] Robbins, S. P. (2002). *Working with clients who have recovered memories*. Social workers' desk reference. New York: Oxford University.

[6] McCormack P J, Cooper R, Sutherland S, et al. The safe use of syringe drivers for palliative care: an action research project.[J]. *Int J Palliat Nurs*, 2001, 7(12).

[7] Selye H. What is stress?[J]. *Metabolism-clinical & Experimental*, 1956, 5.

[8] French J R P, Caplan R D, Van Harrison R. *The mechanisms of job stress and strain*[J]. Wiley, 1982.

[9] Karasek Jr R A. Job demands, job decision latitude, and mental strain: Implications for job redesign[J]. *Administrative science quarterly*, 1979: 285-308.

[10] Van der Doef M, Maes S. The job demand-control (-support) model and psychological well-being: a review of 20 years of empirical research[J]. *Work & stress*, 1999, 13(2): 87-114.

[11] Lazarus R S, Folkman S. *Stress*[J]. Appraisal, and coping, 1984, 725.

Lazarus R S. Psychological stress in the workplace[J]. *Occupational stress: A handbook*, 1995, 1: 3-14.

[12] Lazarus R S. Does the positive psychology movement have legs?[J]. *Psychological inquiry*, 2003, 14(2): 93-109.

and problem center(2006)<sup>[13]</sup>. Effort-reward imbalance model, Siegrist (1996)<sup>[14]</sup> considers job stress as an interactive result of high efforts and low rewards, the efforts including external job requirements and the requirements in meeting the internal status control, shortage in interaction between effort and reward will cause stress, and will cause cardiovascular disease. Biomedical and psychosocial model considers brain as a central regulating system coping with challenges, and the automatic nervous system of brain regulates the stability of body through consecutive changes in a state the body is deviating from self-stability, that is the steady state strain.

The western research on police stress over the past ten years is mainly concentrating on the following several fields: 1. Assessment on police stress and the empirical study on strategies, most of the research in this orientation is focusing on assessment of stress in police recruitment exams. For example, the exploratory research recently released by Kaiseler (2014) about stress assessment in police recruitment, coping with stress and degree of job involvement, the results conclude that cognition of stress will cause significant influences on job involvement, and more attention should be paid to the stress control degree from the examinees rather than countermeasures toward stress in police recruitment. 2. The research on the relationship between police stress and relevant diseases (cardiovascular diseases and depression, etc) and poor health condition from the clinical psychology perspective, and performing stress intervention and therapy from the medicine perspective. 3. The research on posttraumatic stress disorder (PTSD), this research field is relatively hot, most of the research is in combination with clinical psychology, with many new methods employed. E.g., Shuard (2012) et al from the United States employ MRI to test the posttraumatic stress disorder police officers. 4. The verification of traditional occupational stress models from the police stress perspective. For example, the research from Garbarino S (2014) et al on the relationship between the stress five-factor model from Weiss and the police stress. The research from Allisey and Amandy et al (2012) on the relationship between the personal characteristics from police officers and the effort-reward imbalance model. 5. The research on the issue of policeman's job indolence, this field is another hotspot of research and its research perspective tends to be innovative and detailed. E.g., Keinan G (2005) studies the issues of stress and job indolence, and puts forward an important method of solving the policeman's job indolence is to improve the cognition from police officers on the importance of their work. Ivie, Don (2010) studies the relationship between army experiences and police stress and job indolence. The research results show that the police officers with army experiences are evidently better than those without such experiences in coping with stress. 6. The research on police stress source. Such researches are relatively few, and only Reinecke, Von Stefan (2007) et al from Germany publish a classified study specially on police stress source according to retrieval of literatures over the past ten years. The research

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[13] Lazarus R S. Stress and emotion: A new synthesis[M]. Springer Publishing Company, 2006.

[14] Siegrist J. Adverse health effects of high-effort/low-reward conditions[J]. Journal of occupational health psychology, 1996, 1(1): 27

results classify the police stress sources into four aspects, the job itself, the organization and structure, the space-time factors and the social factors. Through going through these literatures we have discovered that the method of empirical study is mostly adopted in the western police stress research, the data analysis is employed to support the research hypothesis in putting forward the research conclusions, the research fields are tending to be more and more detailed and the topics selected are tending to be innovative, but the countermeasures against stress are seldom mentioned.

The police stress research in China is started from the mid of the 1990s, and the flourishing period of research is after 2005. The research fields are mainly focused in establishment of the localized police stress inventory, the research on police stress and stress sources, the issue of police job indolence, and countermeasures to police occupational stress, etc. According to the statistical data released by CNKI, Wanfang Database and Super Star Intelligent Search, there are only 4 articles publically published since 1990 about the design of localized police stress inventory, they are respectively (“Preliminary Compilation of Basic Level Police Stress Source Inventory” 2012) published by Chen Chen and Hu Xingwang, (“Preliminary Compilation of Police Work Stress Inventory in Suzhou Aera” 2007) published by Yu Junjie and Sun Yanchao, and another 2 postgraduate theses, (“Compilation and Preliminary Application of Police Psychological Stress Inventory: Take the Police in Shandong As An Example” 2009) published by Li Xiaodong and (“Compilation of Stress Source Inventory and Establishment of Stress Model” 2013) published by Zheng Lu, which show the compilation of localized police stress inventory is to be further deepened, and a unified standard is required. The research on police stress and stress source is usually undertaken by taking a certain police classification or the police in a certain area as the sample. According to the academic papers currently published, a certain achievements have been made in the research on stress sources from the prison police and traffic police. Regional police stress study has been undertaken in many cities of China, among them the typical ones including Beijing, Suzhou, Shanghai and Shenzhen. The representative paper is the (“Discussions on Stress Sources to the Police in Beijing and Relevant Factors” 2007) published by Guan Meilin, Cao Hui and Zhang Jianxin, there are many postgraduate theses published about research on police stress and stress source after 2005, however, there are not relevant doctoral theses published. It shows the possibility for further deepening of relevant studies. The study on job indolence from the police is also a hotspot for research on police stress in China, the research on job indolence from the police is usually linked with relevant influential factors and intervening countermeasures, and the research methods are mainly undertaken by referring to the job indolence research methods from other industries (teacher and nurse, etc), and the research on intervening countermeasures is not profound enough. There are many postgraduate theses published after 2005, but there are not any doctoral theses published. As for the countermeasures toward police occupational stress, currently there are only the works involving the psychological healthcare of police and education and training of psychological health, with a small quantity. The representative works including (“Police Psychological Health and Maintenance” 2008) published by Pi Yinghua and (“Self Training Manual to Positive Psychological Health from the Police”

2009) published by Zhang Zhensheng, but they are lack of empirical data support in contents, therefore, their pertinence is not strong, and it's only the mental regulation method of general meanings. The related papers and articles are generally strategic suggestions, e.g. ("Discussions on Police Occupational Stress and Reduction" 2007) published by XuXinyuan and Qiu Qianlong, which show that the research on police stress is still at a beginning stage, the system coping with police stress is not established yet, and there are many issues to be undertaken with in-depth researches.

### Outline of the stress source and organizational diagnosis

In conclusion, although different scholars have different definitions on stress, stress contains two necessary elements, that is, individual and environment, and the two are in a dynamic interactive process. We consider stress is a series of physiological and psychological unbalanced states caused by mismatching between individual and environment by referring to the theory from Lazarus, and these states will continuously change with the changes from subjects or environmental conditions. As for the classifications of stress sources, we should not only consider the occupational particularity of the police, but also consider the status role of the basic level public security management staff as administrators, in addition, we should also fully consider the influences from the particular social environment, organizational structure and cultural environment in China on the stress sources; take administrative system, management mode and status role as important indicators for classification of stress source. We take the occupational stress source model put forward by Cooper and Marshall as basis, combine with the stress source theory from Robbins and the four common stress sources inside an organization put forward by Mclean, classify stress sources into three major aspects-individual, organization and society, and elaborate the stress sources in each aspect. (Refer to the table below for details)

**Table1. Stress Sources to Management Staff at Basic Level police station**

Stress Sources to Management Staff at Basic Level police station				
Individual	Organization			Society-Family
Personality characteristics; value; cognitive style; physiological status	Organizational system	Job tasks	Organizational affiliation	Law-enforcing environment; public misunderstanding; public opinions from mass media; families and friends
	Definiteness; work rules; promotion; assessment	Task load Difficulty degree Definiteness	Leaders Subordinates Role conflict	

In order to emphasize the view of organizational diagnosis, the stress of the individual factor and society-family factor will be taken as control variable, and pay more emphasis on the effects of organization to the stress. Start from the work stress sources in weakening the other stress sources from routine life and family, etc, choose the stress sources with distinctive influences from the police affairs and administration for further research, and seek for professional rather than comprehensive. Make efforts to find the major work stress sources faced by the basic level public security management staff and clearly describe relevant factors and the relationship with stress sources, diagnose from the organizational perspective, find out the connection between organizational management and stress.

### **Research methods and results**

The stress is the interaction of the individual psychological factors and the circumstances. Therefore, we consider not only the outside effectiveness but also the personal factors when extracting the stress sources. Personal-environment fit model is our basis to carry out this research.

In order to design the questionnaire which could reflect the real stresses of the police station chiefs, we picked 22 trainees of the 29th and 30th training classes for basic level police station chiefs organized by Guangdong Province Public Security Department (trainees of the two classes are superintendants of police stations) to do the in-depth interviews, summarized the main stresses they were talking about and reference the open M coding and principal axis coding table for the occupational stresses from the Chinese civil servants cited from Pro. Jing Huaibin<sup>[15]</sup>. We divided the stresses into six dimensions, F1 individual personality, F2 working attitudes, F3 organization rules, F4 superior-colleague relations, F5 working circumstances, F6 family-society influences. Likert inventory is adopted for the questionnaire with 110 questions. The options of questions including five classes: completely inconsistent, mostly inconsistent, medium conformity, most conformity and complete conformity.

In order to improve the validity of stress source index, this research adopts the methods of exploratory factor analysis, extract the common factors from every stress dimension and analyze them. We deleted items which the factor loading is less than 0.40 and approximate factor loading between different factors. The factor criterion is greater than one, extracting 2 to 3 common factors through maximizing variance orthogonal rotation, total variance contribution rate extracting from the factors of every stress dimension are above 80%. The structure and the reliability are shown in table III:

The dependent variable included 12 question, covered mental stress, work stress, the activity of reduced stress etc. the subjective stresses had a good internal consistency coefficient and the content

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[15] Jing Huaibin. Occupational Stress on Civil Servants: Organizational Ecology and Diagnosis, Beijing: Central Compilation & Translation Press, First Edition in June 2011.

validity through testing ( $\alpha=0.702$ ), which was shown in table X.

Totally 300 copies of questionnaires are distributed in the survey, 258 copies are taken back, 10 copies are eliminated as invalid questionnaires, the valid questionnaires are 248 copies and the take-back rate is 83%. Since there are only 2 female interviewees, gender difference analysis can't be done by statistics, so the research only analyzes the stresses of the male interviewees. The ages distribution of the interviewees are between 31 to 50, 94.91% are married, education level distribution between associate degree to undergraduate, about job title, the police station chiefs are 86.31%, vice-captain are 11.62%, the districts distributions are in Guangdong Province. Sample distribution is as follows:

**Table 2 Sample Distribution**

gender	male	female			total
	223	0			233
	100%	0			100%
age	Under 30	31-40	41-50	Above 50	
	4	160	73	3	240
	1.67%	66.67%	30.42%	1.25%	100%
marriage status	married	unmarried	others		
	205	9	2		216
	94.91%	4.17%	0.93%		100%
education level	Under senior school	Associate degree	bachelor	master	
	2	75	149	6	232
	0.86%	32.33%	64.22%	2.59%	100%
Job title	captain	Police station chief	Vice captain	Political instructor	others
	2	208	28	1	2
	0.83%	86.31%	11.62%	0.41%	0.83%
					241
					100%
districts	Big city(GZ,SZ)	Central districts	East of GD	North of GD	West of GD
	55	63	40	18	65
	22.82%	26.14%	16.60%	7.47%	26.97%
					241
					100%

SPSS17.0 and Stata12.0 software are used to have statistical analyses on the results of questionnaires, and corresponding explanations and demonstrations are made to the statistical results. In order to test the validity of the stress source, We use nested regression model to compare the stresses from different dimension and then make the organizational diagnosis

#### (i) demographic variable of the stress

**Table 3 description statistics of demographic variable**

Demographic variable	M	SD	Value F	Sig	
age	31-40	3.384	0.810	0.03	0.871
	41-50	3.364	0.973		

Education level	Associate degree	3.489	1.121	2.17	0.142
	undergraduate	3.311	0.701		
Job title	captain	4.833	0.236	2.93	0.022
	Station chiefs	3.382	0.877		
	Vice captain	3.185	0.608		
	Political instructor	5.000	0.000		
	others	3.875	0.412		
district	Big city(GZ,SZ)	3.197	0.668	1.10	0.348
	Cental districts	3.422	0.945		
	North and east of GD	3.452	0.852		
	West of GD	3.436	0.926		

The differences of age and districts don't get the statistical significant, however, the education level and the job title are reached the significant level. To be shown(1) we combine some of the levels of variables in order to conform the samples of the statistical requirements.(2) we don't take the difference test because the high homogeny of gender marriage and the job title.

**(ii)the correlation analysis between the feeling of stresses and the stress sources**

**Table 4 the correlation analysis between the stresses and the stress source**

	a coefficient	M	SD	Stress
F1 working conditions				
1.circumstances	0.752	3.694	0.810	0.526***
2.tasks	0.839	3.743	0.763	0.589***
3.managements	0.678	3.441	0.674	0.529***
F2 superior-colleague relation				
4leadership leading	0.796	4.096	0.785	0.420***
5.superior-self conflicts	0.749	3.275	0.899	0.481***
6.personal competitions	0.680	3.097	0.987	0.537***
F3 organization rules				
7.uncertainty of rules	0.584	4.005	0.790	0.430***
8.imbalance of efforts and rewards	0.584	1.655	0.909	0.081
F4 personal psychological factors				
9.working commitment	0.822	4.185	0.667	0.198**
10.working principle	0.817	4.174	0.765	0.123*
11.working achievements	0.514	3.805	0.728	0.472***
F5woring attitudes				
12.job involvement	0.769	2.482	0.740	-0.422***
F6 family and society factors				
13.media public opinion	0.894	4.057	0.769	0.461***
14.risks of law enforcement	0.680	3.663	0.906	0.531***
15.legal rights of law enforcement	0.729	4.355	1	0.136**

annotates:\*\*\* p<0.01, \*\* p<0.05, \* p<0.1

From Table 4 above, we can conclude that there are significant correlations between the feeling of stresses and the stress sources. Firstly, first of all, the stresses and the working conditions have a significant correlation, correlation coefficients among stress and working circumstances, job tasks, management were significant; Secondly, there are significant correlations between stress and superior - colleagues relation. correlation coefficients among leadership leading, superior-self conflicts and personal competitions were significant; Thirdly, the stresses have a significant correlation to the uncertainty of rules, but not to efforts - rewards imbalance; Fourthly, stress and personal psychological attributes into significant correlation, but with the working principle of correlation is only significant at the 90% confidence level, working attitude as a significant negative correlation; Fifthly, the stresses and the society, the family are into a significant correlation, and the correlation coefficient were significant among public opinion, risk of law enforcement, and protection of legal rights of law enforcement.

### (iii) analysis of impact mechanism between stress sources and the organization

**Table 5 regression analysis of stress source and organization**

Influence factors	The baseline model	Working environments-stress model	Leadership-colleague stress model	Organization rule stress model
Demographic variables				
age	-0.015	0.005	0.027	0.004
Education level	-0.093	-0.128	-0.099	-0.102
districts	0.015	-0.053*	-0.017	0.004
Personal psychological factors				
Working commitment	-0.191*	-0.176*	-0.171	-0.217*
Working principle	-0.064	-0.035	-0.073	-0.095
Working achievements	0.295***	0.181**	0.174**	0.273***
Working attitude				
Job involvement	-0.318***	-0.250***	-0.302***	-0.340***
Society family				
Public opinion	0.260***	0.054	0.103	0.183**
Risk of law enforcements	0.281***	0.191***	0.209***	0.251***
Legal rights of law enforcements	-0.154**	-0.159**	-0.148**	-0.149**
Working conditions				
Working circumstances		0.147*		
Working tasks		0.265***		
managements		0.291***		
Superior-colleague effects				
Leadership lead			0.244***	
Superior-self conflicts		0.124**		
Personal competition			0.134**	

Organization principles				
Uncertain of rules				0.186**
Imbalance of efforts and awards				
Constant	2.954***	1.934***	2.392***	2.908***
Sample size	221	221	221	221
Decision coefficient	0.437	0.564	0.522	0.459

annotates:\*\*\* p<0.01, \*\* p<0.05, \* p<0.1

From Table 5 above, we can conclude,

Model 1, the baseline model explains the variance of stress of 40.3% (decision coefficient R - Square).

Model 2 compared with working environments stress model and baseline model, we improve the explanation of stress to 56.4%(decision coefficient R-Square).the working conditions has the strongest effects (B=0.234)at the 90% confidence level significantly, and the working task, managements are significant at the 99% confidence level.

Model 3 compared with leadership- colleague model and baseline model, the explanation of stress was improved to 52.2%, leadership lead was significant at the 99% confidence level, the strong effects(B=0.223),others like superior-self conflicts and personal competition are significant at 95% confidence level.

Model 4 compared with organization rule stress and baseline model, the explanation of stress (decision coefficient R - Square) was improved to 45.9%.the uncertainty of organizational rules was significant at 99% confidence level, Influence on stress is 0.169, and imbalance of efforts-awards was not significant

### **Organizational Diagnosis on the Stress from Basic Level Police Station Management Staff**

Organizational diagnosis is put forward from the management perspective, organizational diagnosis takes is a method taking behavioral science as bases, applying conceptual models and approaches in evaluating and organizing the current situation and discovering the special problems to be solved by the organization, and it’s a process of improving the organizational effectiveness. Organizational diagnosis is a process of evaluating the organizational effectiveness according to the overall situation of organization, and it involves many aspects as organizational system, structure, financial status, and execution, etc. Here we analyze the feasibility in performing organizational diagnosis from the perspective of stress on organizational members. The organizational diagnosis pays attention to the behaviors from people to a large extent Therefore; we could completely explore the relation between individuals and organization through

studying the individual conditions of the organizational members, and therefore, discover and get to know the problems existing in the organization.

As aforementioned, stress is caused by mismatching and inharmonic between individual and environment. The individual stress and organizational system, organizational tasks, organizational operation and organizational culture, etc are closely connected. Therefore, the organizational diagnosis of stress is completely feasible and effective. According to the regression analysis above, we undertake the stress organizational diagnosis from three aspects of organizational rules, superior-colleague relation and working condition. According to the questions in the questionnaire, we choose the typical questions with higher valid percentage like “medium conformity”, “most conformity” and “complete conformity” for analytical research.

**(i). Organizational rules**

**Table 6. Valid Percentage for Conformity of Questions Related to Stress from the Organizational System Level**

Question No.	Question	Medium Conformity	Most Conformity	Complete Conformity	Total
16	Work authority of the post is not enough, lack of independence in management	30.2	26.2	21.0	77.8
25	The self post responsibility and rights are not proportional, with too much responsibilities but too less authorities	24.4	22.0	35.0	81.9
26	I have to bear responsibilities if the superior leader makes a mistake in decision-making, with too much pressure as scapegoat	22.2	23.8	33.1	79.1
29	Capable of flexibly employing latent rules in solving the problems in work and personal development	36.7	23.8	12.9	73.4
35	Frequent conflicts between work principles and Relationship between colleagues and friends, with too much pressure caused	25.9	22.6	14.2	73.7
40	The promotion is decided by the leader, it's determined by the relation with the superior leader, which brings me very big pressure	27.0	23.0	13.7	90.8
57	Irregular increase of tasks from the superior, difficult to handle, caused a very big pressure	23.4	28.2	41.1	92.7
65	Sometime problems encountered in work are not clearly interpreted by laws and regulations, with pressure caused to the undertaking of work.	26.6	31.5	27.4	85.5
71	The standard for law execution assessment and performance assessment is too high, which brings me a very big pressure.	29.4	30.6	26.6	86.6
82	More powerful legal guarantee is required for the law enforcement power and authority from the police	11.3	20.6	63.3	95.2
92	Often worrying about complaints from the people	30.6	25.8	23.8	80.2
149	The personal promotion is determined by performance and capacity	28.6	13.8	19.7	61.2
150	The personal promotion is governed by fate, and with a very high uncertainty	24.2	20.6	21.8	66.6

Organizational rules is a fundamental norm of an organization, is the code of conduct to be observed by the organization members, and the organizational rules stipulates the structure and management manner of organization and the rights and responsibilities from the organization members through a series of articles, measures and specifications. The perfectness of a system stipulated directly determines the effectiveness of organizational management and the existence of organization. We mainly emphasize the regulations from organizational system on the tasks, positions, rights and responsibilities from the organization members when we perform the diagnosis at the organizational system level. The results of this individual interview and questionnaire analyses indicate that the organizational system is significantly related to the existing stress on the basic level public security management staff. The uncertainty of internal rules from the organization has directly caused a huge stress on the basic level public security management staff. First of all, this is reflected in stipulation of bylaws and the defining of contents. Currently, the bylaws of the public security system is still not complete enough, and the law enforcement bases are not perfect enough. 85.5% of the surveyed objects consider that they sometime encounter some problems without specific law and regulation interpretations available in work (Question 65 in the questionnaire). The uncertainty in system and contents is particularly obvious in the two aspects of work tasks and promotion. The interviewed objects reflect that many regulations and bylaws only define the contents of public security work from the macroscopic level, while they are not specific enough in the details. For example, although “The People’s Police Law” has stipulated the rights and responsibilities from the people’s police, there are not any specific implementation details. Many times it’s very difficult to define a task to be a police activity or non-police activity, which has indirectly increased the workloads of police stations. Although the internal management rules of public security have defined the post rights and responsibilities, the defining on work contents, work responsibilities and work rights are not clear enough, and they excessively highlight the investigation of responsibilities, and they are evidently lack of authorization. 77.8% of the surveyed objects consider that their current post work rights are not enough, and are lack of independence in management. (Question 16) The propaganda slogan of “going to the police for any difficulties” has been widely accepted by the people, the interviewed objects say that many of the current police alarms received don’t belong to the public security work scopes, like unlocking service to door, economic disputes and first-aid, etc, but it’s highlighted by the existing work system that the police should respond to all police alarms and should arrive quickly. The contradiction between the two has caused ambiguity and role overload to the basic level police officers, and it’s very difficult for the management staff of police stations to find out the bases for problems in basic level work as ambiguous work contents and excessive workloads, and so on from the system level toward the stress increased to the basic level police. Clearly defining work contents, work role and task distribution could guarantee each member of the organization in maintaining conformity between their behaviors and the organizational objectives, and could improve the operating efficiency of the whole organization. Accordingly, the ambiguous defining of work contents and work tasks deprives the rights from the work subjects, as a result, the superior could arrange work contents and increase workloads freely. 92.7% of the surveyed objects consider it’s difficult to cope with

the irregular tasks increased by their superiors with huge stresses caused, (Question 57), among them, 41.1% have clicked and chosen the option of “complete conformity”. The imperfection in system stipulation has directly caused ambiguity of rights and responsibilities in work. 81.9% of the surveyed objects consider their post rights and responsibilities are completely non-proportional. (Question 25) 79.1% of the surveyed objects worry about decision-making mistakes from their superiors, for they have to bear the enforcement responsibilities and have to much pressure on taking scapegoat blames (Question 26). Another problem to organizational system is the defining of system contents is irrational, with many aspects not humanized enough. According to the individual interviews, there are many problems existing in the defining of the current performance assessment system, 86.6% of the surveyed objects consider that the standard for law enforcement assessment and performance assessment is too high, with huge stresses caused. (Question 71) A too high evaluation standard will cause the enforcement to be formalized, and many police stations have to forge data to cope with the assessment in order to accomplish this task. In addition, the loophole in defining the system contents has directly caused the system operation to be off standard, with widely existing hidden rules. The off-standard of system operation are more reflected in the fields of promotion and reward and punishment system, many of the interviewed objects say that although there are explicit regulations on promotion, there are obvious black box operations, and the promotion process is opaque and unfair. 90.8% of the surveyed objects consider that the promotion is totally determined by the leaders, and it’s up to the relationship with the superior (Question 40). Accordingly, only 62.1% of the surveyed objects consider that promotion is determined by their performances and capabilities. (Question 149) In addition, 66.6% of the surveyed objects consider that the personal promotion is governed by fate, with a very high uncertainty. (Question 150) The aforementioned statistical results indicate that most of the basic level public security management staff consider promotion is determined by leaders and good luck, and almost all awards in appraisal and evaluation are decided by the leaders. Due to lack of strict restrictions in system, the promotion of individuals in an organization is mainly operated by human factors, rather than based on capacities and performances from the individuals, and this unfair selection mechanism will seriously perish the enthusiasm from the individuals in their work, cause worry to the individuals about uncertainty of their future, and will increase the stress of individuals. Just the loophole in system creates conditions for human intervention, and indirectly increases the work stress of the individuals. 73.7% of the surveyed objects consider that the work system and principle are always in conflict with the relationship with colleagues and friends, with huge stresses caused. (Question 35) This indirectly shows that contradiction exists between system and relationship, which has provided spaces for the development of hidden rules. According to the investigation results, the recognition degree toward hidden rules and the stress state from the surveyed objects are in a negative correlation, 73.4% of the surveyed objects consider that they are capable of flexibly employing the hidden rules in solving the problems in their work and personal development (Question 29). This also indirectly reflects that the hidden rules are prevailing inside the current organizations. From the perspective of administration management, just the incomplete and imperfect system causes the absence of supervision in management, the management staff of the organizations are not

strictly and systematically restricted and controlled during fulfilling exercising their powers, as a result, the problems as power rent-seeking, interest alliance and other corruption problems arise. The prevailing of hidden rules will weaken the enforcement effect of formal system to a certain extent, will reduce the fair and impartial norm of the organization, will weaken the value identification from organization members toward the organization value, and thereby will dispel cohesion of the organization and will reduce efficiency of the organization. Therefore, system establishment should be first started for improving the fighting capacity from the basic level and alleviating stress from the basic level public security management staff.

In addition, the issue of protecting the individual members’ rights and interests from the organization should be particularly highlighted. The individuals need support and guarantee from the organization in establishing the sense of safety. It’s discovered in this survey and research that most basic level public security management staff consider the existing organizational system fails to effectively guarantee the law enforcement powers and personal interests from the police officers. The surveyed objects say what they worry most during law enforcement is being sneaked with video camera, for incredible consequences will be caused once some events are exaggerated by internet medias. The interviewed objects also consider that most of the internal disciplines and systems are stipulated for the purpose of punishing the police officers, and relevant guarantee on rights and interests are to be perfected. 80.2% of the surveyed objects often worry being complained by the mass (Question 92). 95.2% of the surveyed objects consider that more powerful legal guarantee is required for the law enforcement power and authority from the police officers (Question 82). The percentage in clicking and choosing “complete conformity” is 63.3%. The guarantee from organization toward the individuals’ power and interests could enhance the individuals’ organizational commitment and could intensify the cohesion. Nowadays, it’s very important to strengthen the law enforcement power from the police officers from the organizational perspective in an increasingly deteriorated law enforcement environment.

**(ii). Superior-colleague relations**

**Table 7. Valid Percentage to Conformity of Relevant Issues in superior colleague relations**

Question No.	Question	Medium Conformity	Most Conformity	Complete Conformity	Total
3	The self capacity and personality charm could make The subordinates very obedient, with a great team cohesion	21.2	39.0	26.6	81.4
11	The support and recognition is very important in management work of the whole police station	13.3	27.0	52.0	92.3
14	Care very much about the comments from the superior on your work	26.2	25.0	17.3	68.5
21	It’s very difficult to figure out what is the superior is thinking about, and the work arrangements are like treading on thin ice	32.7	23.0	16.1	71.8
30	Often spend efforts, time and money in communicating with the superior	27.4	19.8	11.7	58.9
31	Consider it’s very boring to communicate with the superior and often bite the bullet to do it	28.2	23.0	21.4	72.6

52 Instructions and policies from the superior are impractical and it makes me difficult to undertake my work	27.0	29.0	27.4	83.4
68 The superior fails to consider the actual conditions of the basic level in work arrangements, which poses a huge stress to me	15.3	27.0	52.0	94.3
104 My adaptability in the police force is at the general level, and dare not to make any comments	28.2	20.2	17.3	65.7
107 The affairs of the police station are not closely related to me, I only earn my bread	26.2	15.7	15.7	57.6
127 Will conceal the true feeling with an indifferent attitude	36.3	25.0	17.3	78.6
145 The character and work style will influence the atmosphere of the whole station	12.1	24.2	60.1	96.4
152 The covertly personnel fight and competition poses at the station a huge stress to me	25.0	28.2	29.4	82.6

The statistical results show that the organizational role and interpersonal relationship are ranking at the first place in the stress-related factors to basic level public security management staff. Combining with the results of individual interviews, we consider that the distinctive stress to the basic level public security police station management staff comes from the superior. The relationship between the basic level public security management staff and the superior directly has significant influences on work stress. 68.5% of the surveyed objects care about comments from their superiors as individuals toward their work (Question 15). 92.3% of the surveyed objects consider that the support and recognition from their superiors are very important in the management process of the whole police station or team (Question 11), and 52% of them have clicked and chosen “complete conformity”. The existing administration management mode of public security system empowers the leaders with very big powers, and the power for resource distribution, the power for appointment and removal and the adjudication power on work assessment are all grasped by the leaders. From the perspective of individual interest, the interpersonal relationship in organization must develop into a centralized management mode only bearing responsibilities toward the superiors, and leaders governing everything. Most of the surveyed objects consider that the existing management mode of the public security system is still people governing people, rather than system governing people. The leader-centered management mode has very high requirements on quality of leaders and the appointment selection mechanism, and the whole organization will pay the bill for decision-making mistakes and randomness of instruction before reaching very high requirements on quality of leaders and effectively restricting the powers from leaders. According to investigations, most of the basic level superintendants consider that the current uncertainty of the public security work is determined by the nature of the public security work on one hand, and on the other hand, it’s mainly attributed to irregular increase of tasks from the superiors, ambiguity in decision-making contents from the superiors, and leapfrog instructions from the superiors. The leader-centered management has determined the professional level and personal quality from the leaders will directly influence the work efficiency and work atmosphere of the entire system. 96.4% of the surveyed objects recognize that the character and work style from the leaders will influence atmosphere of

the whole organization (Question 145), and 60.1% of them have clicked and chosen the option “complete conformity”. 81.4% of the basic level captains and superintendents consider that their self-capabilities and personal charm are playing an important role in the station and team management, (Question 3) the capable and impartial leaders in the public security system could enhance cohesion of the team. Therefore, improving quality and competence from the leaders seem to be particularly important for the moment.

In addition, the centralized management pattern will cause the communication system of the entire system to be hindered and cause a stressed interpersonal relationship in the organization. According to the survey results, 83.4% of the basic level public security management staff consider the instruction policies from the superiors are divorced from reality (Question 52), 94.3% of the basic level public security management staff consider that the superiors don't take actual conditions from the basic level into consideration when make work arrangements (Question 68). 71.8% of the surveyed objects consider it's very difficult to figure out what the superiors are thinking (Question 21). The aforementioned circumstances have reflected that the superiors fail to extensively solicit opinions from the basic level police officers when they making work instructions and preparing performance assessment system, and the actual conditions of the basic level cannot be conveyed to the superior leaders through effective communication channels. Just the hindered communication between the superior and the subordinate has caused alienated relationship between the superior and the subordinate, and the informal communication inside the organization is exceptionally prevailing. In order to survive in the organization and to seek for personal development, the organization members will try their best to get through the communication channels with the superiors, and the informal communication channels are guided by interests and are established on the basis of private relationship. It has been proven by practices that the effect of this informal communication is evidently better than the formal communication. In the interviews, all the 22 interviewed objects recognize that they need private communications with their superiors beyond work, and this private communication will play an important role in personal promotion and undertaking work. According to the data acquired in the questionnaire, only 58.9% of the surveyed objects recognize they often spend efforts, time and money in communicating with their superiors (Question 30). There is a certain deviation between this and the interview results, be noncommittal, currently the informal communication is existing universally in the public security system, and it has become an important component of hidden rules. According to the results of questionnaires, 72.6%% of the surveyed objects consider that it's a big headache to communicate with their superiors, and they have to do that by biting the bullet (Question 31). This indicates that the informal communication in the existing organization cannot be recognized by the basic level public security management level, and it's also an important source of causing stress to the basic level public security management staff. From the management perspective, this kind of non-work interpersonal social engagement will disperse the energy from individuals in work, cause unnecessary internal losses to the organization and thereby influence the performances of the organization. This abnormal relationship between the superior and the subordinate and competition mode will cause tension of interpersonal

relationship and interpersonal alienation in an organization, increase stress sense on individuals and reduce the work efficiency of individuals and their loyalty toward the organization. 82.6% of the surveyed objects consider that the personnel fights and competitions are very fierce in their organizations (Question 152). 65.7% of the interviewed consider their adaptability in their police forces is at a general level, and dare not to make any comments (Question 104). 78.6% of the interviewed recognize that they will conceal their inward true feelings with an indifferent attitude, and there are the circumstances of inconsistency between words and actions and speaking and acting in one way but actually aiming at something quite different in work (Question 127). 57.6% of the interviewed consider that the affairs of their organizations are not closely related to them, and they only earn their bread (Question 107). The management staff at police stations is an important link in organizational operation, however, the survey results indicate that the work enthusiasm and organizational loyalty from them are barely satisfactory in a centralized management mode with all powers grasped by the leaders, they fail to meet the requirements on the basic level management staff, the organizational personnel relationship becomes a stress source difficult to cope with by the basic level police station management staff, and restricts their work efficiency. It's clearly stipulated in Article 13. 5 of "The Civil Servant Law of the People's Republic of China" that the civil servant enjoys the right of putting forward criticism and suggestions to the organizational work and leaders. However, the right vested by laws could only successfully implemented under guarantee from the management system and mechanism. When the power for physical distribution, the power for promotion and the power for assessment are all grasped by the leader, the voice from the subordinate could only be suppressed under interests. Therefore, it should be started with the leader-centered management mechanism in order to improve the work efficiency and to improve the management mode of the public security system.

### (iii) Working conditions

**Table8. Valid Percentage to Conformity from Stress-Related Issues at working conditions**

No. Quest ion	Medium Conformity	Most Conformity	Complete Conformity	Total
43The long-term work pressure has caused fatigue in both mind and body, in an evident sub-health condiiton	27.3	19.6	19.2	66.1
55 Often feel the control capacity is very limited and it's difficult to control the work in the jurisdiction area	28.2	27.0	14.5	69.7
107 The affairs of the station are not closely related to me, and I only earn my bread	26.2	15.7	15.7	57.6
108 Frequent self-accusation for failure in completing work	30.5	24.2	31.4	86.1
116 Handle affairs all in conscience in work	26.2	32.7	26.2	85.1
117 Adhere to the principle of defending fairness and justice in work, put the public interests at the first place	14.5	41.5	40.7	96.7
145The character and work style of the leader may influence atmosphere of the entire organization	12.1	24.2	60.1	96.4

As for the leaders are dominant in organizational system and management mode, there is also the same leader-centered problem. The leader style directly determines the organizational atmosphere, 96.4% of the surveyed objects agree that the leader's character and work style will influence atmosphere of the entire organization (Question 145). The interviewed objects also repeatedly mention that the leader's personality charm and self capacity will have significant influences on cohesion of the station and team. The personal tastes and hobbies from the leader will influence his or her subordinates to a certain extent. The political work department will organize the recreational and sports activities by centering with the leader's favors and so as to pander to the leader. When the cultural atmosphere of the entire organization is controlled by few leaders, the majority individuals will feel being ignored, and will have emotional problems as anxiety, etc. This emotion will infect at an amazing speed, and will form the deeply worried and tedious cultural atmosphere inside the organization. It's very difficult for the individuals to express their true appeals in an organizational culture not showing respect to personal willingness, as a result the individuals have to yield to the organizational value, and have to passively accept the cognitive style from leaders. This process in adapting to the organizational culture by vanishing self-awareness will cause very huge spiritual stresses to the individuals, will cause deviation in self cognition, and will also cause a sub-health condition. 69.7% of the surveyed objects feel their control capabilities are very limited, and it's difficult for them to figure out the situation of the jurisdiction area. (Questionnaire 55) 86.1% of the surveyed objects often have self-accusation for failure in complete their due work tasks. (Question 108) 66.1% of the surveyed objects admit the long-term work stress has caused evident physical fatigue and sub-health condition. If the individual value is suppressed, the individual must find another channel as outlet or find a group with similar value to establish sense of belonging. (Question 43) The members will establish a non-mainstream cultural circle in the organization. Accordingly, there must be a situation the mainstream culture is fighting with the sub-culture in the organization. The mainstream culture requires the members to take collectivism as supreme, and requires the individuals to comply with the collective interests and requirements. The organization members will passively comply with the mainstream culture of the organization under pressure, however, this kind of passive yield not only dispels the self-awareness of individuals but also weakens the enthusiasm and initiative from the individuals, causes demotivation and passive coping and thereby reduces efficiency of the organization. As indicated by the statistical data, 57.6% of the interviewed objects consider the affairs of their organizations are not closely related to them, and they only earn their breads (Question 107). The sub-culture in organization quietly develops under suppression from the mighty mainstream culture. As indicated by the interviews, the cliquism and individual interests are taken as supreme, and the viewpoints as drawing on advantages and avoiding disadvantages are very common in police forces. It's contradictory to the questionnaire results, 85.1% of the surveyed objects consider that they handle affairs all in conscience in work (Question 116). 96.7% of the surveyed objects consider they will maintain the principle of fairness and justice in work, and put the public interests at the first place (Question 117). It shows the surveyed objects are very clear about the core value concept of the public security system, the

police officers subconsciously highlight their high recognition toward the organizational value even when receive the anonymous questionnaires, while actually there is still a gap between their occupational ideal and the realistic concept, the recognition from police officers toward organizational culture focuses on form rather than practice, the whole system seems to be an impregnable fortress but actually there are many problems. These problems usually concealed will cause devastating harm to the organization when critical emergency occurs. Pascale (1990) points out that organizational culture is more helpful to an organization to obtain advantages in existence and competition while the organization is facing the external uncertainty than any other management elements. Therefore, the organizational culture construction as software is equally important with the organizational system construction and management mode as hardware. The organizational culture influences the attitude and behaviors from the employees through shaping their values and beliefs, and thereby to influence the organizational performances.

The American behaviorist Richard Darft considers that the growing of an organization usually has five stages-venture, aggregation, standardization, maturity and decline, and these five stages have constituted the life cycle of an organization. The organizational life of public security system is now in a stage between standardization and maturity, and it's also a critical stage for organizational development. The organization will have a higher maturity if the standardized reform is properly accomplished; and the life cycle of the organization will be longer. Vice versa, the various problems will cause the organization to enter in a decline stage in advance if the standardized reform is not properly accomplished and internal problems of the organization cannot be fundamentally solved. The public security system must cultivate the internal strength in the contemporary China with a fast changing external environment, should make great efforts in proper fulfilling the standardized construction of organization and lay a solid foundation for future development and expansion of the organization.

In conclusion, currently the basic level public security management staff are facing very large stresses, with many stress sources and complicated relationships. The results of organizational diagnosis show that the stress sources in organizational system, management modes and organizational culture all have caused distinctive influences to the basic level public security management staff. Therefore, strengthening the system construction, changing the leader-centered management mode, and intensifying the organizational culture with the people's core value at the center is an effective approach of reducing the stress on police officers, this process requires a long-term self-regulation and updating from the public security system, the further optimization and reform of the system is required, and it must take a long and tough process.

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# The Cognitive Change about the Polices' Role of Intern Polices in the Perspective of Socialization

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**Abstract:** With the continuous development of education and teaching, police professional development and occupational social issues have been the key factors to solve the problems of school education and deepen education reform. Minimal research is available examining how much changed of cognition of intern police about the police's role in the internship. To play a social role of police is the key important in the intern police's socialization process and vocational development. In this study, A theoretical model of intern polices' cognitive change about the polices' role in the perspective of socialization is established based on previous pertinent researches. And this model is helpful for student polices, police colleges, and practice police stations to understand this role perception change more deeply, and take steps to improve the situation of intern polices' practices.

**Keywords:** intern polices; socialization; role perception; reality shock

## Background

The question of how a police becomes socialized into the police profession remains of critical importance. Student police education in China is normally a four-year undergraduate course where students can take one-year internship in local police station. Students spend one year in policing practice. To become a qualified police include a competency framework of achievement. These standards include: professional values, communication and inter-personal skills, policing practice and decision making and management and team working. Achieving these standards is by a process of professional socialization and therefore, successfully socializing "neophytes" into the profession and imbuing them with professional realism of the polices' role is the supreme aim of professional police education program. The research we undertook was on role perception change of intern polices undergoing their internship in the perspective of socialization. Our research focused on the ways in which the interns construed their role and the changes that took place during their internship. Minimal research is available examining how much changed of cognition of intern

police about the police’s role in the internship. Therefore, this topic is important to fill a gap in existing research and literature. Clearly, professional socialization remains fundamental to the practice of police and therefore, if negative consequences occur during its process at the beginning of a police internship journey, they may well impinge on their ability to police. Understanding the realities and potential difficulties these intern polices encounter will ensure that student polices are prepared to function in current and complex public security and social environments, to contribute to the workforce and to avoid inappropriate socialization and attrition.

### **A framework for the cognitive change about the polices’ role of intern polices in the perspective of socialization**

In examining the role perception change and socialization process, it is necessary to define their meanings. Socialization is the key aim of any intern program, gradually socializing the student into their future professional role. Professional socialization is the complex process by which a person acquires the knowledge, skills, and sense of occupational identity that are characteristic of a member of that profession. It involves the internalization of the values and norms of the group into the person’s own behavior and self-conception. In the process a person gives up the societal and media stereotypes prevalent in our culture and adopts those held by members of that profession <sup>[1]</sup>. For intern police, their training is attempting to acquire the values, knowledge and skills to enable them to be accepted into the established professional group of the police.

Role refers to the various behaviors expected by humans from an individual or a group <sup>[2]</sup>. There are many behavioral patterns expected from individuals to perform in their personal and professional lives; and the extent of a certain role is defined by a number of norms in advance. Individuals are responsible for meeting the expectations required by the roles assigned to them in their personal and professional lives. A role reflects the individuals’ positions in a social system; and the rights, liabilities and responsibilities that come along with that position. When an individual joins on a plane related to the role of police, this individual starts to perform the role behavior by meeting the conditions of the related position within this plane <sup>[3]</sup>. Many newly intern polices are confined and restrained in their daily practice with negative aspects of professional socialization including reduced morale, dissatisfaction and stress and worryingly, a reduction in the quality of policing practice.

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The socialization creates a phenomenon known as ‘reality shock’, which used to describe conflicting emotions amongst newly qualified employees<sup>[4]</sup>. Kramer (1974) identified that nurses often found themselves unprepared for situations they believed they were prepared for<sup>[5]</sup>. Dean proposed a theoretical model of “reality shock”. This model is proposed to explain the relationship between re-entry expectations, post-entry experiences, reality shock, and organizational commitment. The socialization process is recognized as the major cause of reality shock. This model suggests two hypotheses: (1) New employees entering organizations have expectations that are not confirmed by work experience. The employee’s expectations, measured after the individual has become a member of the organization will be lower than the expectations measured at point of entry. (2) An individual’s commitment to an organization, (as determined by measuring the employee’s attitudes, decision to participate, and decision to produce), is inversely proportional to the extent of the reality shock experienced when expectations are lowered by work experience<sup>[6][7]</sup>. Therefore, reality shock becomes a critical problem for the new employees.

Although intern police have received some police education in the school, these students with prior policing experience are protected by their prior knowledge and that this seems not enough to reduce the reality shock in the police working area. In this study, we define reality shock of intern police as “the collapse of the missionary ideals formed during police internship as a result of the confrontation with the harsh and rude reality of everyday police working life”<sup>[8]</sup>.

The reality shock involves the intern polices reconstruing their role perception. It is the conflict between the employees’ occupational role perception, and occupational value and the reality<sup>[9]</sup>. Researches show not only there’s quite difference between their preconceived beliefs of their future professional role and practiced occupation role<sup>[10]</sup>, but also difference between professional identity and people’s expectation<sup>[11]</sup>. Reality shock will lead to negative influence on intern polices’ role perception change. If intern teacher can’t manage the reality shock, they may feel lower job satisfaction and negative

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intern experience<sup>[12]</sup>, and will encounter more frustration in teaching and class management<sup>[13]</sup>. And the disillusionment and frustration lead by reality shock may cause the newly teachers give up their career<sup>[14]</sup>. Therefore, we can infer that if intern polices couldn’t manage the reality shock, it will lead they cannot form the correct occupational role perception change, and negative influence on occupational development. From the existing literature review, a framework for the cognitive change about the polices’ role of intern polices in the perspective of socialization is built (Fig. 1). This framework proposes that intern police in their internship and socialization have the potential to experience reality shock as a result of their exposure to the police role. This ‘journey’ will be unique for each individual, and is acknowledged by not putting any time limits upon the point at which they feel they have made the transition to a professional police. What needs to be discovered is the intern polices reconstruing their roles and making changes to their own personal construcs.

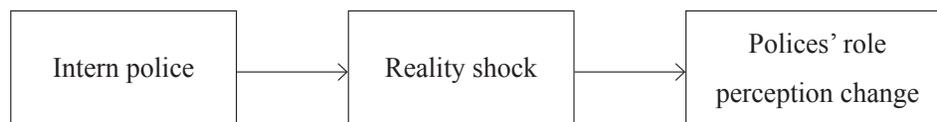


Fig. 1 A framework for the cognitive change about the polices’ role of intern polices in the perspective of socialization

### Discussion and suggestion

The framework for the cognitive change about the polices’ role of intern polices in the perspective of socialization suggests two hypotheses: (1) New intern polices entering organizations have expectations that are not confirmed by work experience. They have to adjust it. (2) Reality shock would induce some discomfort. But if the intern polices can manage it well, they would gain confidence from internship and feel empowered and more self-aware. This model systematically analyses and summarizes the process of the intern polices’ role perception change, and it is helpful for teachers, police colleges, and practice police stations to understand this phenomenon more deeply, and take steps to improve the situation of intern police practices. And we can apply our research findings to police education. We identified three main aspects for discussion: intern polices, police colleges and practice police stations.

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 [13] Lv, L. and Yan, H. The study and analysis of the characteristics of the student teachers’ professional growth. *Research in Education development*, (24), (2012): 57–61.  
 [14] Yao, H. The Analysis of Professional Development of Novice Teacher, *Teacher education research*, (17), (2005):20–23.

**(i) Suggestion for intern polices**

First of all, at the beginning of the internship, as a result of the lack of public security work experience, the intern police usually only concerned about themselves, and because of the mentors' ideas do not match their own some unrealistic fantasy does not match, even some intern police would have a critical, even hostile attitude. As a result, their expectation of the police role and public security work would be one-sided and unreasonable. Therefore, before the internship, it's better for the intern police to stand in the guidance of the mentor's point of view, and try to understand the instructors' work and their real psychological feelings, to form a more positive and reasonable police role perception. Second, because facing the various problems and difficulties in public security work for the first time, the intern polices will inevitably feel nervous, anxiety, excessive pressure. At this point, if they are simply to exaggerate the difficulties encountered and negative emotions<sup>[15]</sup>, or just "empty talk" and do not fully develop their practical skills, they will not only cannot make themselves out of the predicament, but also may make their own career suffered a devastating blow. Therefore, the intern police should face the difficulties and challenges, keep on self-reflection and finding their own learning model. Caries et al.'s study has indicated that the guidance and help of new employees have a positive effect on the adjustment of their psychological state of (such as diet and sleep quality, self-esteem, self-efficacy, etc.)<sup>[16]</sup>. Finally, from the view of individual development, the internship is in the transition from adolescence to adulthood. At this point, it's the end of the free student life, the intern police need to learn to take the social responsibility independently, how to deal with interpersonal relationship, and try to make a contribution in the professional area. If they can understand and adapt to this change, the negative impact caused by the "reality shock" will also be reduced.

**(ii) Suggestion for police colleges**

The internship arrangements of some police colleges' are just a mere formality, with poor effectiveness. The practice evaluation systems of some police colleges and are too simple. They only ask the mentors to give summary evaluations of the intern polices at the end of the education practice, but neglect of the evaluation of the internship process, which makes very difficult to find the problems in internship in time. Therefore, police colleges should increase the duration of internship, and arrange it well, and cooperate with the police station, increase the investment for the internship, improve the practice evaluation system, so as to improve the quality of internship. Another aspect, if the content of education courses of police colleges is far from the reality, then the police education curriculum will not meet the requirements

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of the public security work environment. This will inevitably intensify the negative impact of intern polices’ reality shock. Hence, police colleges should adjust the course structure and content, attach equal importance to the theoretical knowledge and practical knowledge, make more comprehensive professionalism training of police students.

### **(iii) Suggestion for police stations**

Many studies have demonstrated that the mentor has a great influence on the process of interns’ professional socialization<sup>[17] [18]</sup>. Interns also usually firmly believe they get most help from the mentors<sup>[19]</sup>. However, in many police stations, the mentors in both quantity and quality are lack of assurance. Even some police stations will arrange young mentors to guide the interns. Because of lack of teaching experience, it’s more difficult for them to produce effect. Secondly, the responsible people of police stations generally think, that intern police are trained in police education. They just need to do some “practice” in internship, so usually there are less concerned about intern polices’ work. Without timely feedback and guidance, it is easy for intern police to feel confused. Third, there are some problems of the arrangement for intern police of some police stations. Some concern that the work of intern polices would bring negative impact on the quality of work, so they arrange the intern polices to do some simple marginal work. It will make the intern polices feel a strong sense of reality shock, then produce a negative internship experience. Therefore, the police stations should be more actively cooperate with the police colleges, assign qualified mentors, provide adequate support to the intern polices (such as cooperative teaching, learning groups, etc.), and make reasonable arrangements for the practice of intern polices.

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# How to Construct Influence of Public Security Communication under the Trend of Media Convergence

Yang Xuemei

**Abstract:** Publicity is an important part of policing, which plays an important role in the connection of the masses, the communication of public opinion, the promotion of police image, and the guidance of public opinion. But the development of media convergence takes new challenges to police organizations, such as the communication ability, the ability of the media regulation, the ability to reflect and the disposal of public opinion. In this paper, we can enhance the influence of Public Security Communication and promote the transformation and development of public security work by improving the public security's credibility, expanding the channels of communication, clearing target audience, training the talents, cultivating the brand, and so on.

**Keywords:** media convergence; public security communication; influence; construct

## Preface

On August 18, 2014, the fourth meeting of the Central Comprehensively Deepen Reform Leading Group examined and passed the “Guiding Opinions on Promoting the convergence and development of traditional media and new media”, made clear requests and did a specific deployment on how to promote the development of media convergence under the new situation. Thus, the development of media convergence has risen to the national strategic level, and has become an irreversible trend.

Media convergence means a trend of development of multifunctional integration for various media. With the support of digital technology, network information technology and wireless communication technology, the traditional media such as newspapers, radio, television and other new media, such as the Internet, smart phones interact with each other, carry each other broadcast platform and make new changes of the media environment. Dissemination of information breaks the limitations of traditional media,

showing a fast spread, wide coverage, strong interaction and other characteristics. The masses also have gained a more opinions expressed platform that can better exercise their rights of expression, participation and supervision. These changes bring new challenges to the publicity by police authorities.

Police publicity is an important part of public security work, which plays an important role in the connection of the masses, the communication of public opinion, the promotion of police image, and the guidance of public opinion. Under the trend of media convergence, it becomes a new topic that how police organizations to change the concept of communication in order to adapt to the profound changes of the media, enhance the public security’s credibility, influence and guidance of public opinion, and promote the transformation and development of public security work.

### **The challenges of police publicity under the background of media convergence**

#### **(i) The strong interaction of the information dissemination challenges the ability of the police organizations’ communication**

With the rapid development of network technology, self-media such as micro blog, micro letter rises rapidly. People transformed into publishers of information from passive recipients, expressers of opinion who can timely feedback of information to the media and the interaction between the audience and the media continued to increase. This interaction has changed the pattern of the development of public opinion, also brought new challenges to the police organizations’ communication ability. The police organizations have to think about a problem that how to change the dissemination of ideas, face the differences between the network communication and face to face communication, enhance communication ability between the police and the media, the police and the people.

#### **(ii) Wide range of the information dissemination challenges the police organizations’ media regulatory capacity**

The development of media convergence makes different media so intertwined, the scope of information dissemination more further expanded, the information transmission gap of the traditional media surpassed. A message can be carried by different media and produce influence. People can understand trends of public opinion through different media and spread, like a single spark can start a prairie fire, public opinion rushed to spread. This is one of the important reasons that the police organizations are facing great pressure in the public opinion guidance in recent years. Police organizations’ media regulatory capacity is to be further strengthened.

#### **(iii) Quick generation of the information challenges the police organizations’ response ability**

Media convergence has expanded the scope of information transmission and also accelerated the

speed of information production. The diversity of communication forms brought by the integration of the media has broken the limit of single medium form, which makes the information can break through time and geographical boundaries, carry out instant transmission, and quickly generate new hot spots and public opinion. Instant transfer of information forced police organizations have to strive to enhance the operational capacity and efficiency. Especially in some negative public opinion involving police, once the golden rule of 72 hours has not been able to adapt to the information age.

**(iv) The information having infectious ability challenge the police organizations' public opinion disposal ability**

When everyone has a microphone, everyone is a journalist, information is often with a strong personal characteristics of the communicator, with strong infectivity. Especially in emergencies, this infection is particularly evident. When ordinary people encounter social events, they often express their opinion for the first time, which is according to their own intuition rather than rational thinking and always one-sided. When no modified text, pictures, video and other content be passed and forwarded though the micro blog, micro letter, the disseminator's personal emotions have been spread, and infected more disseminators, so that the entire media environment has a powerful emotional infection. This kind of emotional appeal brings more resistance for the police organizations to prevent and dispose the sudden incident or group events and guide public opinion.

**The influence of public security communication and its construction**

Yu Hong, from Zhejiang University, believes that the influence of communication is the final result that produced by the effect of the content and its re-release ability, is the influence that generated by the content of communication acting on social and personal after the recipients finished their acceptance behavior. [1] Public security communication influence is the actual effect that the public security organ's publicity produced to the audience and the society. Its essence is the guidance ability that police organizations communicate through a variety of media to guide the audience's awareness, attitudes and behavior. To construct the public security communication influence need to take into account the five steps of the formation of the communication influence, that is, media communication, individual reception, individual acceptance, Influence re-transmission, influence formation. This article will focus on the formation process of the influence and the elements of communication process (communicator, the content of communication, media, audience, communication effect) and discuss the way to construct the public security communication influence.

**(i) Administration according to law to improve the credibility of public security**

The public security organ is the main body to construct the public security communication influence, and the credibility of the public security organ directly affect the size of the public security communication influence. The police organizations should take the law as the criterion, "serve the people" as the tenet, achieve fairness and justice as the goal, strengthen the organization management, change and improve the public security function, adhere to law-based administration, adhere to the bottom line, strengthen the police image construction, enforce the law strictly, and service warmly, to improve the level of law enforcement and service, to improve public trust.

**(ii) Expand the communication channels, and centralized exploit the advantages of each media to communicate together**

"The occurrence of influence is bound to be based on the audience's attention and contact" [2], so the premise and basis of the public security communication influence is a certain number of audiences. The police organizations should expand the communication channels, so that the content of the public security communication can reach more audiences through various communication platforms. Contact is the premise which to produce attention and influence. This also is the important reason that the newspaper pay attention to circulation, television think highly of ratings, and the micro-blog concerns the number of fans. On the one hand, the police organizations should continue to maintain good cooperative relations with the traditional media, whose channels can be used to expand the influence; on the other hand, the police organizations also should actively develop the use of new network media to expand the coverage of communication, and enhance the influence. Currently, the police organizations' official Weibo which named like "peace XX" and "XX police" is at the forefront in many government micro-Bo because of the attention and the level of activity. At the same time, micro letter is popular and became the new way to communicate for the Police. And QQ, forums, social networking sites, podcasts, Yi Xin and other platforms also have a great space to explore.

**(iii) Clear the target audience, then communicate with pointed references**

Media convergence make the communication way change from one-way to two, make the information transmission turn to communication. The core to construct the police organizations' communication influence is "taking the audience as the guide". In the information age, the media development is diversified, the information acquisition channel is varied, and the initiative of the media choice is in the hands of the audience. According to the content of the theory "use and meet", audience shave a purpose to consume the media products to meet some personal, experienced demand. And the satisfaction of the audience directly influences the subsequent consumption of the media. Therefore, public security communication can not be established in wishful thinking, but should be based on the detailed investigation of the different demands of the audiences, to understand their real needs, and to

summarize and refine, then clear the propaganda position, formulate communication plan, and improve the effectiveness of communication. First of all, police organizations should try to change the mode of transmission to narrow the distance between the communicator and the audience. Second, according to the characteristics of various media, police organizations should change expression ways to make the language expression more popularization. Take the police micro-blog language expression for example, by the limitations of word, compared to the serious and rigid articles, the audience pay more attention to the articles whose language is sharp, witty, deep, refined, popular. And it is easier to reach the target of communication and the impact is much bigger. Third, police organizations should creative the expression of the content, because the media is more attractive than the mere description of the text. Since this year, a lot of basic police organizations have launched a series of propaganda posters, such as the Beijing Municipal Public Security Bureau launched a series of propaganda posters which take Cao Zhigang as the protagonist, received a very good response. And other communication modes, such as micro film, cartoon, are very attractive.

#### **(iv) Training professional talent, to create public security professional propaganda team**

The key of the construction of the public security communication influence is the talent. To build a professional propaganda team which has such qualities" political firm, excellent quality, strict discipline, fine style of work and dedication" is very important for police organizations on policy advocacy, public image building, police information disclosure and public opinion guidance and so on.

1. Improve the mechanism of the selection and appointment of personnel, to ensure the sustainable development of human resources. Publicity is an important part of public security work, so it must ensure the sustainable development of communication talents, to provide intellectual support for the police publicity. First, introduce talents from elsewhere. It is the important responsibility of personnel department to transport fresh blood for the public security propaganda team. Second, select talents from the frontline police to enrich the propaganda team. Third, cultivate talents. In order to avoid the occurrence of talent fault, the police organizations should develop a long-term personnel training plan, form the talents growth mechanism to transport talents for propaganda front continuously. Forth, try to retain talents through the way of creating a good environment to mobilize the work enthusiasm of the staff, providing a broad space for the propaganda personnel.

2. Strengthen training to improve the business level. The public security should increase the input of personnel training, and develop a long-term, targeted training plan to improve the business level of propaganda staff. First, the police organizations should bring the new propaganda personnel together and train them to help them understand the police publicity, so as to be able to quickly enter the working state; for the promotion of proficient, also should arrange skills upgrading training to be able to adapt to new forms of propaganda, meet the needs of propaganda. Second, for the key cultivation persons or the ones lack of capacity, we can take "one to one" admonishing form to enhance the personal work ability, so as to

enhance the overall level of police publicity. Third, make full use of cooperative school and units resources, such as inviting teachers in Colleges to give lectures or sending some police to university to participate in short-term training, to enhance the police level of propaganda theory. Forth, we can enhance the business level of propaganda police by cooperating with the news media, such as inviting a senior reporter or editor to train the professional skills of propaganda police.

3. Enhance the media literacy of the public security team. The development of media convergence makes each police became the modeler of media image of the police organizations, while their words and deeds are always under the media supervision. Police should become a qualified media person and enhance the media literacy so as to strengthen the influence of public security. On the one hand, police should establish a global awareness to maintain the political sensitivity, and consciously maintain public security image. On the other hand, we should keep pace with the development of media technology, learn the theory of communication constantly, enrich the knowledge reserves and experience to improve the ability to control the media.

#### **(v) Cultivate public security communication brand to improve the communication influence**

Brand means quality products which can win the public's full trust and goodwill after the enterprise's many years of operation. Police organizations can also learn from the concept of brand management to enhance the communication influence.

1. Shaping business card characters. Typical character's influence is huge. Ruan Lingen who has been awarded the "national police organizations loving model", "national outstanding people's police", is a live business card of the Taizhou Public Security Bureau, and has a strong influence and appeal in the masses. The basic police organizations should dig the typical images and give full play to their influence, so as to enhance the credibility of the police organizations, improve the public security communication influence.

2. Polish the public security micro-blog. On February 15, 2010, police micro blog "safe Zhaoqing" was opened, since then, different police organizations and the police have joined the ranks of the micro blog propaganda. They use micro blog to carry out security prevention propaganda, open Policing Information, guide network public opinion, provide convenient services etc, and have been achieved good results. Until now, construction of public security microblog has been in far ahead in numerous government microblog. We should research the current situation of public security microblog communication, summarize the experience and lessons, dig deep into the plastic, variability and the possibility to promote the micro blog communication to a new level.

3. Create brand service. At present, the police organizations have used the network platform, microblog, micro letter and other self media platforms to provide a variety of public services. The police organizations can win the public trust and enhance public security communication influence by fostering the service project or work areas with local characteristics, then spreading out, and creating service brand and so on.

4. Cultivate opinion leaders. According to the theory of “two levels of communication”, “as a relay and filtering of the media information and influence, opinion leaders have an important impact on mass communication”. [3] At present, the police organizations are very lack of a wide range of influential opinion leaders. Police organizations should select the police who has good communication skills, excellent quality, proficient in the network communication, and cultivate them to be opinion leaders.

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# Cyber-terrorism and Its Prevention<sup>[1]</sup>

Wu Chao

**Abstract:** With the highly developed cyber technology, Internet is becoming one of the most significant channel and venue of terrorist organizations to implement activities, cyber terrorism brings more and more danger to international community, so the control and prevention of cyber terrorism becomes a new project and challenge of international counter-terrorism. Although international law and domestic law provide proactive protection to potential victims, there are still gaps existing in legislation. Thus, with specific legal basis, how to reinforce the control and prevention of cyber terrorism becomes one important difficulty which needs to be solved.

**Keywords:** cyber terrorism, legal countermeasure, control and prevention

With the highly developed internet information technology, the Internet has become one of the important channels and methods of terrorist activities. The dangers of terrorism brought to the international community is increasingly, especially after the "9.11" incident which has shocked the world, the role of internet in the outbreak of the terrorist activities is becoming increasingly obvious, and has even become a booster for many terrorist incident. Former director of national intelligence, admiral McConnell believes that terrorist groups will sooner or later master complex cyber technology, like nuclear proliferation, but it is relatively easy to implement. On March 12, 2013, the director of U.S. National Intelligence Clabo has stated in national congress that, Internet threats has replaced the terrorism as the biggest threat.<sup>[2]</sup> Not only the United States but also many other countries including China have become the victims of cyber terrorism, cyber terrorism has become one of the major threat to international security and the public interest in today's society. Therefore, we need a comprehensive understanding of cyber terrorism by scientific

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[1] This Paper has not published yet, it is not allowed for quote and reprinting.

[2] 网络战争越来越近中国应公开建立网络国防力量, 参见<<http://mil.news.sina.com.cn/2014-02-14/0820764211.html>>.

methods, to explore and research on the prevention of cyber terrorism.

## The understanding of cyber terrorism

### 1. The definition of cyber terrorism

Before understanding network terrorism, we should first give clear definition to terrorism. The United Nations (UN) is continuously expanding and improving the anti-terrorism legislation, to date the UN has already passed 13 terrorism related international conventions, such as the 2005 international convention for the suppression of nuclear terrorism, and in 2006, 2008 and 2010, the UN general assembly has successively passed three of the United Nations global counter-terrorism strategy general assembly resolutions. However, because of the difficulty for countries, armed groups or individual acts of violence, such as liberation or self-determination movement, a widely recognized legal classification is concluded (e.g. Whether to judge attacks against Israel's occupation as terrorism), this is still a controversial topic, and the UN member states still have not reached an agreement on the definition of terrorism. So in the case of cyber terrorism, which is under the concept of "terrorism", is hard to conclude a formal definition.

American scholar Dorothy. E.D considers cyber terrorism targets the computer, network and information that is stored in, in order to threaten or to attack, in the form of intimidation or coercion against a government and its people to complete their political or social objectives, including economic hardship or discontinuation of water or electricity, etc.<sup>[3]</sup> The FBI officials believe that cyber terrorism are planned by non-governmental organizations or underground organizations, which have a premeditated attempt and political purpose, and attacks computer systems, computer programs and data, in order to cause damage to non-combatant targets.<sup>[4]</sup> The United Nations Counter-terrorism Implementation Task Force (CTITF) Working Group defines network terrorism as four types: (1) via remote change of data on the computer system or interference of data communication between computer systems to carry out terrorist attacks on the internet. (2) for the purpose of terrorist activities, by using the Internet as its access to information resources; (3) use the Internet as a means of spreading propaganda for relevant terrorist activities. (4) used to pursue or support terrorism using internet as the medium for communication, or organization.<sup>[5]</sup>

The author thinks that the definitions given by the first and two cannot correctly define the concept of cyber terrorism, the two definition have limited terrorism within the scope of cyber terrorist attacks, and the

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[3] Miguel.A. T., Roberto.T.,Elena.N., CS-RML4BI: A Goal-Oriented Requirements Approach for Collaborative Business Intelligence [C]. Conceptual Modeling:33rd International Conference, 2014, 8824, p. 423-430.

[4] Mark.M.p.,Cyber-terrorism:Fact or Fancy?, proceedings of the 20th National Information Systems Security Conference, October 1997, P285-289.

[5] Counter-Terrorism Implementation Task Force (CTITF), Report of the Working Group on Countering the Use of the Internet for Terrorist Purposes, CTITF publication series, February 2009, p.7-27.

second one specifically has a link to violent terrorist activities. Violent terrorist activities are only part of terrorist activities, and cyber attack is a type of the terrorist activities. Promoting terrorism ideas, incitement to terrorism, and recruiting participants can also be implemented via the Internet, so the fourth point provides the most comprehensive definition of cyber terrorism, including cyber attacks, using the Internet for terrorist activities related to illegal information, using the Internet to spread false terrorism information to cause social unrest, using the Internet for international communication and support for terrorist activities and using the Internet to obtain technical support.

## **2.The way of cyber terrorism**

### **2.1 Cyber terrorist attacks**

Cyber terrorist attacks generally refers to the purposeful use of the Internet as a way to carry out attacks, this type of attack is typically to subvert the normal use of the target, such as computer systems, servers, or public facilities, through the use of hackers, computer virus, malicious software (i.e. Malware), phlooding (Phlooding attack: phlooding attack targets the central server of an organization, simultaneously sends multiple authentication request to cause server overload, this eventually leads to a distributed denial of service), or others, without authorization or malicious invasion.<sup>[6]</sup> In 2004, for example, on March 11, Madrid, Spain, Morocco and the islamicjihad groups used mobile phones to cause ten train serial explosion; On December 2nd, 2014, the PKK claims to have caused the Refahiye oil pipeline explosion. Terrorists took advantage of communication network vulnerabilities in the operation control system that was in charge of the alarm management and loaded it with malicious software (Malware). This caused pipe pressure control failure which eventually led to high pipe pressure and explosion. In July 2009, the United States, South Korea government website and a large number of network and media company received a massive distributed denial of service attacks, the targets included administrative center, and the New York stock exchange's official website.<sup>[7]</sup>

### **2.2. The use of internet to spread of illegal information related to terrorism**

Using the Internet to spread information related to terrorist activities generally includes recruiting and training of a terrorist, incite, propaganda, beautification and legalization of terrorism and spread of racism and xenophobia information that radicalizes new recruit members.<sup>[8]</sup> In March 2003, East Turkestan news information center used the Internet to teach East Turkestan organization members within the territory of China, the production method of explosives and poison. Additionally, it plotted and commanded terrorist activities, premeditated explosive sabotage on Gansu Lanzhou to Xinjiang Hami railway. On July 7, 2005,

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[6] United Nations Office on Drugs and Crime Vienna(in collaboration with the United Nations Counter-terrorism Implementation Task Force), *The Use of the Internet for Terrorist Purposes*, February 2012, p. 11-12.

[7] 程聪慧&郭俊华, 网络恐怖主义的挑战及其防范, 情报杂志, Vol 34 No.3, Mar 2015,p. 13.

[8] United Nations Office on Drugs and Crime Vienna(in collaboration with the United Nations Counter-terrorism Implementation Task Force), *The Use of the Internet for Terrorist Purposes*, February 2012, p. 6-7.

in London subway bombings, the suspect was browsing Jihad website, Al-Qaeda members shared radical ideas through the Internet to criminals.<sup>[9]</sup>

### 2.3. The use of internet to spread false terrorism information to cause social unrest

In September 2013, "the Syrian electronic army" stole the AP (Associated Press, AP) the official account, using this stolen account it stated that two explosions went off in "the White House, Obama was injured". On that same day the American stock market suffered a massive loss of \$200 billion. On December 15, 2014, according to the Xinjiang Hami district public security bureau official, since the morning, QQ group and WeChat circulated information about "violent terrorist attacks" in Shanshancounty, this was found out to be fabrication.<sup>[10]</sup>

### 2.4. The use of internet as a mean of communication and to get support for terrorist activities

Some social networking sites are used as tool for terrorist communication, in addition, terrorist organizations also use credit card fraud, identity fraud for terrorist activities. On October 12, 2002, terrorist bombings in Bali, Indonesia, the mastermind Imam Samudra has repeatedly tried to receive funding for the bombing through the Internet fraud. On July 5, 2009, the Xinjiang "7.5" incident overseas separatist groups were in contact with terrorist group participants within Chinese territory, via the Internet.<sup>[11]</sup>

### 2.5. The use of internet to collect information and technical support

Such as Al-Qaeda members used the Internet to collect information about important government officials for terrorist activities and conduct preparatory work; Google maps was used in a number of terrorist attacks by terrorist to commit acts of terror.<sup>[12]</sup>

## Legal countermeasure, prevention of cyber terrorism

### 1. Legal countermeasure

So far, a counter-terrorism issued by the United Nations convention of cyber terrorism and activities does not have related specified content, therefore one can only rely on existing international conventions, the United Nations security council (UNSC) resolutions, and Mutual Legal Assistance agreement (Mutual Legal Assistance Treaty) to respond to cyber terrorism.

#### 1.1 The Draft of Comprehensive Convention on international Terrorism

The second article of this draft shows that anyone who has done within the scope of the provisions of this convention, if that person, regardless of using any method, illegally and has intention to, cause[...]

[9] 程聪慧&郭俊华, 网络恐怖主义的挑战及其防范, 情报杂志, Vol 34 No.3, Mar 2015,p. 13.

[10] 程聪慧&郭俊华, 网络恐怖主义的挑战及其防范, 情报杂志, Vol 34 No.3, Mar 2015,p. 13.

[11] 程聪慧&郭俊华, 网络恐怖主义的挑战及其防范, 情报杂志, Vol 34 No.3, Mar 2015,p. 13.

[12] 皮勇, 全球化信息化背景下我国网络恐怖活动及其犯罪立法研究, 政法论丛, 2015年2月, 第1期, p.3.

when the purpose of the behavior, whether it is according to the property or the environment, is a threat to a person, or forces a government or international organizations to do something or give up on doing something.<sup>[13]</sup> It seems that in the second article, "the behavior" can include cyber attacks, in any way in view of the target range, such as government facilities, transport system, public facilities and private industry and so on, lead to various consequences, from death to property damage (which may cause large economic loss). However, there has not been any progress for nearly two decades regarding the Draft of Comprehensive Convention on International Terrorism, and the progress has been extremely slow.

#### 1.2 The United Nations Security Council (UNSC) authorization of counter-terrorism activities

UNSC in Resolution (e.g. resolution 1373) conferred a mandatory UN Member States counter-terrorism obligations.<sup>[14]</sup> In order to better implement the implementation of these obligations, the UN Security Council established the Counter-Terrorism Committee (CTC), the committee is responsible for monitoring progress at the national level, to provide of technical assistance, to identify best practice examples, as well as organizing an anti-terrorism cooperation forum. It should be noted that there is no specific reference to a resolution of the cyber terrorism, and the Counter-Terrorism Committee did not focus on cyber terrorism. Nevertheless, the jurisdiction of CTC is very broad, and is able to include cyber terrorism under its jurisdiction.

#### 1.3. Mutual Legal Assistance Treaties (MLATs)

In the absence of an appropriate international law that can be applied, in order to promote international cooperation in criminal and law enforcement, the entering of a bilateral cooperation is an efficient way. But seeking international cooperation often encounters the following main obstacles: First, MLATs is limited to a specific number of cooperation between the countries. In the United States, there are active criminal judicial assistance agreements between the United States and 19 countries; secondly, treaties generally do not specifically contain cybercrime or just to include them in general terms; and finally, the application MLATs is a time-consuming process because it requires a lot of paperwork, other administrative examination and approval procedures.

In February 2000, the National Infrastructure Protection Center (NIPC) received reports that CNN, Yahoo, Amazon, Ibis and other sites were attacked by DDOS attacks, intruder was able occupy the entire network. Investigative activities under NIPC and cooperation of these companies started. The attacks can even be traced to Canada. In cooperation with the Royal Canadian Mounted Police (RCMP) the suspects "Mafia Boy" was arrested.<sup>[15]</sup>

During the entering of investigation, prosecution and trial stages, we need to support and respond to

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[13] A/59/894, Draft comprehensive convention against international terrorism, Consolidated text prepared by the coordinator for discussion, Article 2, see <<https://www.ilsa.org/jessup/jessup08/basicmats/unterterrorism.pdf>>.

[14] UN Counter-terrorism Framework:Key Programs and Tools, see <[http://www.charityandsecurity.org/analysis/UN\\_Counterterrorism\\_Framework\\_Key\\_Programs\\_and\\_Tools](http://www.charityandsecurity.org/analysis/UN_Counterterrorism_Framework_Key_Programs_and_Tools)>.

[15] Centre of Excellence-Defence Against Terrorism, Ankara, Turkey, Responses to Cyber Terrorism, March 2008, p.75-77.

domestic law.

## 2.Prevention of cyber terrorism

Especially after "9/11", the US government began to pay more attention to the prevention of terrorist attacks. Compared to dealing with legal way, preventive measures are more actively trying to find, obstruct and stop the terrorist attacks before they occur. On the other hand, legal responses often occur after a terrorist activity occurs. In general, the prevention of terrorist attacks include the following: (1) intensify intelligence work to identify terrorists and their plots; (2) cut off financial support and prevent the flow of new recruits to terrorist groups; (3) using covert or blatant manner to take action against suspected individuals or groups by force (ie: pre-emptive strike).<sup>[16]</sup>

### 2.1. Intelligence activities and the prevention of cyber terrorism

Prevention of the occurrence of terrorist activities requires the collection and sharing information that may be used to confirm potential terrorist activities. After the "September 11 Incident", in order to prevent the recurrence of terrorist activities, many countries have stepped up surveillance and information sharing of their intelligence and law enforcement agencies . After the disclosure of National Security Agency (NSA) eavesdropping scandal by Snowden, The relation between the expansion of government surveillance power and international law recognized civil and political rights (e, g, freedom of speech, freedom of association and the right to privacy) has become more tense, although NSA electronic surveillance is not anymore just for implementation of anti-terrorism services , but anti-terrorism continues to be the core reason for collecting and sharing intelligence information actions of other national intelligence and NSA. Similarly, the purpose of preventing cyber terrorism does not avoid to be the international legal controversies concerning countries'surveillance.

How to make a balance between "governments surveillance and right to privacy in the digital age", how to define the two types of actions, there is still no consensus from international community. Nowadays, "Islamic State" terrorist group takes advantage of the internet as a principal tool for propaganda and recruiting new members, which directly brings threaten to international community. How to make use of critical intelligence activities to prevent terrorist attacks, which leads to the re-emergence of controversies that need to be resolved at the top of the international political agenda. In September 24th of 2014, UNSC adopted Resolution 2178, with urgent need to require all states to end the flow of foreign fighters to terrorist groups. In addition, the SC decided that all states shall ensure that their legal system provide for a platform for the prosecution, as serious criminal offences, of travel for terrorism or related training, as well as the financing or facilitation of such activities. WANG YI, Minister for Foreign Affairs of China, claimed that the Internet was regarded as a particularly troubling conduit for extremist ideas. In addition, he also addressed

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[16] David.P.F.(Chair), International Law Association, Study Group on Cybersecurity, Terrorism, and International Law (Overview of International Legal Issues and Cyber Terrorism), 2014, p.17.

that information sharing must be increased, terrorist use of the Internet must be obstructed, terrorist financing must be ended and the counter-terrorism activities of Middle East countries must be supported.<sup>[17]</sup>

As early as in the same year in May, National Internet Information Office of China held a national video conference in which with a plan to launch "Clean-up Operations for Cyber Violent and Terrorist Audios", and required all the departments of Internet Information Office around the state put emphasis on the work of counter-cyber terrorism. Intensify the efforts to combat the spread of violent and terrorist audios, publishing how to implement terrorism and selling relevant instruments, and punish the perpetrators, totally cutting of the way that terrorist uses for propaganda of religious extremist and incitement of others to launch terrorism.<sup>[18]</sup> This clear-up action requires a strong power of national surveillance monitor system.

Thus, gathering and sharing intelligence information plays very significant role in restraining the terrorism. "Governments surveillance and the violation of international human rights" is not the main topic of this article, so it would not be analyzed here.

## 2.2 "Preemptive strike"

"Preemptive strike" refers to an approach to repel and defeat an imminent and perceived offensive and intrusion, or to gain a strategic advantage in an impending attack shortly before the offensive or the intrusion materialized.

Governments action to prevent terrorism includes the use of force to destroy imminent and emerging terrorist attacks, but this approach was highly controversial. According to section 2, article 51 of the UN Charter, if there is no prior armed attack before the "preemptive strike" action, unless the UNSC authorized enforcement action, otherwise, the action does not comply with the provisions of the charter of the UN.<sup>[19]</sup> If a country uses preemptive strike as self-defence, the action must meet two conditions: first, the threat is real rather than relying on speculation and perception; second, the force in self-defense must be used proportional to the damage caused.

Obviously, in the field of "preemptive strike", the international legal dispute will not change in the context of cyber-terrorism. There is still no answers for whether a preemptive action to prevent the occurrence of terrorism. But the opinion of the author is that, while the international community studying and discussing the issue of "preemptive strike", they should also take characteristics of cyber-terrorism into consideration. First, the short reaction time of cyber-terrorism; in some situations, the attack is immediate,

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[17] United Nations Security Council, Security Council Unanimously Adopts Resolution Condemning Violent Extremism, Underscoring Need to Prevent Travel, Support for Foreign Terrorist Fighters, 24 September 2014, see also <<http://www.un.org/press/en/2014/sc11580.doc.htm>>

[18] 国信办召开视频会议部署打击网络暴恐音视频专项行动, <[http://news.xinhuanet.com/politics/2014-05/28/c\\_1110893193.htm](http://news.xinhuanet.com/politics/2014-05/28/c_1110893193.htm)>.

[19] Colin.S.G., the Implications of Preemptive and Preventive War Doctrines: A Reconsideration, July 2007, p.33-34, see <<http://www.strategicstudiesinstitute.army.mil/pdffiles/pub789.pdf>>.

such as terrorists may buy a "zero-day" software and making use of malware through security vulnerabilities to attack critical infrastructure or other targets. The characteristics of "Zero-day" vulnerability attack is that once vulnerabilities are discovered, the malware will attack without giving its target any reaction time for self-defence or reduction of loss. Second, generally, compared with the terrorism for "pre-emptive strike", cyber-terrorism does not cause as much damage and destruction as terrorism. In a word, legalization of "pre-emptive strike" against cyber-terrorism requires further analysis and official answers from the United Nations.

### 2.3. Cut off financial support and prevent the flow of new recruits to terrorist groups

UN resolution 1373 (2001) requested the UN member states to criminalize anyone who participates in planning, preparing or support of terrorism, and taking advantage of special features of cyber-terrorism to support terrorism, such as "zero-day" vulnerability attacks, or other network services. Actually, stop the flow of new recruits to terrorist groups in order to prevent such groups from receiving relevant technical and financial support. The United Nations resolution 2178 (2014), highlighted the issue of financial support and the flow of new recruits respectively.

## Conclusions

In terms of the cyber-terrorism, international community should improve the law and regulation, strengthen international legislation, but also each country should develop and adopt domestic law against cyber-terrorism, so that law enforcement agencies and the judiciary may have sufficient legal basis in the investigation of terrorist offenses and punishment that given to offenders. In addition, the prevention of cyber-terrorism also requires further research and improvement, in order to solve the existing problems, such as, how to conduct counter-terrorism without violating the international human rights law while gathering intelligence and sharing of information, should 'Pre-emptive strike' be legalized against cyber terrorism.

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# Analysis of the Current Situation and Measures Against the Crime of Network Fraud

Sun Naimin, Guo Yun

**Abstract:** In the past few years, along with the computer technology and mobile communication technology development, network becomes the major tools to makes crimes for lawbreakers because of it is obviously hidden, cross region and non-contact characters. A growing number of internet frauds becomes as a big cancer to harm the social stability. For example of the Hu Bei shiyan, across the analysis of the shiyan network fraud crime situation, character, method and the reason of the crime, combine the past three years combat and guard against Internet fraud crime working of Shiyan city public security organs, we makes a thinking , combat countermeasures and suggestion.

**Keywords:** internet fraud, internet crime, high rise and law solved, the high risk group.

## Part One: Shiyan network fraud situation nearly three years

From 2012 to 2014 three years, we found 1800 network fraud cases in shiyan, that accounted for 48.1 percent of the total(4305). Among them, 385 fraud cases in 2012, accounted for 21.4 percent of the total; 615 fraud cases in 2013, accounted for 34.2 percent in total; 800 fraud cases in 2014, accounted for 44.4 percent of the total number.

Analysis for the past three years fraud case and statistics, we found 810 QQ fraud cases, accounted for 45 percent of the total; 432 shopping fraud cases, accounted for 24 percent of the total; 126 network loans fraud cases, accounted for 7 percent of the total; 90 internet dating fraud cases, accounted for 5 percent of the total; 90 investment fraud cases, accounted for 5 percent of the total; 54 recruit fraud cases, accounted for 3 percent of the total; 54 network market cases, accounted for 3 percent of the total; 36 card fraud cases, accounted for 2 percent; and some others accounted for 3 percent.

In conclusion, network fraud situation in shiyan same as all province and country, appears a high happens and increasing trend year by year. There are a variety of method uses in fraud, for example uses QQ , shopping web and online trading platform makes shopping fraud, uses the virtual web, Trojan web

theft online banking transfer, these kind of fraud phenomenon is very common.

## **Part Two: Current common network fraud means**

### **(1) Use of instant messaging tool to implement fraud**

Use the instant messaging tool make fraud main method: pretended as acquaintances, make friend, send a mass of fake information and so on. Most of them uses the instant messaging tool pretend as acquaintances and leader makes fraud, which have the most important influence. The criminals theft the victim's QQ, WeChat and others instant messaging account, then sends messages to the victim's friends, tells get accident, families in the hospital, after the police seized or some other emergency situations, to asks other side to remittances to the designated account. There are 65 cases all pretend as acquaintances fraud in Shiyang city, all criminals pretend friends and leadership according to transfer, borrow money, get emergency things as excuse to implementation fraud, involved more than 7000 thousand yuan in total in 2014. Shiyang zhangwan area, maojian area, yunyang area and wudangshan public security bureau detected 7 QQ fraud cases, among them, one case detected in zhangwan area involved more than 1000 thousand yuan.

### **(2) Use shopping web implementation fraud**

The criminals according to the e-commerce website or use the fake identity to created the store on Taobao or some large E-commerce site, then sells very low prices, second-hand goods, duty-free goods to attract the consumers, to ask buyer payment in advance or ask prepaid postage, make sure of the money. After they got a lot of remittance, fraudsters will not offer the goods or disappear online. In 2014, there are 196 trade fraud cases, accounted for 24.5 percent of the total, involved more than 2000 thousand yuan. As the branch of maojian public security bureau have solved an cases of Xu, whom makes shopping on web and get the fake message from the fake shop owner tells him the trade is not success as excuse cheat 4496 yuan.

### **(3) Theft online banking transfer**

The criminals releases the fake website, Trojan virus link or Qr code message, once the victims click the link or scanning Qr code will be cheat by the fake winning message, fake bank, fake top-up, fake shopping phishing site, lead to loss money directly. If the phone poisoning will send charge for SMS by it self, leak the contacts , the bank card password information, some fake website even ask to input the account, user name, password and dynamic password, then transfer the money from the victim account. This kind of the cases have 98, accounted for 12.3 percent in total, in 2014. Just like the Hu xiaoqin cases broken by Yunxi public security bureau, she searched an company sells palm oil, then contact and buy, the company ask Hu payment in advance as excuse cheat for 20000 yuan.

### **(4) Other network fraud**

1. Investment fraud. The criminals created the fake investment , consult, investing in stocks, lottery website, make use of commissioned to fry, recommended the stock, provide lottery ticket inside information, high returns, cash interest as excuse lure people participate in the investment. And then get some joining fee, consulting fees, analysis of the fees, poundage, financing charges and so on. Just as "2013.6.16" cases broken by Shiyan public security bureau, the victim Hu was tricked into capital more than 60000 yuan, criminal gangs were arrested in ganzhou Jiangxi, this case was reported by CCTV "the myth behind the winning".

2. Winning fraud. The criminals often feign as customer service of the large unit official send the fake winning, lucky draw message, attract people click the link landing the website, then tricked by pay poundage, cash deposit and individual income tax. In 2014, there are 13 winning network fraud cases involved more than 650,000 yuan. The victims were informed winning fraud by website have 6 cases, by QQ have 5 cases, by games have 2 cases.

3. Network loans fraud. Lair published unsecured loans ask victim to created internet banking, take the advantage of the process get the account, password, ID information transfer the money. Since 2012, Shiyan public security bureau zhangwang branch, dongyue branch cracked several online loan fraud.

4. Online dating fraud. The criminals through Internet dating, dating sites, fabricating false identity network communication with the victim, after got the trust the criminal may ask to borrow money, the family suffered misfortune trick money. Shiyan public security bureau cracked pretending as reporters fraud case, hang oversee "blow pornography and illegal publications" all over the country, 12 women involved in this case, involved 200,000 yuan in 2014.

5. Network recruitment fraud. Suspecter through the community, QQ group and other social tools to release fake recruitment information to hire operator, refresh shop reputation, information investigators, and promise to prove good part-time conditions, to ask victim buy card implement trick. Maojian branch of shiyan public security bureau cracked refresh reputation case, whom tricked by use phone make payment 3700 yuan in 2013.

6. Buy credit card fraud. Lair release credit card advertising on the community, QQ group, claim credit card have high overdraft function, once some one trust this, the lair will ask victim to offer ID information, bank card data, to get more victim's information. Then will charge for process fees, margin, poundage as excuse to ask victim transfer the remittance. As the end of 2013, maojian branch of shiyan public security bureau cracked credit card fraud case, Hu just curious about the credit card information and click the link, then was cheated out of 21,300 yuan in the end.

7. Network marketing fraud. Liar take advantage of the network, TV, phone, newspapers sells phone, drug, souvenir, then use payment in cash on delivery by courier method, after got the goods just found that it is not same as their expectations. Such as zhao was cheated out of 5,600 yuan by buy games equipment in September, 2013.

### **Part three: The features of network fraud crime**

Network is virtual social, communication between people is not like a real society need to face to face "dialogue", communication just through cyberspace or chat tool as man-machine, so the characteristics of online fraud is different from common fraud crime.

#### 1. Across region

This is decided by the across region of internet. Once criminal suspect have an computer equipment can be arbitrary commit fraud activities via the Internet. There is no region on internet, criminal can make fraud in any city, this is different from traditional crime of fraud. Theoretically speaking, anyone may be victim.

#### 2. Concealment

Internet fraud can not restricted by space-time, criminals can hidden in the network, implementation of the criminal process does not need to direct contact with the victim, so that you can in the case of not to leak true identity, and any false facts for fraud. The victim doesn't know the real information of perpetrators, also won't be able to provide effective investigation to the police.

#### 3. Non-contact

Internet fraud cases criminals subject and object "back-to-back" contact ways, namely, both of them not contact directly. Contact by the network, QQ or call, criminals is not direct contact with the victim, usually use bank transfer implementation of fraud.

#### 4. Counter reconnaissance

So far, the network fraud shows criminal gang, corporate and professional trends. They use the fake information created bank account, mobile phone card, fixed telephone, rental network space, establish fraud website. Once fraud success, they will exchange replace new website, new phone, new credit card, new company and employees names, bring big difficulty to investigation. Also, the criminals design the website, change link, established service calls constantly. Also proved that the criminals have professional computer science knowledge.

#### 5. Low cost

Criminals just need several computers, several sets of communication equipment, use of computer network technology and multimedia technology to produce exquisite Internet electronic information to scam others property. Through bank transfer, completes the fraud in a short time quietly, the whole process does not need to input a lot of money, manpower and material resources.

#### 6. Severely damage

Internet fraud cases, especially the stock fraud, winning fraud, diddle property number is generally larger, and the victims are widely distributed, caused very serious bad influence.

## **Part Four: Internet fraud high-risk groups analysis**

Restricted by time and space, so the network fraud crime is concentration and committing crime in group. Analysis from arrested criminal suspects, basically has the following high-risk groups:

1. Binyang, Guangxi census register. Method: through theft people's QQ pretend as acquaintances chat, ask to remittance, pretend company leader ask to transfer accounts.

2. Anxi, pingnan, Fujian census register. Method: Winning message fraud, mail guagua-card fraud, recommend stocks fraud, sells mobile phone fraud.

3. Loudi, Hunan census register. Method: Recruitment fraud, sells used car, production sold fake certificates, sells train ticket means to implementation fraud.

4. Xiaogan, Hubei census register. Method: Published the low price mobile phone top-up cards information, pretended organs, enterprises and institutions superior departments selling books, souvenirs implementation fraud.

5. Jiamusi, Heilongjiang census register. Method: Sells goods in low price as excuse on website, ask victim to pay for goods deposit and click the fake bank link, theft the bank account and password, transfer money from card finally.

6. Zhanzhou, Hainan census register. Method: pop-up window on website or QQ release the victim winning information or low-priced sells of commodity information implementation fraud.

## **Part Five: The reason of high-rise, low crack**

1. Precaution consciousness is not high. People knows little means of fraud, have no wareness to protect themselves when they fall into lair's blandishments and trap, so easily deceived. Some people are greedy for small gains when they buy something on website, easily believe liar's low price publicity, because these people have no willing to refuse goods what they want to buy and cheaper than market price. Some people do care about the precaution fraud publicity, thinks it never happen on themselves, too confident to be deceived.

2. Fraud method changed constantly. Fraud method changes with the internet development constantly, every new things appears on website, means new fraud method coming. For example: along with Taobao, Wechat coming, the criminals uses Taobao and Wechat as a carrier implementation of fraud. Even the same type's fraud, the means of updating is can not precaution in time. Just as QQ fraud, main means of QQ fraud is theft QQ password and cheat QQ friend in 2009; not only theft QQ password but also screenshots the chat record, then through video chat wangle friends money in 2010; make the interface same as leader's QQ(just the QQ number different), then replaced leader's real QQ number, pretend as

leader implementation of fraud.

3. Victims scattered. Fraud victims throughout the country and scattered, the victim is difficult to find. One hand, public security organs in response to the report of Internet fraud cases is single, the victim is independent, it is difficult to contact with other victims of the associated. On the other hand, due to the little money that the victim was cheated, so the victim believes that there is no need to report a case, and some victims although the report, but they have no confidence about public security organs, so many victims out of money to buy a lesson, then let it go away. However, since the fraud area extensively, the victim slue and scattered, fraud gang can after repeatedly succeeded in using "hit a shot for a place" "guerrilla" tactics, makes cheat for a long time.

4. Network real name system is not perfect. Some sites checks not detailed about the applicant's information, the applicant may provide false identity, network characteristics, communication numbers and other related information, as long as it is fit for the system requirements will be easy to pass. Some sites only need to pay a fee can be opened, there is no need to provide identity information, and QQ, wechat, the forum can be seen everywhere and community even provide free registration, any data registration exist. Although Taobao review the qualification of "shop" stringent (such as to ask shopkeeper handheld ID take photos, to confirm the true identity of shopkeeper), but also appeared many professional "shopkeeper" (which is not involved in the fraud, but through sells the account get money) to avoid confirm. Since such loopholes, lead criminals got success many time.

5. Laws and regulations legal regulatory lag. The virtual nature of the Internet, objectively played down the people's moral values, leading some people dare to do things what they did not dare to do in the real world. Laws and regulations can not keep up with the development of virtual world in a certain extent, such as the legal problems of the virtual property on the Internet can not be solved in time, fraud behavior can not get the proper punishment, this is a big reason of fraud happens. Regulations of the people's Republic of China on the protection of computer information system security (published in 1994), Information security level protection management approach (published in 2006), Method for the management of special product testing and selling license for computer information system (published in 1997), Computer Information Network and Internet Security Protection and Management Regulations (published in 1997), Interim provisions of the people's Republic of China on the international networking of computer information networks (published in 1998), Regulations on the administration of the Internet service business premises (published in 2002). These laws and regulations lag, not fit for internet development.

6. Protectionism existed in Individual local. Since low cost and high income, brings huge economic benefits from fraud, in network fraud hardest area, even appears the emergence of Audi, BMW get together of the fraud village, the town of fraud, these areas are Engaged in the Internet fraud is given priority to with young people, they are compare with each other, waste of money, brings the local entertainment, services and other related industries. In these areas, local protectionism severely, not only affect the normal law

enforcement activities of the local public security organs, but also affect the coordination of local and local public security organs.

### **Part Six: The difficulties to crackdown Internet fraud crime**

1. Too difficult to find. Since most of the victims was not tricked a lot of money by fraud criminals, they think there is no big loss, also did not report case to police. Some victims even realized was deception until the suspect cleared all fraud information. Because the public security organs can not find the case and obtain a clue in time, lead negative impact about the cases.

2. Investigation difficult to handle. Because of the feature of internet, cross regional crime has become a major feature, do not think about to arrest the suspect's part, obtain evidence will need to spend a lot of manpower and material resources, many cases of funds are far beyond the value of the case. In case of working capital is not sufficient, the detection of network fraud is very difficult. We also facing this situation, a lot of network fraud cases due to the high cost of handling cases, local public security organs did not dare, do not want to do such cases, resulting in a high incidence of network fraud.

3. Get electronic evidence is difficult. A lot of important evidence in electronic form, electronic information easy to loss, may be crime to destroy evidence subjective, may be electronic evidence preservation itself has time limit, covered by the new data automatically. In recent years, most of the criminal transfer bank funds for fraud, due to the public security organs difficult obtain evidence procedures cumbersome from bank, and bank data is saved time limited, which resulted in a lot of important evidence can not retrieved in time. The basic public security organs investigation means is limited, it is difficult to cope with the high-tech era of network crime, even arrested the suspect, but because of the lack of electronic evidence and can not solve the embarrassing situation in the end.

4. Network supervision difficult. No matter what kind of network fraud, criminals have to use the internet as carrier, as long as the relevant departments to firmly control these units and individuals, can get capture criminals quickly, while discovery these criminals released fake information and delete them to intercept timely, avoid network fraud happen. Through the tireless efforts of the public security department, we have control some main network operator and some large website, also made great achievements. But we have no idea about control the server leasing company, especially about the small server leasing company, Anyone provide a photocopy of id and pay a fee for the company can rent a virtual space, and most of these companies will not go to check the id information of authenticity.

5. Remote collaboration difficult. At present, network surveillance techniques are not completely shared, means almost exclusively in the local and other areas to want to obtain data must through the local department investigation, a move that is taking into account the network surveillance technology confidentiality reasons, but at the same time, the investigation of the case of network more difficult.

Although the network security department is through the Ministry of public security of the platform to finish cross regional investigation work, indeed this platform for detection network cases up to the positive role, but evaluation machine supporting is not perfect for platform, a period of effectiveness is difficult to be guaranteed.

## **Part Seven: Countermeasures and suggestions for the prevention of network fraud**

Treat network fraud we must insist on prevention first, then strike, the most important is supervision carefully principle, created and perfect individual, network operator, public management institution management control mechanism. Mobilize all social forces, use various means and measures to eliminate, reduce and weaken various factors cause fraud, to prevent and reduce the purpose of network fraud.

1. Strengthen prevention propaganda, improve prevention awareness. On basis of television, newspapers, posters and other traditional media to carry out a wide range of anti fraud propaganda, expansion of mobile phone messages, WeChat public number, official microblogging and other channels, expose fraud crime means on a regular, imparting prevention knowledge and skills to prevent, improve the awareness and prevention ability, remind, guide the public people form a scientific, rational consumption habits, enhance the legal awareness, and pay attention to keep the transaction evidence, protect themselves actively. Now the major shopping platform have set up a warning column on its home page clearly , to remind people to prevent network fraud, to urge the network operators, especially trading platform, continues to strengthen the public's anti fraud propaganda. Recommended the security department will prevent network fraud crimes and results into the police station and the community police assessment. Since October 2014, Shiyuan Municipal Public Security Bureau make full use of microblogging, forums, QQ group and Internet cafes and other sites, hold seminars, distributed homemade promotional materials in campus, enterprise, community at same time, doing prevent network fraud propaganda work, achieved good results.

2. Strengthen basic management, improve communication and coordination mechanism. Public security organs as main department of the network to combat crimes, must be responsible for the supervision and management of computer information systems and network security work. Network security departments to establish and implement the cooperation and coordination between network operators, regulatory mechanism, and improve the communication management department constantly, to implement the site's real name verification system, from the source to eliminate false website establishment. At the same time, strengthen the supervision of the network, and increase efforts to crack down on illegal network crimes, and punish the network illegal and criminal activities severely.

3. Strengthen the investigation, to overcome the fear feeling. At present, Internet fraud crime

happened in high frequency, sloved less, in addition to difficult and high costs , evidence collection difficult outside, the public security organs especially grass-roots unit can not do, dare to do, do not want to do, also the very important reason. If the public security organs have fear of difficulty, criminals are more arrogance, people loss confident. So , Shiyan public security bureau strengthen the guidance and requirements for departments at grass-roots level, increase case investigation work, require the public security organs handle at least 1 cases every year, encourage overcome the fear. Shiyan public security bureau handle 21 fraud cases, especially Wudangshan public security bureau handled the cases which involved more than 500,000 yuan QQ fraud case just by a policeman in 2014.

4. Strengthen cooperation and coordination, form investigation and strike synchronous. The public security organs should establish a professional team to combat cyber crimes, establish a standardized and efficient mechanism to combat Internet crime, to fully play a long-term cooperative mechanism, strengthen keep communication and cooperation with high-risk groups of household registration and IP address, mobile phone, telephone and bank accounts opening, open an green channel, reduce the inconvenience caused by the investigation of cross regional work. Strengthen the public security internal resources integration, established to combat crime liaison team, among criminal investigation, technical investigation, network investigation, and department, implementation the joint fight against. 110 worker should to remind cases reporter tells situation carefully when they answer the phone. Police station should supervise and urge the community to strengthen the prevention propaganda, form an normal mechanism, publicity and prevention constantly. According to the regular of fraud,analysis fraud characteristics and means, offer typical publicity material for the department, improve pertinence and effectiveness. Security departments should to control of bank account owner, real name system, combined with banks from the source, universal warning signs on financial sector, financial network business lobby and ATM, through inside the financial system platform release prevent remind message to online banking users, big financial users. Criminal investigation department, network security department, and other departments to jointly carry out combat remediation work, and strengthen the statistics of the network fraud, analysis, judgment, comprehensive use of intelligence and string, network surveillance technology comprehensive scientific to find crime clues, and strive to uncover a number of such cases, crack down internet fraud crime high incidence trend.

5. Strengthen the construction of the team and train the talents of the backup technology. Public security organs should strengthen to improve the coping ability and level constantly about the crackdown Internet fraud crime, equipment and technical reserves. Public security organs should strengthen the construction of network security departments, at first, select a number of police whom familiar with the legal knowledge, proficient in computer technology and understand the reconnaissance of handling business, transferred to security network department, improve fighting capacity effectively. Second, increasing education and training efforts of technical personnel, promote Internet investigation level, and enhance the management capacity of Internet security. At last, increase cost investment, focus on infrastructure and system construction, makes the network security team more stronger, play a good role in

the maintenance of public security organs effectively, then can help the social development, achieve win-win situation for the country's political progress, economic development and social stability to create a more harmonious security environment finally.

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# Some Thoughts on the Online Fraud

Wu Xianjie

**Abstract:** Online fraud has several forms, like the form using instant messenger, phishing and online shopping fraud. The form of fraud make it concealed from the sight of the regulatory, and the same time, online fraud has the feature-- strong cross regionalism. Faced with online fraud, people need to enhance one’s awareness of prevention and public security departments should do popularization about that to combat with the online fraud.

**Keywords:** online fraud; features; preventive measure; enlightenment

China's "Criminal Law" 266th makes it clear that, the crime of fraud is the method of illegal possession which is to defraud a large amount of public or private property, with the fictional facts or concealing the truth. Fraud is a typical usurpation of such illegal and criminal acts existed since ancient times, the emergence of the Internet and its thriving give fraud new connotation and forms, and double and redouble the amount of fraud, also the social influence. Internet fraud is an extension of the traditional fraud on the Internet, and it is a criminal behavior which is use Internet as a platform or tool.

## The main form and process of online fraud

Compared with the traditional fraud, online fraud has many new forms and meanings. The following focus on the recent several common online fraud.

### 1. Fraud by Instant Messenger

This type of fraud is mainly through WeChat, QQ, Momo and other Instant Messenger, posing as user’s friend to commit fraud, such online fraud is broadly divided into two cases.

One is to steal the victim's chat account password through a variety of illegal means, and become chat friends with victim by the mean-add friend, then grasp the basic situation and try to get their video

information. After login the account of victim, according to the name and relationship remarked on the instant messenger and the situation in the early stage, to implement fraud.

There is also a case which is used recently, the suspect did not succeed to steal the victim's password, but use their own instant messenger account to add some kinds of high-end groups, and strive to become active molecules, cheat trust, and grasp the victim's information, such as the enterprise name, position, the name of the leadership, and the normal flow of capital and so on. Since then, the suspect will wait for an opportunity to commit fraud with the identity of the responsible persons or an authority figure in one industry.

### 2. Phishing

Phishing is a common trick of online fraud, and it is different with the first form. Its focus is to get user privileges, mainly through various deceptive way to obtain the victim's bank cards, shopping account and game account password, then transfer the money out. In general, the suspect will produce a fake site which is main to obtain the user's accounts and passwords. For various reasons after the user land the fake site and enter the account password information, then the suspect will transfer the money out using the password information.

Recently with the development of Mobile Internet, there is a kind of phishing crime specifically for mobile terminals. The implementation of such phishing crime, in general does not set up a fake website, but buy a Trojan specifically for mobile phone system. Such crimes are also through a variety of tools, to trick victims to click the link containing a Trojan virus which will be planted on the victim's mobile phone, and then successfully access to all kinds of victim's account information

### 3. Online shopping fraud

The continued hot of Taobao, Jingdong, Suning and other large online shopping site lead the online shopping to a new stage. Earlier online shopping fraud is generally to set up a website, and the website mainly sales some goods which is shortage on market, keeping the price low, in order to attract buyers cheated.

At present, the highest frequency of online shopping fraud happen on the platform provided by Taobao, Jingdong, Suning. The trading platform is similar to the traditional market, all kinds of network operators can commodity trading in the market, with payment not use cash, but through online banking in special online channels. Since it is difficult to form a standardized transaction process, coupled with the uneven network security awareness, such fraud emerge in an endless stream

## **Features of online fraud**

### 1. Concealment of money laundering

The money laundering of online fraud is different from the ways used in before, through the network

the suspects can transfer funds in a very short period. The first feature is fast, once the victim transfer money into the suspect account, the suspect will quickly transfer the money out. The general approach is the use of online banking transfer, and there may be two to three intermediate bank card for relay transfer. The last step is not directly withdraw the money, but it will be transferred to some payment platforms such as PayPal, quick money and so on, these platforms account is not belong to the suspect himself, mostly hired from others. Through these payment platform, the suspect will consume on domestic and international shopping platform, generally buying some network game card or anonymous telephone recharge cards and other types of virtual items, followed by a secondary sale, until finally make the money into the hands of their own.

#### 2.Ability to avoid risks

Through the money laundering methods described above, we can see that the suspect uses a variety of intermediate links to disrupt the police's attention, and to avoid the risk of attack. They never use bank counter trading, but the operation through online banking, and the bank card identity information they used are bought or stolen on the Internet.

In order to avoid attack, the suspect always have three ways. First one is using a large number of anonymous 3G wireless network card to access the internet. The second one is in an open wireless WIFI area, using other people's net lines to do some operations. The third one is using Internet agents provided by other countries to hide suspect himself.

About the instant messenger used by the suspect, the registered information is not true, including the ID number. Once the fraud is succeeded, all of the phone cards, bank cards will be discarded, and the account of QQ, WeChat, and Momo will also be abandoned and the suspect will apply for new account.

#### 3.Has formed a complete chain of interest

At present, online fraud has formed a huge underground interest black chain. In this black chain, clear division of labor, utilize each other and do not interfere anyone. All aspects of the operation is carried out by the professional staff and they share the money of victims finally.

Firstly, hacking. The account login permissions of the victim's QQ, WeChat, Momo are obtained by the suspect. Generally, this kind of suspects have higher computer network literacy, they obtain the user rights by means of the web Trojans, Trojans, phishing sites or other tools. From the production of Trojans, Trojan horses to stealing trading accounts, they are all one small part of the fraud. From the implementation of fraud to the professional money laundering, even go to the bank are completed by different members.

#### 4.Cross regionalism and concealment

The characteristics of the Internet lead to the strong cross regionalism and concealment of the online fraud. The Internet has changed the communicate way and the habits of people between each other. Bring people the same feeling of chat with the one thousands of miles away as chat face-to-face. The illegal and criminal activities could be carried out easily, even the fraud suspects only just have a network cable connected to the internet. No matter where the people are, fraud could happen even the suspects on the

broad. The victim is often very far away from the suspect. Actually, most of the suspects are thousands of kilometers away from the victim in such cases. The Internet's virtual nature lead to the strong concealment in the online fraud. As long as there is a Id and a picture, anyone could become so-called friend, which is unbelievable in traditional society in the past. In traditional fraud, even the victims is not clear the true identity of the suspect, they may at least have seen the suspect and have a general understanding. But it is not possible for online fraud to real contact with the suspect, which causes the victims have no idea on the suspects. So it is hard for the police to detect the case due to such few effective clues.

#### 5.Low cost

One main reason for frequent online fraud, and also the prominent feature of online fraud is the low cost of doing the crime. The high-tech of online fraud is reflected in the production of Trojans which is the most high-end of the chain. But for the people who implement the fraud, advanced knowledge is not necessary and the basic understanding of network is enough. Generally, traditional fraud is always limited to a specific region, also the object, so it looks like fishing with fishhook. Otherwise, online fraud is more like fishing with fishing net, one time it can capture ten thousands of fish, so that the cost is almost negligible. The bait of online fraud is virtual and has no actual value. One more point is that the suspect just need internet accessible condition, and they do not need hide to avoid the sight of regulatory as the traditional one.

#### 6.Great harm to society

Due to geographical and other various conditions described above, the harm of traditional fraud is always in a limitation. But via the Internet, the harm is expanded several times. In theory, as long as one use the Internet, one may become victim of online fraud. From the perspective of the suspect, the traditional fraud need coworkers who has experience of crime and fraud techniques, while online fraud do not need the experience. From the perspective of the amount of fund, there may not be great difference between traditional one with online fraud, but the number of online fraud is times of traditional one, the total amount of money involved is much greater. In the traditional fraud, the victim involved are always wealthy, while online fraud aimed at internet users, especially students and temporary workers. For such groups, the online fraud will cause a huge negative impact.

## **Preventive measures**

### 1.Pay attention to the safety of accounts

A key point of online fraud is the various types of accounts. Protect the account security is the first line of defense to prevent fraud, which is the most easy part to be ignored when we use the online banking, QQ, WeChat or other tools. In fact, the tools mentioned above have many effective anti-theft measures, such as binding mobile phones, SMS verification login, alarm of remote login and so on. These protective

measures may bring some trouble when using, but can ensure our account security is not stolen.

#### 2. Pay attention to the safety of our mobile phones and computers

At present, we use online banking or other online tools in our own Internet computer and mobile phone. In order to protect the safety of our account, it is important to protect the safety of mobile phones and the Internet effectively. The anti-virus software must be installed in the computer and updating the virus library frequently is also needed. A genuine anti-virus software costs only about 100 yuan, but it can bring us a safe Internet environment. There are a lot of the security software of mobile phone version, it is better to choose a good security software for the phone. Do not log in your own account in the Internet cafes, other public places or unfamiliar places to use, these hosts are not safe enough, which means the passwords of our account is stolen easily. Besides, we need to avoid to log in our account on the others' phone.

#### 3. Use chat software correctly

QQ, WeChat, MoMo and other chat tools have become an indispensable part of our daily life, everyone has more than one account. We enjoy the benefits of these tools, which bring us convenience, economy and so on. We must pay attention to the using of these tools. Do not add the QQ group or friend freely, do not leak the account information to stranger. Do not leak your names, work, career, family or other sensitive information when you chat with strangers. Important thing is only discussed face-to-face or by telephone. Do not talk about the important issues of the company with friends or colleagues. Do not disclose your true information or true photo in personal account. Avoid to share the information about your own life, travel or other personal information in the circle of friends. It is better not to name anyone as father, mother, manager or boss in the chat account, just give the whole name. In short, develop a good online habits can greatly reduce the chances of fraud.

#### 4. Develop good online habits

Good online habits allow us to avoid online fraud, and the habit can be trained in normal life. It is reflected in many ways. When shopping online, we should choose the well-known trading platform. If it is necessary that we must shopping on the site we are not familiar with, we should refuse to pay any deposit and pay after the delivery. We should use the communication tools provided by the platform when we shopping on it. For example, we should use trademanager (Ali wangwag) when we do shopping on Taobao. Because of the powerful security feature, the tools provided by the platform is safe and difficult to carry out fraud. Whether on phone or on the computer, we should not open the unknown links on the page, because these links may hide Trojan. To prevent phishing sites, we also should not enter account and password in these pages. For the sites we always use like some shopping sites and bank sites, we should memorize these website, typing the URL to access these sites is the safest option. In preparation for landing the site of online bank, we should pay attention to the letters and numbers to prevent entering phishing sites. For the card which open online banking, we should not store too much money in the card. In principle, we should store as much as we use, though troublesome, it is relatively safe.

## Lessons for us detective department

Online fraud gives us tremendous challenge, and the various characteristics make the detection difficult.

### 1. Enhance the network knowledge of network

Blacksmith need its own hardware. Not familiar with computer knowledge, it is impossible to detective online fraud. The society is an information era, in the social context, we must have the knowledge and ability about using internet. Only in this way we can effectively safeguard people's property. We should note that we cannot be abandoned by the times.

Due to various reasons, the vast majority of our front-line polices are police academy graduates and demobilized soldiers, and these people are lack of computer knowledge. So when we recruit new officers, we must broaden the source, and increase network professionals to optimize the proportions of our police.

Currently in our practical work, there often is a misunderstanding, that is, as long as the public security police who is in charge of security of internet have knowledge of Internet, everything will be ok. This idea will work our astray, one is that facing such a large number of online fraud, the network police which is established recently will not work effectively. The other one is that if the police are not familiar with computer network knowledge, so many valuable clues and information cannot be obtained, then advanced technical assistance cannot do anything.

We can improve the quality of police knowledge of computer networks through a lot of ways, such as increasing the lessons about network in induction training. The most important is to allow the police to have them recognize the necessity and importance of knowledge and enhance their consciousness of active learning.

### 2. Based on prevention, popular network security knowledge

Online fraud detection and recover the stolen money are difficult, not only in developing country but also in some developed country, the detection ration is low. Based on this situation, how to avoid people becoming victims of online fraud is especially important. So preventive work is an important measure and it is an important duty of our police department.

Take various forms, go into the community, schools and all kinds of places, use all the conditions that can be used, and do anti-fraud propaganda, so that the people could understand the main forms and characteristics of online fraud, the common crime techniques, and consciously improve fraud prevention awareness and ability, and establish a new network security concept. In practice, the effect of several practices we have taken is significant.

2.1. Set up special column in the locally active Baidu Post Bar and forums, the special column should include real cases of online fraud, the knowledge of computer skills, and related laws. This column is not only a static link, but also made it windows and icons as entrance. The page also should be colorful to catch attention.

2.2. In the local cafes, important units and other places to set up Internet security officer system, and make it clear that each of the units must have one or more security officers to do the work of anti-fraud, play a role as Breakwater. These security officers should be regularly conducted training, and they should learn organizational knowledge. About teachers, units can engage society people or technical police who have actual combat experience.

2.3. In local schools and communities, organize network knowledge lectures and anti-fraud lectures. In recent years, through unremitting efforts, Xingtai bureau of public security establish an anti-fraud mechanisms with the local colleges, primary and secondary schools. The most important is that in each of the units to organize various forms of anti-fraud seminars, especially in the training for freshmen, we added a lecture which is given by the front police about how to access the internet healthy. This year, we go to local universities for the elderly, according to the characteristics of the elderly, we conduct special training courses.

### 3. Operation combined multi-force

Online fraud is much more than the online thing, nor is it simply a fraud, it involves many links and is a combination of online and offline. To combat online fraud is also more than just a criminal investigation, the economic investigation, security, network security, police and other kinds of police departments which can accomplish a task, it needs various kinds of police to cooperate with each other in order to effectively combat all kinds of criminal activities.

Currently, both in a region or country, a kind of internal police cooperation is very common, but also formed a set of effective mechanisms of cooperation, that is, we often say that "all the police is a family". But among the different kinds of police, especially between the front one and network police, the cooperation is a big problem. About the reasons, on the one hand, about the police who has special technology, due to the technology is state secret, it is impossible to explain in detail to other police and allow them practice. Result is the front line police do not understand the technology. On the other hand, the police is relatively weak about network knowledge, and they are not just face online fraud, other tasks are also very arduous. Once the police encounter such cases, they are unable to investigate, resulting in the slow progress of investigation. The existence of these barriers will often form buck-passing situation, how to break these barriers and create cooperation is what we need to address.

Aimed at the above case, currently Xingtai bureau of public security develop a combined operation mechanism which need different kinds of police to participate in. The mechanism clearly defines the responsibilities and tasks of different kinds of police. For example, different kinds of police should share information with each other. Through more than one year, the role of mechanism start apparent.

### 4. Destroy the foundation of online fraud with 3D combat

As the three characteristics of online fraud mentioned above, on the facts online fraud have now formed a huge chain of interest. Faced with this huge cake, every chain can be enjoyed it. This huge interest chain like a giant centipede, fighting one or several chain would not achieve the desired effect.

Faced with this situation, how do we deal with? The person who collect money is hired by the racketeer, the site creators is also asked by the racketeer to make phishing sites, and the implementation of online fraud is also done directly by the racketeer. It is easy that we make racketeer as the main target, but there is a deviation on the understanding. The high-tech of online fraud reflect on the production of Trojans, without Trojans the online fraud cannot be implemented effectively. Based on the situation discussed above, at the same time we focus on the racketeer as the fight target, we should also fight against with the Trojan makers. It is the only way through which we can deal with online fraud from source. However, in current practice, we fight against with Trojan makers weakly, and the relevant laws are also very lacking. Although the "Criminal Law" has provisions, but there is lack of relevant interpretation, so that the execution is poor. Nationwide, the real success of the Trojan hacking investigation of such cases was only a several cases. Meanwhile, for such cases suspects the sentencing is too light, and it can hardly be a deterrent. It is also one of the important reasons why online fraud is rampant. To change this situation, not only the public security departments need sum up experience. The most important is to promote the consensus of the whole society and push the regulations promulgated as soon as possible.

#### 5.Regional joint, overall combat

In recent years in the online fraud occurred in the city of Xingtai, the vast majority of suspects concentrated in a few provinces, with few overseas. Cross region of online fraud make that we need to strengthen regional cooperation and integrate battle against online fraud.

In order to solve the difficulties of cross regional fight, last year, Ministry of Public Security set up working group in the area where online fraud happen frequently which played a crucial role. Take this opportunity, police of Xingtai continuous cracked more than one online fraud and successfully arrested the suspect and made a deal

One of the difficulties in combating online fraud is too costly. Especially for some small amount of money involved in the case, due to the limitation of police and financial resources it is often difficult to detect. Not to mention the case which cannot reach the standard of placing a case. In view of this situation, in the future, in the regional union, police at the location should be responsible for fighting against and recover the damage, while other police should be responsible to analyze clues. Such a mechanism not only can save a lot of police and financial resources, but also can improve the online web fraud detection rate to recover the damage.

Currently, in order to avoid combat, part of online fraud suspects even commit crimes abroad. This requires us strengthen international cooperation on the basis of the whole country.

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# Discussions on the Legal Responses against the Internet Drug Crimes

Jin Lian

**Abstract:** Since internet drug-related crimes are rampant in recent years, it will be helpful for building an effective prevention and control system in time by analyzing and researching the main characteristics of the ferocious crimes. The crimes include the following characteristics: Internet Drug crimes mainly involve synthetic drugs; internet drug crimes are easily conducted at any places with computers around the world and hard to be found by law enforcement agencies; forensic evidences of the crimes are hard to get for judicial procedure. Based on these characteristics, the author suggests: improving the criminal legislation on the new synthetic drugs; strengthening the administrative legislation on the crimes to supervise e-commerce platform and logistics industry; establishing special professional agencies to collect forensic evidences of the crimes.

**Keywords:** Internet, drug crimes, prevention, responses

Digital world reached an important milestone again in 2014, the number of global Internet users exceeded 3 billion. Nearly 1,000,000 new independent mobile phone users register every day around the world, and with 7,267,000,000 connections everyday quickly close to the total population of the world. <sup>[1]</sup> WI-chat and other social media have a deeper impact on people’s lives and the world. According to the report of the British Financial Times on March 19th of 2015, by the end of 2014, the number of WI-chat users have been rising by 41% and reaching to 500,000,000 persons. <sup>[1]</sup> As early as on October 2 of 2012, Tencent News Network reported that the latest report shows that the number of Internet users in China is

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[1] Global Internet Users exceed 3 Billion, <http://www.techweb.com.cn/data/2014-11-05/2093281.shtml>, 2014.11.05 11:14:56

expected to exceed 800,000,000 by 2015.<sup>[2] [3]</sup>

Obviously, the Internet has become an indispensable part of people's work and life, the internet provides a convenient and efficient platform for the work, communication, entertainment, and even financial business of human beings, however, it is also becoming a new active area for crimes. Especially internet drug crimes are on the rise, we have to try to discuss about good responses to prevent and punish the crimes.

### **Current Situation of Internet Drug Crimes**

Internet drug-related crimes are rampant in recent years, consequently, the Ministry of public security of China organized a crackdown on internet drug-related crimes in October of 2011. The drug use and trafficking case coded "8.31" was cleared up in the crackdown. The case covered 31 provinces of China, involving 12,125 suspects, drugs seized 308.3 kg. On March 28th of 2014, with the supervision and guidance of the Ministry, the case coded "2013.12.17" was revealed, and 11 drug-related criminal suspects were under arrest, 19.5 kilograms methamphetamine and 3 vehicles for drug transportation seized, and 2 drug trafficking Internet platform destroyed. A drug trafficking internet channel along the southeast coast, southwest border area to Michelangelo was cut off.<sup>[4] [5]</sup> March of 2015, a drug trafficking network across Guangdong, Hunan, Ningbo and Shaoxing was completely rooted out, and 23 suspected were arrested, 22 of them were sentenced to administrative detention, 500 grams methamphetamine, 70 pieces Magu, 2.5 million yuan illegal income related drugs, 3 cars involved the crimes were seized. In this case, the suspected Tian, Hunan people, committed the drug trafficking crimes due to drug addiction. Since July 2014 Tian organized cousins and a few fellows to buy "ice" from Guangdong, Ningbo and other places, then they sold the drugs through telephone, WI-chat and QQ.<sup>[6]</sup>

Since 2011, four national special crackdowns on internet drug crimes has been organized by the Ministry of public security, and more than 20,000 suspects are arrested, especially the case "Liaoyang 5 - 28" in Liaoning province, more than 570 network connection groups involved are eradicated.<sup>[7]</sup> Faced with the oncoming fierce situation of internet drug crimes, it will be helpful for building an effective prevention and control system in time by analyzing and researching the main characteristics of the ferocious crimes.

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[2] British Media: Wi-Chat Users Exceed 500 million, Renmin website, <http://it.people.com.cn/n/2015/0320/c1009-26722897.html>, 2015-3-20, 8: 21

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[4] Yang Xunian, Opinions on Improving the Leaders' Response to Internet Public Opinion, the communist, 2013-10-15

[5] Li Yunpeng, Research on Internet Drug Crimes [J]. Journal of Yunnan Police College, 2012(5): 16—22.

[6] Qiqihaer Police Cleared up a Large Internet Drug Crimes Case, Dongbei network, <http://heilongjiang.dbw.cn>, 2014-05-16

[7] Mina, Combating Drug Making and Trafficking Network, Heilongjiang Daily News, 2014-06-01

## Characteristics of Internet Drug Crimes

### Internet drug crimes mainly involve synthetic drugs

Internet drug crimes data shows that most cases involve synthetic drugs. Although there is no authoritative definition of synthetic drugs now, it is a universal recognized notion : new synthetic drugs refer to ketamine, ecstasy, cannabis and other synthetic hallucinogens and stimulants,<sup>[8]</sup> in comparison to traditional drugs such as opium and heroin, the new synthetic drugs are easily manufactured, carried, concealed with low cost. Because of the characteristics of the synthetic drugs, the powerful Internet is compatible to such characteristics and provide hotbed for the crimes. 2 typical cases occurred in 2008 can tell us the details of the crimes. the criminals of the following two cases used the internet to sell precursor chemicals and spread methods of drug manufacturing. In 2008, a university associate professor Qiu from Lu'an City of Anhui Province, found out methods of manufacturing “ice” based on his biochemical knowledge and the help of the internet. Then he got precursor chemicals by online shopping. Within only more than half a year, he made hundreds of grams methamphetamine, and he transported the drugs to Hefei to gain profits.<sup>[9]</sup> In the same year, in the drug trafficking case of “13 . 11” in Yingtan city of Jiangxi province, criminals used the Internet to spread new drug manufacturing process.<sup>[10]</sup>

In addition, the young become the main group of victims in internet drug crimes. Many data show that young people are the major users of the new synthetic drugs. At the same time, the young are the most active group in the network world. The case of “8.31” large internet drug crimes involved quite a few teenagers of 31 provinces, and they indulged in the internet and hurt by drugs, especially new synthetic drugs.

### Internet drug crimes are easily conducted at any places with computers around the world and hard to be found by law enforcement agencies

On one hand, internet is a virtual world, and the visible crime scenes won't be formed if criminals use QQ, WI-chat, Fetion, e-mail and other relevant electronic tools for drug crimes in the virtual world. Naturally the crimes find good shelter in the internet and are hard to be detected, even the crimes are repeatedly committed, they are not easy to be found. On another hand, the network is a virtual world across the whole world, the criminals can get access to any computers, any network in any places of the world to commit drug-related crimes, in the endless virtual world, can you imagine how hard it is to conduct

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[8] The Drug Traffickers Commit Crimes by WeChat, QQ network, zhejiang online

[9] <http://zjnews.zjol.com.cn/05zjnews/system/2015/03/31/020580974.shtml>, 2015-03-31

[10] Zhang Nianliang, Interpretations on the Views on Strengthening Internet Drug Crimes Control, Renmin Public Security News, 2015-04-29

investigation and publish crimes in it.

A northeast internet drug crimes gang was destroyed in 2014. The gangs committed drug crimes through the internet. the suspect Chen Yongtai, he is an inhabitant of a southeast Province, he got drugs at low price in the hometown and sold to the suspects Zhuo Linwei, Zhuo Linwei through BBS and QQ.<sup>[11]</sup> Liu Xinkai is from Shanwei of Guangdong province, he used to have a job, but when he saw drug business on the Internet , he also started the drug trafficking business on the internet.<sup>[12]</sup>on May 12 of 2015, the first Internet drug trafficking case of Hangzhou was cracked with the joint operations of Hangzhou drug control branch and Yuhang Public Security Bureau. In this case, Drug traffickers sent reveal drugs information by code word in the QQ group frequently and found out customers, then transaction started. The transaction is concealed well. The customers seem to buy something legal, but the goods are actually “ice”. The case involved 22 provinces of China. It took a special work group three months to eradicate the whole gang.<sup>[13]</sup>In may of 2015, the suspected Lu, he used to be a university chemistry professor of Xi’an, he got a set of manufacturing formulations of synthetic drugs, soon he met into a chemical factory director Wang through the internet, then they made the use of logistics to mail precursor chemicals to manufacture drugs. from September of 2013 to may of 2014, the gang engaged in a large number of drug manufacturing, transportation and trafficking by the way of logistics delivery, banking payment, and the crime covers Beijing, Shanxi, Shandong, Henan, Anhui, Jiangsu, Fujian, Shanghai and more than 10 provinces and cities, and even Myanmar. it took six months for the police investigation and collecting evidences from more then 10 provinces and cities to clear up the case, and all the 17 suspects were arrested.<sup>[14]</sup>

In the above cases, criminals began communication, spread criminal information, discussed drug prices, traded places and other issues through the internet, moreover, they transported drugs through the logistics, they finished the business through the bank or e-commerce platform. Therefore the internet drug crimes is beyond the traditional time and space, and they greatly reduce the crime cost and build a great obstacle for the police to detect.

### **Forensic evidences of the crimes are hard to get for judicial procedure**

Anonymity and virtuality of network provide strong shelter to criminals to escape investigation and punishment, and build great obstacles for collecting proofs of law enforcement and judicial organs. In internet electronic commerce and logistics platform, criminals don't have to use the real name to register, and they can even register a couple of accounts for drug crimes, consequently, their real status and appearance won't be revealed. In addition, forensic evidences of internet drug crimes are different from

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[11] Song Peng, Tendency and Regulations on Internet Drug Crimes,[J], Social Science Edition of Journal of Henan Institute of Engineering, 2014(1): 61

[12] Zhou Yue, on Drug Crimes Intelligence in the World of Internet, [J] Journal of Jiangxi Police College, 2013(3): 39

[13] Zhou Yue, on Drug Crimes Intelligence in the World of Internet, [J] Journal of Jiangxi Police College, 2013(3): 39

[14] Mina, Combating Drug Making and Trafficking Network, Heilongjiang Daily News, 2014-06-01

the traditional ones, the former is generated with the development of Internet technology. Therefore, the evidences collection requires that the law enforcement officers should have a good command of computer, internet and other professional knowledge and skills. Furthermore, the professionals have to follow the strict technical standards and procedures to collect and fix the evidences.

Above all, more researches are in great need for legislation, law enforcement and judicial agencies in the face of the great challenges in collecting evidences.

## **Discussions on the Legal Responses against the Internet Drug Crimes**

In the face of the increasingly prominent problems of Internet drug crimes in China, the current law is clearly in a passive position. Therefore, it is very urgent to strengthen the research on the legal issues of the crimes.

### **Improving criminal law on synthetic drug crimes**

For a long time, the sentencing of new synthetic drug crimes in China has been mainly grounded on the following law and normative documents: Criminal Law of 1997, Sentencing Guidance on Synthetic Drug Crimes in 2006 issued by the Supreme People’s court, Guidance on Legal Application of the Synthetic Drug Crimes in 2007 issued by the Supreme People’s Court , the Supreme People’s Procuratorate, the Ministry of Public Security, 2008 Dalian Drug Crimes Conference Minutes issued by the Supreme People’s Court, 2014 Sentencing Notification on Three Kinds of Precursor Chemicals Crimes issued by the Supreme People’s Court , the Supreme People’s Procuratorate, the Ministry of Public Security, and 2015 Wuhan Drug Crimes Conference Minutes issued by the Supreme People’s Court.

These laws and normative documents are effective to guide the judicial practice on drug crimes, but they are few articles targeting at synthetic drugs, and a lot of challenges in them. Therefore, the following suggestions on improving criminal law to fight against synthetic drug crimes are given for reference:

Firstly, it is suggested that the relevant judicial interpretation should involve the definition of new synthetic drugs, the classification of the drugs, the level of the control, the standard for prosecution, the scale of sentencing and so on. Take Sentencing Guidance On Synthetic Drug Crimes in 2006 as an example, 10 new drugs such as ketamine and methadone can find the sentencing standards by the way of converting with heroine in the Guidance. So with the sentencing experience from traditional drug crimes, the guidelines of conviction and sentencing on the 10 new drugs crimes are initially established. However, in recent years, many new drugs have emerged, how to sentence the crimes is becoming a great trouble for the judicial agencies. Simultaneously ephedrine related crimes are increasingly growing, and there are not legal basis for sentencing the crime. 2015 Wuhan Drug Crimes Conference Minutes actively responds to the judicial dilemma in dealing with internet drug crimes, and it involves some sentencing guidance on the

following crimes: crimes of internet drug trafficking, illegal trade of raw materials or precursor chemicals for making drugs purpose in China, teaching methods of making drugs, and opening a website and Internet chat room for using drugs with others. Obviously, the guidance is trying to solve some urgent problems in law enforcement and justice. for instance, it creates legal basis for punishing internet drug crimes, for dealing with the conviction of accepting drugs by logistics , for how to sentence death penalty on synthetic drug crimes, etc., but the definition of new drugs, its classification, control level, standard for prosecution, sentencing scales and other specific provisions have not been in place. So to fully implement the basic principle of China's criminal law to avoid the unbalance between crime and punishment, relevant normative documents are expected to unify the criteria of sentencing the crimes around the country.

Secondly, it is suggested that related judicial interpretation should involve the forensic identification ways of drugs, the conversion standard, identification scope of the case and other specific guidance as soon as possible.

The following normative documents make forensic identification of drugs as a necessary step for sentencing: Sentencing Guidance on Synthetic Drug Crimes in 2006 requires that synthetic drugs should be identified before they are collected as proofs for sentencing. Guidance on Legal Application of Synthetic Drug Crimes in 2007 regulates the sentencing standard for Ketamine, midazolam, methaqualone, chlordiazepoxide, diazepam, estazolam, bromazepam related crimes, and requires forensic identification of drugs. Moreover, 2008 Dalian Drug Crimes Conference Minutes takes a further step to the issue, and it regulates that synthetic drugs with more than two substances should be identified to make clear the ingredients and the proportion of different substances. For psychotropic drugs and narcotic drugs which have not been clearly defined the sentencing standards, conversion conditions in criminal law or judicial interpretation, The Minutes also regulates that relevant professional departments should find out the toxic effect of the drugs, the toxic ingredients, dependence of drug users so that sentencing can find necessary basis. In addition, 2014 Sentencing Notification on Three Kinds of Precursor Chemicals Crime provides some instructions of sentencing on precursor chemicals Crimes, and forensic identification of drugs are required.

However, according to the article 357 of 1997 Criminal Law: the quantity of drugs shall be calculated on the basis of the verified amount and should not be converted according to its purity. Naturally, there are confusions in the judicial practice: first, shall all the cases of synthetic drugs conduct forensic identification of substances or only target at the case of death penalty? Then, even 2015 Wuhan Drug Crimes Conference Minutes makes a progress to involve some forensic identification ways and sentencing standards for death penalty of Methamphetamine tablets, MDMA and some other new synthetic drugs: The death penalty for methamphetamine tablets can be generally in accordance with 2 times of methamphetamine; the death penalty of ketamine can be 10 times as much as that of heroin. But in judicial practice, some instructions concerning forensic identification methods of drugs , conversion criteria, identification scope of the cases, technical requirements of identification, the necessary standards and other details cannot be found in

existing laws and judicial interpretation.

Thirdly, it is suggested that legal effect of related sentencing legal basis on the crimes should be upgraded in the appropriate time and ways. From the perspective of the legal effect, Sentencing Guidance on Synthetic Drug Crimes in 2006 is only a transitional legal normative document, so its legal effect and authority is not powerful enough, and other mentioned legal basis are normative documents as well. Therefore, law-makers are suggested to upgrade the legal effect of these documents to make them play better role in punishing the internet drug crimes.

### **Strengthening the administrative legislation on the crimes to supervise e-commerce platform and logistics industry**

Some scholars have argued that the current online drug trafficking and transportation mainly involve in the following three modes: first, “Online virtual store sales, PayPal payment, professional logistics distribution”; second, “spreading information by Internet chat tool, post office remittance, courier delivery”, and some criminals spread drugs information by internet chat tools such as QQ, WI-chat, Fetion, MSN etc., they communicate by code word or password; third, “E-mail drugs information to group , finding the buyers, payment after delivery”<sup>[15][16]</sup>

The Internet drug payment is adopting diverse electronic business platform, while drug delivery is done through the third party’s logistics company. The current logistics industry and e-commerce platform don’t require real name registration system, they are only responsible for the flow of funds and the delivery of goods, so they don’t have to check and inspect the nature of funds and the goods. as a result, the criminal can escape from investigation by “person and goods separation” and “anonymous delivery” easily. In a conclusion, the administrative legislation on the crimes should be improved to supervise e-commerce platform and logistics industry.<sup>[17]</sup>

In the world, the European Commission promulgated the Internet criminal Convention in 2000, and gradually tried to make it open for the global. Moreover, India issued Information Technology Act in June 2000, which involves the criminal law, administrative law and electronic commerce law to deal with the internet drug crimes.<sup>[18]</sup>

In China, in September 20 of 2000, the State Council announced the Internet Information Service Management Act. The Act regulates that Internet information service providers are not allowed to

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[15] Qiqihaer Police Cleared up a Large Internet Drug Crimes Case, Dongbei network, <http://heilongjiang.dbw.cn> , 2014-05-16

[16] Hangzhou Police Cleared up the First Internet Drug Case, Dongbei Network, <http://heilongjiang.dbw.cn> , 2015-05-13,17:43

[17] Chemistry Professor was Arrested because of Spreading Methods of Making Drugs, Tecent Network, <http://news.sohu.com/20150519/n413306080.shtml>, 2015-5-19, 04: 08

[18] Song Peng, Tendency and Regulations on Internet Drug Crimes,[J], Legal Forum, 2013(9): 61

publish, disseminate information in violation of law<sup>[19]</sup> But there are still no articles in the Act to push the communication network operators to adopt real name system, it definitely results in a great challenge for the public security organs to identified a suspected and detect the crimes in the network; meanwhile, it's equally important to reinforce the legal supervision of logistic industry. At the moment, all the logistics companies don't require the recipient and the sender to use real name. Furthermore, when the senders sent the goods to the logistics company, the company usually won't check up on the goods at once, which makes a shelter for the criminals to commit drug crimes. Therefore, relevant laws should involve regulations to push the system of online real name registration and the system of real name registration for senders and recipients in logistics industry, and regulations should involve inspection system for goods as well.

Fortunately, at the end of April 2015, nine central governments including the Ministry of Public Security, the Supreme Court, the Supreme People's Procuratorate issued Views on Strengthening Internet Drug Control. The Views regulates some supervision obligations for departments concerned. For instance, the industrial and commercial administrative departments should supervise the internet transaction, and telecommunications administrative departments must check it's relevant business and Internet information services; the postal administration departments have to check the courier industry. Those courier industries don't carry out the check system well or shelter drug crimes are subject to severe punishment.

No doubt, the Views will be helpful for e-commerce platform and logistic industry to take the initiative in preventing and combating internet drug crimes, certainly, we have to put it's efficiency to the test of the time.

### **Establishing special professional agencies to collect forensic evidences of the crimes**

As a legal normative document, the Views lists main types of Internet drug-related crimes and its criminal punishment measures. For example, for those who traffick in drugs or precursor chemicals for making drugs shall be sentenced and punished according to article 347 and article 350 in criminal law; For those who spread methods, technology, process of drug manufacture by Internet shall be convicted as the crimes of spreading criminal methods; for those who organize others to use drugs together by opening a website or using internet communication group, they shall be punished as the crimes of luring and cheating others to use drugs.<sup>[20]</sup> however, in judicial practice, how to collect and fix the forensic evidences for prosecution remains a great challenge for law enforcement and judicial organs.

On January 13, 2013, the revised Criminal Procedure Law was put into effect, and it was clear that

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[19] Song Peng, Tendency and Regulations on Internet Drug Crimes,[J], Social Science Edition of Journal of Henan Institute of Engineering,2014(1): 61

[20] Li Ciaowu, Characteristics, Cause and Countermeasures of Internet Crimes, Journal of China Youth University for Political Science, 2004-03-20

the “audio-visual material, electronic data” are regarded as an independent type of evidences. <sup>[21]</sup> it is significant that the legal status of electronic evidences in our country has been officially set. However, some legal problems are still waiting for further researches and discussions: The relationship between electronic data and electronic evidences, the relationship between the electronic data and the traditional evidences, the Authenticity, relevance, legitimacy, and proof force of electronic data, and its Specific judicial application. In addition, The evidences of the internet drug crimes is usually stored in the form of data, which shows diverse external forms Such as disc storage medium, U disk, paper documents or pictures, etc.. Since these evidences forms are totally different from traditional ones, to gather these evidences, the law enforcement officers must have a good command of computer knowledge. On another hand, collecting new evidences of the process and authority will be involved in the processing of computer information systems. During the process of collecting evidences, the officers have to communicate and discuss with telecommunication operators, internet management departments to deal with the processing and authority problems of computer. <sup>[22]</sup>

Above all, we are happy that electronic evidences have found legal status to punish internet drug crimes, but there are a lack of professionals to collect and fix the evidences. To make full use of the evidences in combating the crimes, <sup>[23]</sup> suggestions are as followed: establishing special professional agencies to collect forensic evidences of the crimes. We can find pilot experience in the world: many countries in the west have established independent internet drug crimes investigation departments to engage in fighting against the crimes. The U.S. Federal Bureau of investigation has a special task team to investigate internet drug crimes. The team becomes the first group police to control internet drug crimes, and they are equipped with not only firearms, weapons but advanced portable computer, huge cloud server and information system. They are responsible for tracing the drug criminals in the internet. Moreover, Hongkong police of China has a special detection group for internet drug crimes as well. Based on these good examples of the world, it’s suggested that similar organs can be set up in the drug control bureau or network security agency in China. The special organs are expected to engage in the investigation, prosecution and relevant work to crack down internet drug crimes.

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[21] Song Peng, Tendency and Regulations on Internet Drug Crimes,[J], Social Science Edition of Journal of Henan Institute of Engineering, 2014(1): 61

[22] Zhang Nianliang, Interpretations on the Views on Strengthening Internet Drug Crimes Control, Renmin Public Security News, 2015-04-29

[23] Wen Sen, Application of Electronic Forensic Technology in the Fight against Drug Crime, Computer Knowledge And Technology, 2014-01-05

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# A Research on Cyber Pornography Crimes

## —Investigation Difficulties and Countermeasures

Li Haoran

**Abstract:** With the popularization and application of information technology, the internet system has been providing more convenient and broad platforms for information exchanging and sharing among people. As a negative product from the development of information age, Cyber crimes are spreading quickly in virtual society. Among the cyber crimes, cyber pornography crime is one of the most typical types. It seriously disorders the internet management system, pollutes the web environment, and damage the health of the youth both physically and mentally. In recent years, China Public Security Authority has launched many specialized operations against cyber pornography crime and achieved fruitful results. This paper starts from the research of Cyber Pornographic Crimes, illustrates the concept of Cyber Pornography Crimes, indicated the characteristics of Cyber Pornography Crimes, and gives a comprehensive discussion to the investigation difficulties of Cyber Pornography Crimes occurred in a new age, based on that, a deliberation of countermeasures is proposed.

**Keywords:** cyber pornography crimes, investigation difficulties, countermeasures

With the development of the information era, the internet wave has been sweeping the world, and fully penetrated into the politics, economy, military, science and technology, culture and other fields, and becoming the intangible territory after territory, territorial waters, airspace after the fourth space and national security." In 1994, Beijing has access to the national first Internet international special line. After 21-year of rapid development, the Internet has been widely spread and used. According to the data from "Statistics Report on Internet Development in China, July 2015", up to June 2015, the number of Chinese Internet users has reached 668 million. The popularity rate of internet has increased to 48.8%. The number

of mobile net users has reached 594 million."<sup>[1]</sup>Every coin has two sides. The internet system is promoting the development of economy and society, while the Cyber crimes are emerging one after another. Rise from the internet platform, the Cyber Pornography Crime just like a sparkle of fire on the plain, spread rapidly, extensively, and unimaginably.

## **A Summary of Cyber Pornography Crimes**

Cyber Pornography is a negative product occurred and spread with the development of internet technology, also a transformation of traditional pornographic information on the web. The Cyber Pornography Crime is not a single crime, but a sort of crimes under one name. As a newly occurred sort, there is no existed, unified standard concept towards it among the scholars and the policing department. Because this sort of crimes have common points in modus operandi and investigation methods, we generally call them Cyber Pornography Crimes.

According to the Criminal Law of the People's Republic of China and current judicial interpretation to it, the author thinks that the Cyber Pornography Crimes can be defined as, activities such as, to producing, copying, publishing, trafficking and disseminating pornographic digital information, by making use of cyber technology, and for the purpose of earning illegal profit. Or, without making illegal profit, but the damage was very significant through disseminating pornographic digital information. Or, activities which significantly damaged the society such as, arranging, seducing, procuring prostitutions or pornographic shows. Accordingly, such crimes are classified in different terms and articles in current Criminal Law.

1) Crimes Of Disseminating Pornographic Materials And Crimes Of Arranging Shows Of Audio-Video Products. This Crime is not aiming for the profit on purpose. The modus operandi reflected online would be as following: send free pornographic information to uncertain group of people by providing direct links and free login to self-established or other people's websites, or web pages, arranging or playing audio-video products in open forums and public chat rooms.

2) Crimes Of Producing, Copying, Trafficking, Disseminating Pornographic Materials. This crime is aiming profit on purpose, including activities committed actual facts of producing, copying, trafficking and disseminating pornographic products. The modus operandi reflected online would be as following: use computer to make and upload the pictures, audio-video products, typing or quote pornographic stories in cyber spaces, use mobile phone and other internet terminal devices to disseminate pornographic information and make profit, scan and upload the hand drawn pornographic cartoons and pictures on websites, establish

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[1] The 36th report on Chinese Internet Developing Status and Statistics.<http://WWW.cnnic.cn/hlwfzyi/hlwzxbg/hlwtjbg>. Jul.23, 2015.

member fee required websites, and provide servers, internet access, storage spaces, path of transmission, financial settlement, etc. for the people who are disseminating the pornographic information intentionally.

3) Crimes Of Arranging Pornographic Performance. This crime committed with cyber tool includes activities of arranging other people to show their sex organ and to do the pornographic performance. The common modus operandi includes: rent a chat room or establish specific website, arrange the others to do the pornographic performance, or using QQ and other live communication tool, to arrange the others to do the pornographic show.

4) Crimes Of Organizing, Luring, Procuring Prostitutions. This crime conducted on the cyber would mainly use the cyber network to organize, allure the others to do prostitution, or provide the prostitution information for the others.

### **Characteristics of Cyber Pornography Crimes**

#### 1) The Number is Huge, and the Modus is Diverse

The CPC would show more quantities and modi compared with other cyber crimes. USA Business Insider had ever released a result of survey, porn websites consist of 12% of the total amount of global websites<sup>[2]</sup>. Than means you would encounter likely one porn site in every ten sites. And, the amount of information of than kind would shock someone with its number in one site. E.g., in 2012, China police agencies in different areas had cracked down a porn website named “MM Apartment” that had 78 columns, 400 thousand threads, 8 million posts, and the police caught 2148 suspects. The pattern of display includes: A. Cyber Pornographic Pictures. Those pictures mainly consist of real shoots and hand drawn cartoons, which have become the major information in largest quantity and widest dissemination online, because of the characteristics like small space occupation and easy uploading. B. Cyber Pornographic Literature. It attracts the visitors by publishing lots of sex related writing on websites. Those websites will collect a great amount of pornographic literatures, and classify them in different categories, for visitors to browse. C. Cyber Pornographic Audio Materials. Pornographic audio materials work by transforming cyber pornographic literature into audio files for web visitors to download and listen online. D. Cyber Pornographic Video Materials. They work by compressing Dynamic pictures into small video files through precision compression methods, commonly AVI and MOV files, for web visitors to watch and disseminate. E. Cyber Pornographic Video Materials. They work by compressing Dynamic pictures into small video files through precision compression methods, commonly AVI and MOV files, for web visitors to watch and disseminate. F. Pornographic Forum. Website pornographic forum is a platform based on internet electronic

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[2] TheFlowof Pornographic Websites is More Than One Third of the Global Network. <http://it.sohu.com/20120609/n345175022.shtml>.2015.10.13.

bulletin board where interactions can be conducted by the moderator and the guest. The webmaster will update the content of webpage periodically, the registered members are allowed to browse, upload and download the pornographic information according to their member level and class. G. Pornographic Games. Pornographic games is a game planted with pornographic information, the pornographic information will appear in set degrees through the mission completion. The higher the mission level completed, the more seductive the pornographic scene displayed. H. Cyber Pornography Agent. Commonly means some websites act as prostitution platforms, often exist as some kind of forums.

#### 2) Sensory Organ Stimulation, with Violence Hint

In the cyber pornographic crimes, materials are used mainly for one-time physiological need, highly related with sex activities and products, which will describe the sex in very details, and be of no any artistic value, and give people unpleasant experience. What's more, some cyber pornography consists violence content, which will give visitors strong visual and auditory impacts, make them addicted to that, which shall greatly damage the physiological and physical health of the youth internet user, confuse their view of life and value, make them do things beyond the morality, and even violent crimes. What's more, many CPC Porn sites changed their modus of earning profit. They are also hacking the visitor for higher profit. When the visitor is surfing the website, very often a window would popup requiring the installation of video player. Such video player had been inserted a Trojan, it would invade your computer after the installation and put your computer in unsafe status. When the Trojan was controlled by the suspect, it would collect the information stored in that computer, such as data, cyber bank passwords, account information for cyber stocks and games, and so on, and cause property loss to the users.

#### 3) Multi-ways of Wise Dissemination

As the development of information and digital technology, cyber pornography diversifies its way of dissemination. At the initial stage of internet, it is disseminated by webpage, email, chat room. Nowadays, the BBS, QQ, SKYPE, FTP, WEIBO, etc. also become the channels of dissemination. Take BT forum as an example, the participant use P2P software to disseminate the harmful information between two users, so that to avoid using web servers, which makes the case more difficulty to find. At the same time, with the 3G and 4G network development, WAP net channel become an important way to spread the cyber pornographic information. It is run by the service company, particularly for the mobile website and user, and is not connected with internet, which means one can only use mobile phone to browse such websites, the page cannot be open by internet, so the cyber porn website can easily settle down on the WAP net.

#### 4) Low Cost versus High Profit

Compared to traditional pornography crimes, cost for cyber pornography crimes has been reduced to very a low expense. The major costs for a cyber pornographic website are server's rental and domain name registration charge. In current Chinese market, a mid-sized web server will cost 1000 Yuan RMB per month for rental, a domain name registration charge will cost from 10 plus to 100 Yuan RMB. The maintenance costs also are very low, one original file can be copied into thousands of copies in electronic

format, no transportation and storage expense that traditional pornography crimes required. Seen by the gain, the pornographic website mainly uses two ways to get huge profit: One way is to get profit from the advertisement league. Currently, the profit from the advertisement owner and advertisement league compose the major income for the porn website owner. Second way is to get profit by charging the member registration fee. The owner set different limits for the member and charge different rate for different contents. Take a case “X Community” in 2014 as example, that website has a daily update of 10 thousands of posts, very post has 300 thousands clicks, every post can bring 30-50 USD profit, that means, that website can earn at least 300-500 thousand USD everyday.

### **Investigation Difficulties of Cyber Pornography Crime Cases**

The development of computer technology is always more advanced than Investigation technology. As the development of information era, more and more new technology and products appear, which caused many new difficulties in Cyber Pornography Crime investigation.

#### 1) The Modus Operandi is very hard to detect

The initial work of investigation is to found the criminal clue. Compared with traditional pornographic crime, the Cyber one occurs in virtual space, the modus operandi is fast, wide and hidden, also hard to locate the evidence, which makes the difficulties for such cases to find the criminal clue. Considering the time of committing the crime, the Cyber Pornography Crime can be committed any time around the clock. Considering the space where the crime can be committed, the Cyber Pornography Crime can be committed anywhere with internet access available, inside or outside a country. Particularly, if a Cyber Pornography Crime is committed with remote control technology, it is very difficulty to track the criminal, because the affected place and the committing place are not the same place. Thus, for the Cyber Pornography Crime, it is very difficulty to detect and investigate.<sup>[3]</sup> What’s more, the suspect will update their modus operandi very fast, for example, they will plant Malicious program to the website in order to increase the number of clicks, and makes the visitor unable to exit the website. They will change the domain name very frequently, including shut down the website, change the name or webpage address, in order to avoid the investigation. They will also use compressed files, and rename the files to avoid detection, you need to unzip the file many times than you can see the truth. They will also use the ID certification process, some website need recommendation by the existed members or member registration, then you can login the website.

#### 2) The structure of Website is Complicated, the ID is not Real, the Suspect is Hard to Locate

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[3] Zhu, J. 2008. A Study on Difficulty Questions regarding Cyber Dissemination of Pornographic Products[D].Shanghai Jiaotong University.

In order to get more profit, the suspect will adopt more business modus to attract visitors, such as forums, web pages, blogs, video shows, etc. The structure of website also gets more complicated as the update of business modus. The criminal activities will generally be committed by a group of people, they have close organization and the pyramid like management system. The members are scattered here and there through out the country, they will do point to point contact, and develop new members in very level, and forge a huge criminal network.<sup>[4]</sup> They have strong sense of anti-investigation, which poses great challenge to our investigation work. At the same time, the internet space is a virtual space, the suspect of Cyber Pornography Crime generally will not participate the criminal activity directly. So if we detect someone is committing the crime, we only know his virtual ID online. How to link the virtual ID with the social ID or real ID, is the key point of tracking the real suspect. If we want to locate the suspect, we need take care of every trace, and locate the suspect with every possible clue.

### 3) Wechat and Netdisk New Media appear, Hard to Cut Off the Dissemination Channel

In recent years, activities of disseminating pornographic information with Weibo, Weishi, Micro movies, Wechat media, and with pop-up windows, search engines, SkyDrive, mobile smart handset, TV box, ect. Pose more difficulties to the investigation work. Take Wechat as example, it is a new software that can send audio messages, video clips, pictures and texts rapidly, and support group chatting with mobile phone. According to statistics from CuriosityChina, as for the March of 2015, there are 5.49 thousand million Wechat users in more than 200 countries.<sup>[5]</sup> One more example is the netdisk or SkyDrive. It is a easy and new tool for net users to store data, but because some service providers didn't take enough control over the data, the Netdisk became another major way of disseminating pornographic information. The suspect usually store the link of porn website in the free Netdisk, or sell BT seed of porn videos. The other net users pay and download the file and watch it. The suspect also can push his website address in the Netdisk, and attract more clicks to the website. Those are the new concern towards new dissemination media.

### 4) The Server is Located in Overseas Country, Hard to Fix Evidence

For the suspect of cyber pornography crimes, he needs to do three necessary things before he can commit the crime, collection of pornographic materials, register a domain name for the website, rent a server for the website. The server is a highly capable computer system which can provide the data storage and transmission service via internet for websites, or to say, a warehouse for the content of websites. In recent years, the Chinese Ministry of Public Security organized many special operations against Cyber Pornography. The suspect moved the server to overseas countries in order to avoid being investigated, which caused the increase of investigation cost because lot of data stored in overseas servers cannot be

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[4] Zhang, X. 2008. The New Characteristics and Investigation Outline for the Current Cyber Pornography Activities [J]. Journal of YunnanPolice Academy2008(2): 70.

[5] 2015 Report on Wechat Users Data. <http://www.ithome.com/html/it/152417.htm>. Oct 13, 2015.

deleted. Renting a overseas server, not only means the low cost of rental, it can also change the domain name automatically within 15 second if it was blocked by the police agency. According to the statistics, in 2012, the Ministry of Public Security had received more than 57000 clues of Porn websites, among them, 87.8% were from overseas countries. 90 percent of advertisements for renting overseas servers are from USA<sup>[6]</sup>. In 2015, according to data released by Beijing Cultural Administration and Enforcement Agency, among 500 porn websites under investigation and control, 425 using servers located in USA, 22 in Japan, 5 in Korea, and 5 in Singapore<sup>[7]</sup>. The suspect rent overseas server, don't necessarily meet with one another, but form a criminal group. Because the root is located in overseas country, even some websites have been cracked down, the suspect can change server, and hire other people to restart the website. In addition, even the server is located within the country, because the emergence of changeable IP and WAB anonymous mail technology, the user can visit the website anonymously. The website can change the domain name once a month or even 2 weeks, very hard to detect and block.

## Countermeasures of Investigation

### 1) To Mibilize the Social Power to Detect the Criminal Clue

“To mobilize the general public, and to rely on the general public”<sup>[8]</sup> is always the important principle and method to fight against crimes in China. To detect the Cyber Pornography Crime, we also need to explore our social resources, mobiloze the social power, let the public jointly parcipate the management of virtual society, so as to receive timely report of criminal clues, which provides more opportunity for the police agency to track down the criminal case. E.g., in 2012, a mother who lives in Chaoyang District of Beijing, China, reported that her child was attracted by a porn website and greatly affected his study. That report led to the successful crack-down of “MM Apartment”porn website which had nearly a million members and more than 2000 suspects involved. Currently, most of police units in China have setup online police station that can provide links to criminal clue reporting. For example, in 2006, Shenzhen Public Security Agency (Police) created “Jing Jing” and “Cha Cha”, two Cyber virtual policemen shown as flash Icons, which could receive and deal with criminal case alert around the clock behind the scene. The illegal and harmful information reporting center can receive more than 3000 messages a day, 85% were against porn websites<sup>[9]</sup>. In 2015, Beijing Public Security Bureau (Police) set off the Capital Cyber Police as the

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[6] Behind One Cyber Pornography Crime in Three Places: Overseas Server is still at Large.

<http://it.sohu.com/n273422237.shtml>. Jul. 11, 2010.

[7] 425 Servers are set in the U.S.A. [http://epaper.ynet.com/html/2015-05/28/content\\_135603.htm?div=-12015.10.13](http://epaper.ynet.com/html/2015-05/28/content_135603.htm?div=-12015.10.13)

[8] Cai, Y. 2006. A Study on Cyber Pornographic Behaviors [J].Crime and Reform Research, 2006(9): 44.

[9] More than 400 Pornographic Websites were investigated and over 300,000 pieces of Pornographic-involved information were deleted. [http://news.youth.cn/gn/201406/t20140604\\_5305734.htm](http://news.youth.cn/gn/201406/t20140604_5305734.htm). Oct 13, 2015.

Wechat public platform. What's more, we can also collect the Cyber Pornographic clues by arranging informer among internet service providers, operators, website administrators, web masters, and group heads.

#### 2) To Clear the Structure of Websites and Analyze the Regular Modus Operandi

Compared to the traditional pornography crimes, the Cyber Pornography Crimes will be more uneasy to detect and more disperse, and the evidence is easier to destroyed. So at the initial stage of investigation, the investigator must entered the website as a member of the website, make clear the structure and modus of operating, and to understand the investigation direction. Let's take pornography performance website as example, it usually involves three main bodies, they are performers, advertisement league and website links.

Firstly, there are performers. The suspect would hire amount of young girls as "service girls" through posts online or recommendation by acquaintances, to conduct the pornographic performance, so as to attract more young web visitors.

Secondly, the advertisement league. In order to attract the clicks, the suspect would seek advertisement league in this stage. The porn website would be get linked with thousands of common porn websites, and the member of such websites can entered the pornography performance webpage directly through clicking the link. The advertisement league include the advertisement company and agent, above them, there are advertisement service providers, under them, there are porn websites in form of forum or data downloading space.

Thirdly, the linked websites. After the linkage has been done, the web visitors can find the pornographic performance website by the advertisement when they visit the linked websites. The video websites get income from the visitors, and some income goes to the advertisement league and linked websites.

#### 3) Enhance Administration to New Dissemination Media

To prevent new media from disseminating pornographic information, we need the public security agency act as the leading agency, and the web operator as the participant, jointly construct a set of monitoring system that can be generally effective and able to foresee the trend. At the same time, the public security agency need to collaborate with the legal department to facilitate the legislation work for the new dissemination media, to make up the blanks in related laws, and to perfect the administration of new dissemination media. Some examples, since February 2015, the public platform in Wechat requires the holder of public account to register himself with real name, and musk upload a photo with ID card in hand. In 2015, the Sina opened a zone for reporting the illegal and harmful information at its home page, which had blocked 140 thousands of porn messages before May 2015.

#### 4) To Conduct International Police Cooperation actively

In Cyber Pornography Crimes, because the suspect often rent overseas servers to avoid investigation, the porn messages stored in the server will not be able to be deleted thoroughly. Once who gets back

the control or use right of the server, a new porn website can be run again. So, to establish international coordination groups, and through international cooperation, we can exchange intelligence and information, master the trend, with overseas police agencies, that will make the criminal no where to hide. That is an effective and practical way to solve that problem.

Currently, the Ministry of Public Security of China has posted police liaison officer to 24 countries, and signed police cooperation agreements with more than 40 nations. It has provided favorable conditions for the research to establish cooperation mechanism on investigation assistance, intelligence exchange, resource sharing and overseas evidence collecting. For example, in August 2010, based on the consensus of combating child pornography crimes between China police agency and USA police agency, the Ministry of Public Security of China together with US FBI had tracked down a very big Chinese language porn website, “the Sunny Entertainment League”(阳光娱乐联盟)that had 10 million registered members and earned 50 million Yuan RMB profit. This success uncovered the first page of police international cooperation in the cyber-crime investigation regard. Based on that, Police agencies in China and USA launched “Angel Operation” aiming child pornography websites, jointly with 20 nations and regions. The operation destroyed four child porn websites, arrested 250 website creators, web masters, or key members who did significant posts. That joint law enforcement operation was a reflection of a deepened cooperation phase for international law enforcement cooperation, which was of great importance for further facilitating the practical cooperation between China law enforcement agencies and other nation or region’s law enforcement agencies, and for perfection of joint enforcement working mechanism.

Currently, the electronic technology is developing very fast, the cyber information is changing from second to second. What the public security agency has to do includes, conducting comprehensive research in the regular pattern and characteristics, to speed up the upgrade of technology and countermeasures, to enhance the coordination and collaboration among relative departments, and to conduct international police cooperation actively. Only we have undertaken those countermeasures, we can effectively suppress the trend of the wide dissemination of cyber pornographic information, and build a harmonious, healthy and clean cyber environment.

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# The Regulation of Online Drug-related Behavior

Wang Ruiyuan

**Abstract:** With the development of Internet technology, illegal drug related behaviors evolve into new types with distinct features. Those acts that conduct in virtual space are cross regional, hidden and could not be easily judged because of the lack of relevant laws and regulations though they jeopardize the society severely. In response to that, it is necessary to issue corresponding judicial interpretations and to use other approaches such as introducing new offences, broad explanation of existing charges to bring wrongdoings into regulation, which those would include acts like assembled online drug abuse, operating virtual drug-taking rooms, passing the means of drug manufacturing and etc. Only in these ways could Internet drug related acts be comprehensively controlled and remediated.

**Keywords:** drug related behavior, online drug taking, providing shelters to ingest drug, the system of offence, death penalty

The incidence of drug related cases has been increasing with leaps and bounds in recent years and those cases show distinctive features with the advancement of Internet technology. Chinese public security organs have contiguously carried out campaigns aiming at cracking online drug involved crimes and have discovered a large number of criminal suspects and drugs. The difficult parts of drug control in this scenario are that they normally involve a group of people, a wide area of the incident and the enormous harm it could cause. To combat those high-tech and “technology enabled” crimes, some specific strategies are needed.

## Patterns of online drug related behaviors

Basically, there are three different models: drug trafficking by using the Internet, drug abuse and drug manufacturing.

First, drug trafficking by using the Internet are acts that use the Internet shopping platform and

payment solutions (such as PayPal, Alipay and etc.) to sell illegal drugs, drug manufacturing tools and raw materials. Most illicit drugs are sold by using a faux product identity like health care products and pharmaceuticals. The special languages - “black words”, drug buyers and vendors communicate with each other make transactions seem to be normal and acceptable as well. When delivered home through courier service, those products turn out to be something else – illegal drugs. In short, drug deals once occurring face-to-face can now be conducted all online, with the sellers and buyers never having to meet each other. This offers both parties a perception of anonymity and safety. It also provides organized criminal networks with the largest potential client base ever available.

Second, online drug abuse refers to behaviors that people set up virtual rooms online for drug addicts to do group video, group chat and other activities. There are access permissions for these rooms to authenticate the identity of users. Via video chat, drug users are able to observe others taking drugs along with pornographic performances and other illegal activities. To some extent, this live chatting room way boots the pleasure of the addicts and would thus increase the possibility of being irritated and tempted.

Third, there are internet-based drug manufacturing skills and process teaching and learning conducts. Criminals share their drug related experiences, documents and tips including how to extract illegal drugs, how to improve the purity of drugs and how to manufacture Methamphetamine on some influential social networking sites and forums. Some people even make CDs of these things to sell it online.

### **The plight of the regulation of online drug related acts**

In the first place, it is difficult to obtain relating evidences. As this kind of online transaction is highly concealed and hidden, chat records and online capital transfer can hardly be traced or be regarded as convincing evidences of an offence; Moreover, some organized international drug offence groups even commit drug trafficking crimes cross boundaries which calls for overseas police cooperation. Obviously, more efforts should be made to develop this partnerships between overseas agencies to combat this kind of online crime; further, criminals can easily transfer or destroy evidences since one can always make use of cyberspace technical means to delete, alter information, records and web pages instantaneously.

Secondly, even though case filing and evidence collection are successfully completed, the complex issue of definition in the prosecution period exists.

For example, what is wrong with online drug abuse? Cyber drug abuse is essentially a drug abuse problem that is not a crime in Chinese criminal law. Considering the soaring trend of gathered drug abuse, its tremendous harmfulness and the negative effects it might impose on the youth, however, there are different voices towards how online drug abuse should be treated and no consensus has been reached.

Besides, there are ongoing debates on how the behavior of “providing shelter for drug use online” should be identified in judicial practice. Some people believe that it can be dealt with by applying the same

rules for the ‘offence of sheltering drug abuse’ (Article 354 of Chinese criminal law 1997); while others argue that virtual space cannot be included as far as the sheltering actions concerned. As such, judges are facing difficulties when they are asked to consider a case like that.

One more challenge of the definition issue is the evaluation of the conducts of management personnel of those sites involving drug crimes. How their acts are identified concerns the effectiveness of the regulation of online drug related crimes. For those knowing that there are drug related activities while with indulgence, those who should have tried to review, further research is required on the responsibility (either criminal or administrative) they should bear.

Thirdly it comes with the problem of sentencing which mainly reflects on the range of sentencing as well as the application of death punishment. As discussed above, the harm inflicts on the society of online drug related acts are much larger than that of the traditional drug involving conducts most times. Consequently, according to the ‘rule of legality’, seriously harmful acts should also be subject to the governance of criminal law, such as the length and types of the punishment. For instance, the crime of illegal trade of toxic substances stipulates that whosoever violates this law shall be sentenced to fixed-term imprisonment of not more than three years, criminal detention or public surveillance and concurrently, to a fine; and if the quantity is huge, to fixed-term imprisonment of not less than three years and not more than ten years and concurrently to a fine. In spite of the truth that selling toxic substance online which is used to produce drugs is widely practiced and it is the accomplice of drug’s distribution, the criminal liability has to be in accord with the above regulation and leaves the offensive acts and responsibility unbalanced.

Another example is that the punishment of drug manufacturing is way too lenient in practice. In the application of death penalty, it would require an amount up to two kilograms of Methamphetamine trafficking to fit in that penalty in Yunnan provinces, places where the situation of drug control is severe; while in other regions, possibly hundreds of grams of Methamphetamine trafficking could apply to the death penalty. It may not violate the law seemingly, but it cannot be viewed as fair from the perspective of the defendant. In addition, the death penalty is not abolished for the offence of transporting drugs though, judiciary is reluctant to adopt that sentence even if the amount of drug trafficking exceeds that limits of death penalty, which in return leads to the decreasing application of this punishment and thus largely affect the efforts to combat drug related crimes.

### **Recommendations of the regulation of online drug related activities**

The difficulties discussed above suggest that effective measures should be taken to address those impressing problems and prevent the occurrence of this issue. There are five possible ways I figure would be beneficial for that purpose.

One is to introduce specific laws and judicial interpretations. The plight of cyber drug crimes largely

results from the lack of adequate, detailed laws and regulations. Drug-related issues are associated with problems derived from Internet technology; online drug abuse, online drug trafficking and manufacturing present novel characteristics, which is ahead of the development of corresponding rules. As such, it is crucial to update the law and ensure that there are laws to abide by.

A second strategy is to incriminate online drug abuse. The present law handles this issue via administrative means but it is not effective at all. Stricter policies and efforts are needed. But it does not mean that the administrative ways are of no use, what can be improved is to amplify that type of punishment of online drug use. When the Internet drug abusing acts has significantly endangered the interests of the nation, society and other person, it should be considered to bring in a new type of offence; because this behavior is not a simply self-injury but would have negative implications toward the whole community, not to mention a risk a harm it could cause to others. The incorporation of that into the limits of criminal law would in line with the needs of anti-drug work but also meet the requirements of the rule of law.

The third is to expand the interpretation of provisions to solve the responsibilities of the “shelters”. As mentioned previously, there are controversies about the identification of the nature of operating online chat rooms for drug-related activities. The offence of sheltering others to drug abuse refers to the wrongdoing that provides “physical places” for drug users to ingest and inject illicit drugs. It is reasonable and justifiable to broadly interpret the “place” as not only physical but also virtual spaces in this network era. Therefore, it would be legitimate to applying the existing law to cyber ones if the circumstances are serious enough and deserve criminal sanctions.

Here comes the fourth one - to improve the regulations upon the passing of means of drug manufacturing online. A possible approach is to separate this type of acts into two tiers: for those minor violations, like teaching how to conceal drug produce chemicals, they should be under the control of administrative law; when the seriousness of the acts does not fit the administrative punishment or other means, it is the criminal law that should play a role then. For example, some of those disseminating of means of drug manufacturing has to be incorporated into the scope of criminal law and enrich its way of act correspondingly so as to fill the missing gap of the law.

The last but not the least, the application of the death punishment for online drug crimes should be well managed. China has long been strict to drug related crimes, which can simply be deduced from the design of maximum death penalty to almost all drug offences. It is hard to say how effective such arrangement can be in combating illegal drug involving activities. But one certain thing is that great attention must be paid to the use of death penalty in the circumstance of online drug offences. The Supreme People’s Court and the Supreme People’s Procuratorate should issue relevant judicial interpretations to clearly identify specific conditions and standards of the application of death punishment with regard to online drug offences.

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# On the Precise Attack in Criminal Investigation

Li Qing, Xu Peng

**Abstract:** Precise attack is essential for criminal investigation departments to improve the quality and efficiency of investigation. Precise attack is a new investigation model, with information technology as guiding support, specialization as the prerequisite, efficiency as the goal, science and technology as the foundation. The current criminal investigation is facing many challenges. To achieve precise attack under dynamic social environment, criminal investigation departments should establish new investigation philosophy, adhere to crackdown policy according to the law, improve intelligence and information-led investigation mechanism, strengthen construction of forensic specialization, improve evidence collection mechanisms, strengthen the police force by science and technology, crack down on various crimes, and enhance the people's sense of security and satisfaction.

**Keywords:** criminal investigation, precise attack, intelligence and information, criminal investigation specialization

The concept of precise attack derives from the modern war. The theory of precise attack in criminal investigation is to develop a multi-attack pattern led by intelligence, to obtain accurate evidence and to improve the quality and efficiency of criminal investigation. The public security organs are increasingly attaching great importance to precise attack investigation. The author talks about the challenges facing the precise attack in the current criminal investigation as well as resolution of practical difficulties encountered.

## The Characteristics of Precise Attack

Precise attack is a modern concept of the investigation with obvious characteristics of the times, which is different from traditional single attack model, with information technology as guiding support,

specialization as the prerequisite, efficiency as the goal, science and technology as the foundation. Information technology, specialization, efficiency, science, and technology constitute the characteristics of the precise attack, which defines main contents and basic form of precise attack.

#### 1. Information technology as guiding support

Communication and integration of intelligence information in criminal investigation are described as the basis and starting point for precise attack, which has played a very important role in the process of investigation. Accurate intelligence information is essential for precise attack. Public security organs must adhere to the conception of intelligence information as a guide, make full use of big data analytics, cloud computing, Internet Of Things(IOT) and other advanced technologies, strive to develop public security science and technology information, and conduct prompt, accurate and comprehensive analysis of the criminal case and relevant information to provide information support for investigation.

#### 2. Efficiency as the goal

In process of investigation, the traditional working methods, like “human wave tactics” and “large formation combat”, are inefficient and a waste of police resources, rising the costs of investigation. Precise attack is based on the theory of cost-benefit to achieve high efficiency. Thus, the criminal investigation process should shift its focus from “quantity and scale” model to “quality and efficiency” model, to optimize the efficiency of investigation. According to the conception of precise attack, criminal investigation departments are required to rely on accurate clues, detailed material and reliable evidence. Besides, finance, material and human resources should be allocated wisely to get maximum results with minimal effort.

#### 3. Specialization as the precondition

A significant feature of precise attack is to achieve professional standards of attack. The core element of specialization mainly refers to specialized personnel, professional team, dedicated work and professional mechanisms. Professionals are the keys of specialization, which can make an important contribution to the criminal investigation with skills. Professional team is a special force to expose and combat crimes, such as responsibility police team, anti-crime team. Professional mechanism refers to decision-making and command mechanism and long-term mechanism to combat crimes, which guarantees the success of precise attack.

#### 4. Science and technology as the foundation

Precise attack would achieve the target of the science and technology. Precise attack is supported by modern science and technology, which runs throughout the entire process of precise attack. Computers provide a convenience for intelligence information collection and analysis, which play an important role in analyzing clues and providing evidence in “criminal investigation information management systems” featured with “automated fingerprint identification system”. Other modern cutting-edge technologies, such as DNA, computer-simulated portrait, provide direct or indirect technology support for public security organs reasoning and identifying the suspect.

## **Challenges facing precise attack in criminal investigation**

Although the way of attack has changed from the “single-extensive” mode to “the synthetic high efficiency” mode, helping to improve the capability of public security organs, there are still many difficulties in its implementation.

### **1. Lack of awareness of application**

Information technology is one of the key characteristics of precise attack. Due to the complexity and variability of public security work, some police officers in the basic level cannot fully understand the importance of information technology. They deal with the problems based on traditional experience stamped on their mind, ignoring science and technology. They adopt “human wave tactics” which can be a time-consuming process instead of information available. Some leaders believe that funds and information technology equipments are enough for public security information technology. In reality, a great number of computer technologies are applied for web browsing, information reporting, view notifications and communications, while rarely used in professional inquiry. Some police officers cannot adapt to new policing model in work, and unable to apply information technology to investigation. Meanwhile, influenced by traditional policing, some police officers prefer sharing acquired experience to exploring and practicing “information policing”. A lot of information in their daily work has not been registered, resulting in the loss of valuable information. Thus, vital information including written information, pocket information gained by many police officers in traditional policing model was lost along with changes of the working post. Besides, personal replacements hinder the normal flow of information.

### **2. Basic information resources underutilized**

In recent years, China has undergone drastic changes. Great increase in population mobility leads to a large information flows. In an increasingly dynamic society, the public security management mode at basic level must change from a static planned economy model to a dynamic market economy model, from social management to digital management. However, the current information control measures, including traditional “home investigation”, “certificate for temporary resident”, “community visiting”, are not equal to its ambition in the face of talents, wealth and products flows in modern society. Because the police officers at the basic level are lack of capability of comprehensive integration, high-quality information collection cannot be achieved. The issues of incomprehensiveness, inaccuracy, hysteresis and breakpoints of information collection have some effect on the application of information policing.

### **3. Immature information gathering mechanism**

The information technology is supposed to derive scale effects, both in equipment quantity and in application population. Only if the concept of information technology is accepted by all police force,

will public security information show strong vitality. Some police sectors simply put information policing as the information collection by police officers at basic level, information integration by information services department and information application by criminal investigation. The information is only used for population and vehicles enquiry, while effective information is scarcely applied to data comparison and online investigation etc. The police officers get more clues and solve cases from traditional intelligence system, so that information cannot response to actual investigations. Meanwhile, a large number of information collection and inputs is limited to the original data accumulation. Due to the imperfect aggregation and analysis of information mechanism, the isolated information is difficult to form a joint force, resulting in unfavorable information application, and ineffective link between sectors. Police officers at basic level, especially community police officers, are required to understand situation well, which needs information control. However, the current assessment mechanism is difficult to measure the police’s performance. Different behaviors may get the same results, so it is hard to increase police officers’ motivation, and the importance of information gathering would be neglected. More importantly, police service mechanism compatible with information policing has not been established, which would affect the collection and use of information. That would dampen police’s enthusiasm for intelligence analysis.

#### 4. Shortage of professionals

Specialization means expertise, professional teams, specialized work and professional mechanisms. At present, there are two factors affecting the current specialization. First, there is a serious shortage of professional police force. Specialization requires specialized police force. If the police forces shortage is severe in criminal investigation department, the situation would be more serious in specialization. Take Jiangxi Province for example, there are nearly 50,000 police officers across the province, while only about 4,000 criminal police officers, accounting for 8% of the total number of police officers, which is far below the proposed rate of 15% advised by Ministry of Public Security. Because of severe shortage of police officers, it is very arduous task for police departments to handle 160,000 criminal cases per year (2014 statistical data), and to cope with the daily work. The police officers have become overloaded and exhausted, which makes them feel hard to engage in specialization. Second, there is a shortage of expertise and considerable brain drain. Poor treatment of police officer in criminal investigation department makes them in an anxious state of mind. Serious brain drain of technical personnel and technology backbones weakened overall fighting capacities of police. According to statistics, averages of 60% of backbones are leaving criminal investigation departments for promotion or personnel exchange across the province in recent years. Talent shortage leads to uncoordinated efforts, loss of a large number of evidence and case information, having a direct impact on the effectiveness of the precise attack.

## **Realization approach to precise attack in criminal investigation**

In new historical period, the public security departments should improve the efficiency and quality of fighting against crimes, promoting the implementation of precise attack.

### **1. Transformation of investigation model**

New features of the current criminal offenses occur, the public security departments should break shackles of the traditional investigation concepts, establish new investigation concepts, promote new mechanism of fighting crimes, carry out diversified investigation and improve the rate of solving crimes, promote transition from the single-extensive model to synthetic high efficiency model to achieve precise attack.

#### **1.1. Establishing a concept of diversified investigation**

To achieve the goal, the public security departments should develop new mechanisms to combat crimes, break through thinking imprisonment, broaden the working ideas, change single type of investigation model into diversified investigation model, change the traditional investigation condition, integrate a variety of resources and power, exploit their advantages to the full play, overcome partial disadvantages, change investigation way of “from case to person”, make efforts to seek and practice various investigation models, such as “from information to case”, “from person to case” “from object to case”, which may complement each other.

#### **1.2. Establishing a concept of saving**

At this stage, the incidence of cases is still increasing, while police departments are facing a shortage of police officers. The traditional investigation tactics will be difficult to sustain, which requires combating crimes regardless of size at all costs. Thus, police departments should employ high-tech means to carry out precise attack to fight against serious violent crimes including evil gang crimes, save the investigation costs, improve the effectiveness, which are the inherent requirements of law enforcement for public security departments.

### **2. Crackdown on crimes according to law**

Crackdown on crimes according to law is the focal point of precise attack. Public security departments must insist on crackdown on crimes according to law, comprehensively promote the new mechanism for combating crimes, achieve multi-force coordination linkage, be determined to combat notorious crimes, always concentrate on crimes which is pressing concern to the majority of people, resolutely combat organized crimes dominated by evil forces, serious violent crimes including murder as well as “Robbery and Theft” regular crimes, stick to steady, accurate and relentless combat principles, precisely attack on all types of crimes, provide people with a sense of security and improve the people's

satisfaction.

### 2.1 Further deepening anti-crime campaign

Public security organs at all levels should continue to improve the performance of anti-crime teams, and continuously improve their ability to fight against the evil forces. The police departments should implement guiding principles in crackdown on criminal, adhere to the “outcrop hit, hit early” principle, and nip the crimes in the bud. Meanwhile, it is required that the public security organs eradicate evil completely, destroy the organization system of evil forces, firmly crack down on crimes.

### 2.2. Holding firmly to the idea of “Deadline for Homicide”

All police departments should hold firmly to their confidence in “Deadline for Homicide” take murder investigations seriously, improve leadership quality, punish murderers severely, and strive to solve the cases as soon as possible. On the other hand, a backlog of cases needs to be categorized based on their characteristics. The homicide cases, in which factual causation is established, with specific criminal suspects and positive investigation conditions, must be solved in time. The systems of “missing persons suspected of being violated”, “unidentified bodies” should be made full use of to improve the capability of investigation. At the same time, all the public security organs should firmly establish the concept of “homicide can be prevented” and “homicide are to be prevented”, coordinate with relevant departments, reduce the incidence of homicide and the number of deaths as much as possible.

### 2.3. Focus on frequently occurred offenses against property

A wide range of “Robbery and Theft” and other cases of offenses against property directly infringe the vital interests of the people. Criminal investigation departments should make comprehensive use of various investigation measures, strictly prevent and crack down on theft, robbery, fraud and other regular crimes against property. They should carry out investigations by combining related cases, studying the characteristics of the cases, integrating clues and combine related cases in time to solve the case as soon as possible, reducing and removing the negative social impact. Also, they would provide people with a sense of security and enhance their satisfaction by effective detection, hunting for those who have fled away and recovering ill-gotten gains, and make efforts to reduce the loss of property.

### 3. Improve “intelligence-led investigation mechanism”

As part of the “intelligence-led policing strategy”, “Intelligence-led investigation mechanism” has been introduced into the criminal investigation. Thus, the criminal investigation gradually transforms traditional passive attack to precise attack. Intelligence information plays a very important role in the fight against crimes. Defining intelligence information as a breakthrough strategy to achieve precise attack, public security organs should improve intelligence-led investigation mechanisms to strengthen the collection of basic information, enhance application of intelligence information, so that the information can be integrated into investigation, improving effectiveness of intelligence and information service.

#### 3.1. Raising awareness of the importance of information technology

All public security organs should firmly establish the concept of intelligence-led policing,

promulgate the idea that information is the basis of police force and fighting capacity, take measures to mobilize the enthusiasms of the police to use information, increase human resources and capital investment in information work, give rewards to the police officers who collect information and use information to solve cases, give wide publicity to various cases solved with information, create an atmosphere for implementation of information, and raise awareness of the importance of information technology.

### 3.2. Developing collection of basic information and high-quality intelligence information

Public security organs should carry out integrated operation of information collection, routine enforcement, basic services and management. All police stations and the criminal police teams should establish standardized information collection room, start from the staff, case, goods, position and other basic information, and make data collection and input as daily activities of policing. The police departments need to regulate the classifications and standards of basic information gathering, as well as establish and improve system of information collection, information input, information updates and information maintenance. As all police stations are facing the challenges of talent flow, financial flow and material flow in modern society, they should strengthen population management in their jurisdictions, increase population registration rates and accuracy of information and data. They should go to complicated population flow areas, including residents, enterprise units, construction sites and industrial parks, to conduct dragnet inspection and registration, and collect detailed information. The police department should verify the situation of temporary resident and rental housing, and keep things under control. Furthermore, they need to improve management controls over dynamic community of market economy, and the quality of basic information collection. Criminal investigation departments also need to broaden sources of intelligence information, by investigating food, housing, transportation, marketing of suspects.

### 3.3. Strengthening the application of intelligence information

Public security organs should improve intelligence-led investigation mechanism, based on public security information system and various social information resources, improve intelligence and information analysis, actively practice online investigation, online verification, hunt for those who have fled and recover ill-gotten gains, improve the effectiveness and capability of application of intelligence information. To improve the professional information analysis team, police departments would gather and analyze original information collected by all the police departments, carefully analyze cases and distribute early warning information, raise prevention awareness, research into the rule of criminal activities, make rational distribution of the police force, ensure effective precise attack.

## 4. Strengthening specialization of criminal investigation

### 4.1. Improving professional police force and introducing high-quality personnel

Human resources are the primary policing resources, and talents resources are the first resources of human resources. To strengthen the criminal investigation specialization, there is more work need to be done. First, policing specialization need to be improved. Police departments should improve police enrollment training system and unified provincial recruiting policy, broaden talent recruiting channels, make

efforts to smooth the way of the introduction of professionals, recruit specialized police force. Secondly, we must retain the talent for specialization. We need to establish the People's Police Policing Technical Positions Sequence, set up position and rank parallel system, improve the treatment of professional and technical personnels, improve the job security system of police and the criminal investigation duty allowance, focus on the police officers working on the front-line and doing dangerous jobs, professional and technical personnel doing hazardous jobs, and actively explore the way to improve living conditions of the existing forensic talents, try not to let professional brain drain, and ensure the strength and potential of the criminal investigation force. Thirdly, they must strengthen the construction of criminal investigation team, establish and improve the police selection system, strengthen the combat training and expert team construction, focus on training high-level forensic experts and application groups, continue to establish the “forensic expert database” and “criminal technical talent pool of youth”. Discover and foster reserve personnel through various forms of selection and testing activities. Foster a group of interdisciplinary talents who have criminal technology and information technology at the levels of provincial, city and county. Besides, they should solve the problems of human resources facing precise attack in criminal investigation, and improve capacity of professional team of criminal investigation.

#### 4.2. Enhancing the professional team construction and improving fighting capability against crime

Professional team construction is the very core of precise attack. Police departments should establish and improve professional team to strengthen the specialization construction, in accordance with the crime categories, establish and improve professional teams to combat offenses against property, such as organized crimes, telecommunications fraud, “robbery and theft” and other multiple property-related crimes, which helps to find the rules and characteristics of certain types of crimes, take effective measures to crack down on various crimes and increase the effectiveness of criminal investigation.

#### 5. Improving evidence collection mechanism to ensure the smooth proceedings

Evidence collection and fixing is a key focus of precise attack. Only by improving the accuracy of evidence, can public security organs obtain rigorous evidence in the process of handling criminal cases, expose and verify the crimes, and improve the quality and efficiency of the fight against crimes.

##### 5.1. Establishing the awareness of law and evidence to ensure the smooth proceedings

China is a country ruled by law. The legal quality and legal awareness of citizens are constantly improving. It is required that the public security organs in the law enforcement investigators establish the awareness of law and evidence, act in strict accordance with the law. Therefore, all public security organs should develop the legal awareness of the police, comply with the elements of “quality, procedures, time limits, evidence, facts”, so that they can establish the awareness of evidence and litigation, pay more attention to evidence extraction, ensure the smooth progress of proceedings.

##### 5.2. Improving evidence collection mechanism to ensure comprehensive, objective and timely collection of evidence

Public security organs should focus on collecting and fixing evidence throughout the investigation

in the process of handling criminal cases. Also, they should satisfy the requirements of evidence rules, improve evidence collection mechanism, make sure comprehensive, objective and timely collection of evidence, which evolve around the proceeding reform with litigation system in the center. It is necessary to collect evidence to prove the criminal suspect guilty or innocent or to prove the crime to be minor or grave guilty, making sure the investigation evidence stand the legal test. Stress should be put on the physical evidence in evidence collection. Modern technology and equipment and advanced technological means should play an important role in the investigations. Police departments can use audio, video and other means to obtain statements and testimony of major criminal suspects and important witness. At present, how to use the evidence obtained through investigation techniques is the focus of the public security organs. Such evidences should be effectively used for court proceeding.

#### 6. Improving the technological content of investigation

Public security organs should firmly establish the awareness of “science and technology are key drivers of policing capacity and effectiveness”. Police departments should increase investment of manpower, material and financial, adhere to the principles of strengthening police force with science and technology, effectively improve the technological contents of investigation, integrate the high-tech means into the fight against crime to enhance the ability to tackle tough tasks.

##### 6.1. Improving policing guarantee system

Public security organs must improve the funding guarantee system in accordance with the principle of powers consistent with responsibilities, which requires well-defined responsibilities, classified burden, separating revenue and expenditure and public security expense guarantee. Public security organs need to improve the transfer payment system to increase investment of criminal science and technology in special funds, purchase high quality and advanced equipments, speed up the construction of criminal science and technology which include crime scene investigation, trace evidence extraction, inspection, verification etc, use more trace evidence to uncover cases, achieve the upgrade, expansion and speed up the automated fingerprint identification system, meet the needs of feedback of “live fingerprint capturing set”, improve the fingerprint identification, solve the cases based on criminal technology.

##### 6.2. Enhancing capability of high-tech application

The public security organs need to raise awareness of the high-tech, enhance capability of high-tech application, combine investigation with technology and intelligence, and understand the rules and characteristics of exposed cases. Also, the police departments should improve all kinds of live image acquisition system and wireless, wired image transmission technology to expand and improve the closed circuit television surveillance system for urban roads, street and the major entrances, so that main sections of the city is under 24-hour surveillance, which helps to prevent and combat street crimes, maintaining social order and stability.

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# Analysis of the Correlated Motivations in the Murder Investigation Organization and Command

Liu Xiaoguang, Zhuo Hongrui & Si Hongli

**Abstract:** Homicide investigation organization and command of the correlated motivations can happen in the initial stages of the murder investigation when the investigation commander command relevant personnel to analyze the possible motivation correlation between the victim and the suspect. It is also the determination that the homicide investigation organization commander made before the expected result approach and one of the important decisions; It is the decision made by the organization and command decision makers of the murder investigation when analyzing the direct motivation and indirect motivation in order to achieve the goal of the investigation.

**Keywords:** Investigation organization; Investigation command; analysis of correlated motivations

The correlated motivations in the murder Investigation organization and command is a cooperative engagement which lies in the initial stage of the murder investigation. It includes the video image, mesh mapping information, field exploration, and the intelligence sharing of aerial and geographic information; the technology platform support provided by synthetic combat with direct linkage; and all related people who are responsible for the Murder Investigation Organization and the command.

## Victims and Suspects

There should be direct or indirect motivations between the victims and suspects during the occurrence, development and advance of cases, which help the investigation commanders responsible for the murder investigation organization and command can link the victim and the crime of the suspects

organically and gradually dig out the relationship between the victim and the criminal suspects in the process of the investigation and command decision-making. This kind of inference and prediction can solve the problems such as the motivation of committing a crime, the reason for the link between the victim and the crime suspect, how this kind of link happens, how it is been known, who may know the link, whether this people is related to the victims and suspects, What kind of state the link is before, during and after the case and so on. If there is indeed a relationship between the victims and the perpetrators of the crime, and the crime suspect and the motive, then, the investigation commanders can map out the suspects of the crime suspects, so as to further confirm the basis of their crimes.

In the initial stage of the investigation of homicide case, the commander of the investigation should also organize relevant investigation personnel to understand and search the basic information and comprehensive information of victims such as victims' natural state, economic sources, social intercourse in detail. If the victim has died, then, investigation commander must let the victim to stand up again, to live again, and then go back to the real space (the world) that he (she) has been living, working and learning in the thought of investigation commander, and then organize and command the investigation and technical personnel to restore the true colors of victim or to reproduce the scene and condition of the crime scene objectively. Such as, make sure that it is unknown whole body? Dismembered body? Unknown bones? No body (missing person)? Moved body? Postmortem? Buried? Hide corpse? Sink the corpse? Murder? Who is the victim? Where is the victim? Why is the victim here? How the victim here? Who may be the victim? What are you doing here? Who may have a relationship? What is the relationship? Who may have a connection? What is the link? Why is there such a result? Who wants him (or her) to die? The work and occupation when victim is alive, to carry out a comprehensive analysis of inference and prediction of the victim's individual character difference, mental features of personality, social intercourse relation, economic relations, personal income and expenditure, love and marriage (attitude), the problem of family and children and family composition, to find and explore the possible direct or indirect causes between victim and the suspect, and provide an important basis to the investigation commander for the next stage of investigation.

In view of the above situation, Investigation Commanders should Organize and command the investigation personnel to further identify the victim's contact relationship, relationship, conflicts and interests such as who often contact with Victims, which kind the contact is, What the contacts in the process of contact are, How long it has taken, Who knows what he (she) is, Where this man is now, and It's work, occupation, contact personnel and so on? Economic exchanges? Or political contacts? Is there any subordinate relationship? Or make friends? Is a love affair? Or household chores? Is it voluntary? Or forced to? Is there any characterization or evidence? Is the contradiction open? Whether or not the interest? Or wipe the vengeance not mediation? These are the important contents for murder investigation commanders organization command the investigators for the victims in the process of criminal investigation of homicide case and criminal suspects between drivers association analysis and discussion about the important content.

## Direct Motivation

In the process of organization and command in the murder investigation. These direct contradiction, direct conflict and direct interest relationship etc between victims and suspects may gradually produce a direct mind-set before the occurrence of the case, and the direct mind-set may become the actual motivation of the occurrence of cases. In the process of the murder investigation, this direct mind-set is the direct motivation in these cases that the suspect kills somebody because he worries about that the victim may expose his criminal behavior. The victim(the colleague , fellow-townsmen, classmates, insiders, gang members etc.)may have or had to understand, familiar, participate, hear, see, contact with some of the suspects' motive ,information ,behavior or results etc of his criminal behavior, and The suspects will be severely punished by the law once things leak or the suspect knows that victims want to expose their criminal behavior through the victim's verbal disclosure. Therefore, the direct motivation of murder arises, because the suspect are extremely afraid of his crime may be revealed, and the suspect decides to rush into danger to kill the victim.

There are many other Homicide cases due to the direct motivation a murderer kills, Such as revenge killings (revenge killing, anger killing, or to kill relatives and friends), in this cases the direct motivation is extremely obvious, before the crime, there is a direct conflict of interest and obvious causality between the victim and the crime suspect, the crime suspect will kill the victim in order to achieve his revenge and anger. In the process of criminal investigation practice, when involves the problems such as fired(drop out of school, jobs back, back to work and so on), laid-off(not because of the bankruptcy, collapse or restructuring of the company to make all staff collective leave work), promotions, cadre selection, recruitment, admissions, Post appointment, housing allocation and so on. This is a direct motivation of the revenge murder kills. Sexual passion killing(killing of love or hate, amour murder, rape murder, abnormal murder, gay killings, killing)the direct motivation of this homicide cases is to meet the original sexual desire, the expansion of the extreme love and the conflict of the marriage, married people have sex with lovers or mistress outside marriage, or pregnant for adultery, and therefore making conflicts. The crime suspect forced to have sex with the victim, and applying mental and physical damages or damaging bodies and sex organs when accept the strong resistance of the victim or afraid of things exposure, conflict between gay and the contradiction and conflict due to a close relative of men and women have sex. The direct causes of the crime of kill somebody for money is in order to get some potential returns , such as insurance, hareditas and welshing on a deal, rather than get money or stuff from the victim, and there is no obvious sign of lost money or other stuff at the scene of crime. Criminal suspect killed victim because their crime may be discovered. It may be regard as murder during a robbery from the perspective of conviction. But from the perspective of investigation, the main act are force the victim hand over the money or stuff with the threat of violence or kill the victim for easy of seek money or other stuff(it should be attention that if criminal

suspects hold a gun or explosive, it should be investigated from the aspects of serious violent crime), and the crime behavior remains theft; The direct causes of the crime of fighting and killing are some crime gangs fight or kill people for turf wars, economic trade and jealousy emotion; The direct causes of the crime of abandon is to bail out from responsibilities and duty by kill their elderly and sick relatives. The direct causes of the crime of the superstitions homicide is kill people by means of superstition, some sorceresses and sorcerers, and feudal domestic discipline and family rules. The direct causes of other murder crime (including direct and unapparent murder crimes, such as sudden homicide) is the victim sudden homicide because they may shows misconduct behavior and result in bad influences (like dominate the market, grab others stuff, take advantage of their position for the sake of affront female; The direct causes of the crime of hire murder is the criminal suspects cost money or stuff hire people to murder someone else; and the mental illness murder, etc. It is clear to judge the direct causes of crime.

### **Indirect Motivation**

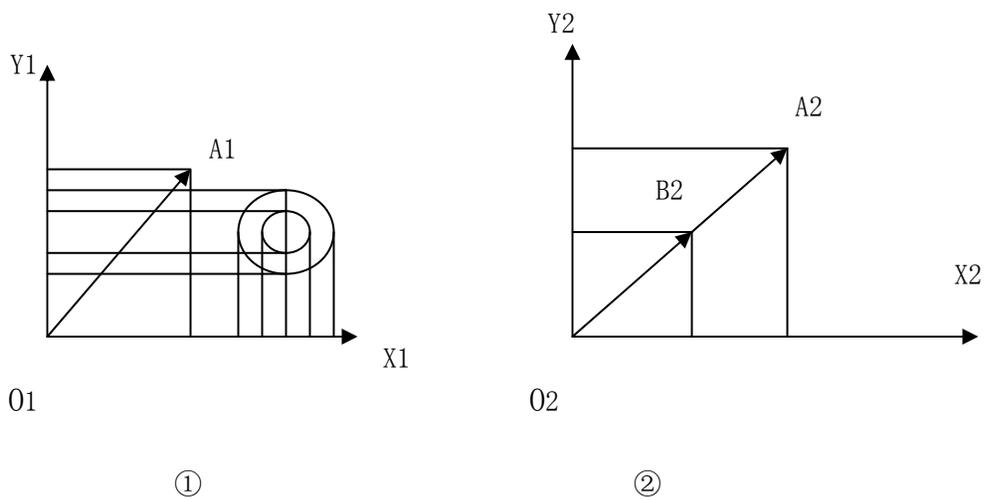
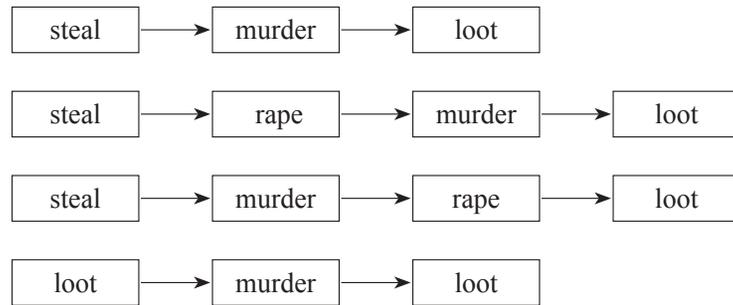
At the initial stage of investigation, we could start with the relationship between victim and criminal suspect. From the point of superficial, maybe they do not acquaint with each other, they do not have stake and connection, they also do not have direct conflict or contradiction. But, during the criminal acting which lead by the suspect, we can gradually find the inner connection and something hidden between the victim and criminal suspect, so that we could finally reveal the inevitable connection between them. For instance, a criminal suspect's girlfriend once said casually, she had a friend, we could call her XX. XX did the same job with her, made living by prostitution, had made lots of money, and XX rented an apartment alone. So that the suspect emerged intention. When he burglarized at XX's apartment, XX got off work and went home just at the same time. XX wanted to stop the suspect's acting. The suspect tussled with XX. Meanwhile, XX called for help loudly. Finally, the suspect killed XX so that he could extricated himself, then he escaped. In this process the indirect connection which between the victim and the unknown suspect convert to direct connection. In the practice of criminal investigation, most of cases are converted from indirect motivation to direct motivation.

In the primary stage of investigation, we do not know who is the suspect? Where is he/she from? Local or outlander? crime on the run? With who? By how? Why they come here? Just pass by? Look up relatives and friends? For a job? Are there connections between victim and the suspect? What kind of connections? Why he expose someone to mortal danger? What kind of motivation? Direct, indirect or conversion? With there questions, rely tightly on the original scene as the precondition, analysis, seek, forecast the suspect's indirect motivation. Especially, If the process which how the suspect converts the indirect motivation to direct motivation has been concluded, It won't be far from the details, the case and the suspect. So that It's more likely to solve a crime. This is the precious inspiration and belief which the

criminal investigation practices bring to us.

### **Transformation of the motives and means of the crime**

The randomness of the murder crime often make the investigation work whirling, and the transformation of the suspects' motive and means of the crime make the case become more complex, multi-level diversified and the type of the crime multi-polarization. The initial motivation of the crime don't expect the victim to death, or it may not be clear of the motivation of the killings before committing the crime, however, the direct motivation and indirect motivation arising in the event of an instant between victims and suspects will have a direct impact on the initial and final results of the case. In the process of transformation from the indirect motivation to the direct motivation, the means and methods of the crime will be further developed with the case or may have an important change, or even cause the change in nature and the leap of the great span, resulting the outcome that was not supposed appeared and the result of the murder case is not supposed happened. The result of the case is likely to rise from general criminal case to violent crime or serious violent crime. During the inspection of the scene, some of the crime scene can image the time that the suspect enter the scene of the crime, so the initial motivation of the suspect is clear. With the constant change of on-site crime coordinates and trajectory of crime, the position of the victim at the scene experiences appearance, reproduction and change, the positions between the victim and suspect change, cross, and overlap, which enables the case to change in nature. The crime scene shows the level of the crime made by the suspect, and it changes from the initial single level to double level and multi-levels. The crime also develops from single stage to multi-level; the coordinates and the trajectory of the crime also change from point to line and surface. (point -line -surface). The change of the initial crime motive and the means ,the ways and methods of committing a crime push the analysis and discussion about the murder investigation into a condition that the murder investigation organization and command must cherish every minute in front of the commander, clear the idea of the command of investigation, identify the relationship between the murder organization and the motivation of the command objectively, organize and command the murder investigation objectively and boldly.



The above figure 1 and figure 2 are the coordinate form which was made after the sharing and composition of intelligence that gathered from the on-site video image, mesh mapping information, on-site inspection, investigate query, aerial information and geographic information, and after the analysis between the victim and criminal suspects in the murder. The two form show respectively of the general space-time elements (crime time, crime location, crime place, crime environment, crime configuration during the space state) of the suspects, the investigate direction and the possible hiding place of the suspects.

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# The Practice and Exploration of Maritime Law Enforcement Police Cooperation across the Taiwan Strait

—A Case Study of Fujian Border Defense Corps

Liu Lianggang, Chen Hanjing & Zhang Shuping

**Abstract:** the mainly maritime illegalities and crimes across the Taiwan Strait include refined oil smuggling, drug smuggling, human smuggling, and illegal sea sand mining and so on. In recent years, cross-strait maritime law enforcement police cooperation has got remarkable achievement, but there are still some problems such as the basis of the police cooperation is out of date, the subjects of law enforcement in the two shores cannot be docking, actions of law enforcement cannot be coordinate consistent, information exchange platform has not been set up, evidence standards are not compatible and so on. We recommend signing the police cooperation agreement, accelerating the construction of professional law enforcement agencies, promoting cross-strait joint law enforcement, building maritime law enforcement information exchange platform, unifying standard of evidence and other measures in order to promote maritime law enforcement police cooperation across the Taiwan Strait.

**Keywords:** Taiwan Strait; Maritime law enforcement; Police Cooperation; Practice; Exploration

For a long time, some criminals of the two sides have been taking advantage of cross-strait exchanges convenience, looking for opportunities to engage in illegal and criminal activities, which cause great harm to people on the both sides. The illegal activities, in violation of the law of mainland China or Taiwan, occur across the Taiwan Strait, and call for the polices in two shores to cooperate, which we call

cross-strait maritime illegality and crime, On April 26, 2009, with both sides of the strait fight together against crime and mutual legal assistance agreement (hereinafter referred to as NANKING Agreement) formally signed, cross-strait cooperation in combating crimes at sea has opened a new chapter.

## **Overview of cross-strait maritime illegality and crime**

### **1.1. Refined oil smuggling**

Criminals obtain large quantities of cheap refined oil from Singapore, Indonesia, Vietnam and other Southeast Asian countries and ship to Taiwan waters by oil tankers, and then wholesale to Fujian, Guangdong, Zhejiang, Taiwan and other places, making great profits from it. According to recent refined oil smuggling cases, there are three main features:

First, smuggling ship equipment is risky vastly. In order to maximize the profits and avoid being punished, smuggling gangs modify old ships (some even are even up to the standard of compulsory retirement) and maintain ship equipment at minimum standard. The necessary technical training is not provided for the crew; some ships are even not suitable for sailing and never receive examination and repair in a port .Many problems exist in terms of maintenance and poor security. Due to more Taiwan typhoons, changeable sea conditions and poor weather conditions, shipwreck is very likely to happen.

Second, the rampant smuggling of refined oil severely disrupts coastal oil market order. According to the report issued by Taiwan “Coast Guard Administration”, from 2010 to June 2011, the department seized 24 Chinese mainland ships that had illegally barged refined oil from foreign oil tankers, and a number of oil tankers were repeatedly seized; the amount of refined oil products is considerable, only on March 18, 2010 the department seized four oil tankers and ferreted out 9,630 tons of refined oil. At a relatively low price refined oil is sold to marine oil filling vessels, fishing boats, tankers, onshore private gas stations, coastal engineering construction units, which has a serious impact on the legitimate business of the oil companies and greatly disturbs the normal order of the local oil market.

Third, the criminal process is covered, and it is difficult to effectively attack for cross-strait law enforcement agencies. In terms of the organizational structure, criminals home and abroad act in collusion to form multinational and cross-border smuggling gangs, the old tankers are affiliated to Sierra Leone, Bolivia, Panama and other countries via oil companies in Hong Kong and Taiwan. The foreign oil companies manipulate the smuggling of refined oil product to avoid being crack down by the functional department of the mainland. In terms of the smuggling place, there are many islands in the seas of Penghu and Matsu which is good for hiding, the criminals take advantage of the bug that law enforcement in Taiwan is relatively weak while law enforcement in the mainland cannot investigate and seize them. For a long time they have anchored the smuggling mother ships in these waters, and sold refined oil to passing ships, small-scale oil tanker all day and night , and make the use of fraudulent certification of seafarers to cope

with the Taiwan police. In terms of channels of the crew's boarding, the majority of the crew does not hold certification of seafarers and board ship from the non-normal channels. Part of the crew leave the mainland with legal documents, and then board ship from outside, part of the crew do not have immigration records, they are took out to sea by small boats and then barged into refined oil smuggling ship. The boarding channel is hidden, difficult to monitor.

## 1.2. Drug smuggling

According to the Taiwan police statistics, about 75% of the drug on the island is from the mainland, and as drug smuggling into the station's main channel and springboard, drug smuggling is very active in Fujian. Fujian Border Defense Corps(FBDC) is responsible for investigating drug smuggling in Fujian coastal areas, the average annual captured drug accounts for half of the total amount captured by the Fujian police, among which 80% is related to Taiwan. Seen from drug smuggling cases in recent years, the cross-strait maritime drug smuggling has the following characteristics:

1.2.1. The drug flows from the mainland to Taiwan. The overall situation of the crime of maritime drug smuggling in the Taiwan Strait is: Taiwanese drug traffickers raise drug money in Taiwan, while they sent out to Fujian, Guangdong for drugs. Once the bargain is concluded, the drug trafficker carry money to buy and then find the way to smuggle into Taiwan through the Taiwan Strait. It is quite similar to the overall situation of the cross-strait drug crime, which is called "people (drug dealers) are scurrying on both sides; goods (drugs) are flowing to Taiwan".<sup>[1]</sup>

1.2.2. Most of the seized drugs were ketamine (K powder) and methamphetamine, single species, but huge number. From 2010 to 2014, FBDC cooperated with Taiwan law enforcement agencies, solving 18 drug cases and seizing about 2900 kilograms of ketamine and methamphetamine and 2200 kilograms of drug material.

1.2.3. The drug smuggling methods are varied and secret. Since the Taiwan Strait has long coastline, many harbors and fishing boats, it is difficult for law enforcement agencies to fully monitor. After the cross-strait "Three-links Direct Flights", the two sides become closer. The criminals in the two shores collude with each other. The drugs are carried more secretly, barged by fishing boat, concealed in containers, mixed in parcels and so on.

1.2.4. drug smuggling is a typical gang crime. Because of high profits, high risk and strict seizure, drug traffickers act in forms of gang. There are many gang members who have clear division of duty. In order to ensure safety of the drugs and money, drug crimes are often serious gun-related and violence-related crimes. Besides, drug gangs on both sides act in collusion, cooperate with each other and build a complete chain of production, supply and sale, set up a drug smuggling channel across the Taiwan Strait.

1.2.5. Drug smuggling is increasingly complex. The cross-strait drug smugglings are usually

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[1] Chuihua Xu," the research of the cross-strait drug crime," the journal of Zhejiang Police Academy, (November 2012).

spending more time; spreading to larger scope, involving Taiwan, Fujian, Guangdong and other places. In order to increase the success rate of drug smuggling and avoid the investigation of the police, drug traffickers take various measures, for example, they use multiple cell phones and continue changing phone-numbers and the cell phones do not have real-name registration, they communicate through public telephone, they use codes and signals in communication, they transport drug by means of multiple disguised vehicles on land and by means of barge to transfer the drug on half way at sea, and so on. For the cross-strait law enforcement agencies, all of these increase the difficulties to investigate maritime drug trafficking crime and lengthen “management” cycle.

### 1.3. Human smuggling<sup>[2]</sup>

Fujian and Taiwan are separated only by the strait. The nearest distance between Taiwan Island and Pingtan Island is only 68 nautical miles. The nearest distance between Kinmen and Xiamen is only 2310 meters. And Mawei is just 16 nautical miles away from Matsu. The objective condition is quite convenient for human smuggling. Seen from the cases in recent years, Taiwan human smuggling activities mainly fall in the following four categories:

#### 1.3.1. Vietnamese smuggle themselves to Taiwan via the mainland

In recent years, more Vietnamese smuggle themselves to Taiwan via the mainland. The Vietnamese smugglers gather in Guangxi and Guangdong in the name of tourism and labor, etc. And then buy small wooden boat with the help of organizers from the mainland. Vietnamese smugglers, depending on their sailing experience and simple navigation tools such as compass, sail the boat on their own off Guangdong or Fujian coast. The organizers in Taiwan help them to land ashore near the southwest coast of Taiwan. Recently in the Vietnamese smuggling cases, some Vietnamese smugglers work on ocean fishing liners and merchant ships, due to the hard work at sea, poor salary and working experience in Taiwan and other factors, they take the opportunity to smuggle themselves to Taiwan when the ship is pulling into the harbor, forming sporadic smuggling cases.

#### 1.3.2. People in the mainland smuggle themselves to Taiwan

Due to the policy of the reform and opening up, rapid economic development has bridged the gap between the mainland and Taiwan.<sup>[3]</sup> The number of smuggling cases has greatly reduced, but Taiwan’s economy is still more developed than the mainland, so some people in the mainland smuggle themselves to Taiwan to work. And some people, in virtue of unsatisfactory living and working condition, with ignorance and misunderstanding of the laws of Taiwan and cross-strait situation, smuggle themselves to Taiwan on the plea of “pursuing freedom” or “longing for Taiwan’s democracy”.

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[2] On 12 September, 1990, the Red Cross societies in the two shores signed “the agreement of maritime repatriation” (Kinmen agreement), according to which, illegally entering and exiting the mainland and Taiwan are called “entering the other area against the rules”. For the convenience of writing, according to wording of the Taiwan Affairs Office of the State Council, we use “smuggle” in the paper.

[3] <http://tangshan.house.sina.com.cn/news/2015-02-05/13565968980302050422818.shtml>

### 1.3.3. Taiwanese smuggle themselves to mainland

In order to escape police supervision, some Taiwanese criminals choose to smuggle to mainland by illegal means, or because they are wanted by the police for the violation of the law so they want to sneak into mainland and stay away from the trouble temporarily. While some other Taiwanese commit crimes in mainland and are restricted to enter and leave, they do their utmost to smuggle back to Taiwan, with the purpose of evading legal sanctions in the mainland.

### 1.3.4. Smuggling to European and American countries via Taiwan Strait

There is few such case, but occasionally seized by FBDC. On the evening of March 30, 2012, FBDC was informed by Taiwan “Coast Guard Administration” that a Chinese vessel was in distress and 10 Chinese from Fujian were spotted near waters 10 nautical miles north of Taiwan Pengjia Island. They intended to smuggle themselves to one European or American country, FBDC took them back safely then investigated and solved the case. This is the typical case of smuggling by ship via Taiwan Strait cooperated by FBDC and Taiwan “Coast Guard Administration” in recent years.

### 1.4. Other crimes across the Taiwan Strait

In addition to the mentioned above, illegal sea sand mining and smuggling counterfeit currency, alcohol and tobacco are common cases. Criminal gangs on both sides, acting in collusion, traffic counterfeit money, alcohol, tobacco or other goods to the other side to obtain illegal profits. The two sides make joint efforts to greatly reduce such kind of cases but it still occurs occasionally.

## **The history and the effectiveness of maritime law enforcement and policing cooperation between Fujian and Taiwan**

### 2.1. The history of maritime law enforcement policing-cooperation between Fujian and Taiwan

Recalling the history of policing exchange and cooperation between Fujian and Taiwan, the period of FBDC’s policing exchange with Taiwan can be roughly divided into three stages:

Phase I: “Kinmen Agreement” phase (1990-1999). After 1990 in this year the two sides signed “Kinmen Agreement”, as the contract’s concrete executor, bearing the repatriation task, FBDC and Taiwan “Entry and Exit Administration” (now Taiwan “National Immigration Agency”) have been policing-cooperating on two-way repatriation from then on.

Phase II: Informal Policing exchange phase (2000-2009). During this period due to the cross-strait relations become sensitive and complex, the officials of FBDC conducted policing-cooperation and providing case-clues, in an individual’s name, with Taiwan “criminal investigation bureau”, “Coast Guard Administration”, “Bureau of Investigation” and other relevant units, on cross-border crime, wanted repatriation and so on.

Phase III: the formal policing-exchange phase (2010-present). Soon after 2009 in this year

“NANKING Agreement” was signed, in May 2010, FBDC was authorized formally by Ministry of Public Security, Taiwan Affairs Office of the State Council to “Immigration Department” to establish a police contacts window with Taiwan “Coast Guard Administration”, “Immigration Agency”. The two sides are conducting exchange and cooperation in the public identity. The cooperation between all types of Fujian police, including FBDC, and Taiwan police are standardized in rapid development track.

2.2. Overview maritime law enforcement policing-cooperation between Fujian and Taiwan at the present stage

2.2.1 The exchange and cooperation with Taiwan “Coast Guard Administration”

From 2003 in this year the informal police contact channel was formed to 2014, the exchange and cooperation between FBDC and Taiwan “Coast Guard Administration” has gone through 12 years. In the 12 years, the two sides had communicated and inspected mutually information data more than 200 times, collaborated to cracked 21 cases, and seized about 2.5 tons of various drugs, 3055 boxes of smuggled cigarettes, disposed maritime emergencies more than 60 times, and obtained remarkable achievement. The exchange and cooperation between FBDC and Taiwan “Coast Guard Administration” includes mainly: First, strengthening the exchange and cooperation over those hot spot security problems of the Taiwan Straits; second, strengthening the communication of case clue and collaboration of case investigation; third, strengthening the cooperation of dealing with maritime Taiwan-related emergencies; Fourth, strengthening the meeting and visiting each other.

2.2.2. The exchange and cooperation with Taiwan “National Immigration Agency”

According to “Kinmen Agreement”, FBDC have organized and launched a series of practical cooperation in organizing and implementing bi-directional repatriation operation with Taiwan “National Immigration Agency” in Matsu. From the time of the signing of the “Kinmen Agreement” to 2014, the two sides had launched the bi-directional repatriation operation successfully 227 times, received 39,009 peoples who illegally entered Taiwan from the Taiwan side , repatriated 102 batches of Taiwanese lawbreaker, 410 peoples (including 206 Taiwanese wanted persons). After the official police contact channel between FBDC and Taiwan “National Immigration Agency” was formed in 2010, the exchange and cooperation between the two sides had been deepening.

During the policing-cooperation, the two sides created a number of cross-strait first case, such as: FBDC is one of the units those are the earliest to execute “Kinmen Agreement” and exchange and cooperate with Taiwan police; in November 10, 2010, FBDC had taken the fugitive drug dealer ,Qian Jiangnan(whose native place is Quanzhou, Fujian), back from Taipei smoothly, that is the first time for the Taiwan police to arrest and repatriate the mainland wanted man through cross-strait direct-route channels at the mainland police’s request; the “2012.8.6” especially important criminal case of trafficking in women to Taiwan for prostitution, which was investigated and cracked by the two sides, is the first joint action in the field of combating trafficking crimes carried out by the polices of the two shores from the signing of the “NANKING Agreement” to now .

### 2.2.3. The exchange and cooperation with Taiwan “Ministry of Justice Investigation Bureau”

Taiwan “Ministry of Justice Investigation Bureau” is the Taiwan’s major functions of fighting against drug crime. Although the contact window between FBDC with Taiwan “Ministry of Justice Investigation Bureau” have not been established, FBDC, approved by the Ministry of Public Security, may collaborate with Taiwan “Ministry of Justice Investigation Bureau” by means of Collaboration of single case. Since 2006, FBDC have made useful attempts in fighting against cross-strait drug crime with Taiwan “Ministry of Justice Investigation Bureau”, and furthermore, have also been effective attempt to collaborate to prevent and crack down on the Taiwan-related telecommunications fraud, counterfeit currency crime and other crimes. From 2010 to 2014, the two sides have mutually invited to visit for five batches; have met and communicated 9 times by participating in reception, attending seminars and other forms of exchange; have exchanged various intelligence more than 30; have assisted each other to investigate related information and data more than 40; have collaborated to crack drug cases more than 8 and arrested 52 suspects. In 2007, FBDC transferred the whole case of “2006.11.28” especially important criminal case of false information fraud case, which was cracked by Zhangzhou detachment subordinate to FBDC, to Taiwan “Ministry of Justice Investigation Bureau”, this is indeed the first case of transferring the Jurisdiction of criminal suit between the two shores, almost 6years earlier than that have been reported publicly.<sup>[4]</sup>

## 2.3. The effectiveness of maritime law enforcement and policing cooperation between Fujian and Taiwan

### 2.3.1. Mutual intelligence exchanging have been normalized as working-mechanism

In recent years, relying on police contact platform towards Taiwan, FBDC have strengthened the communication and exchange with Taiwan “Coast Guard Administration” and other departments, earnestly implement the consensus the two sides have reached in the police exchange, informed timely maritime security situation. The two sides have been complementing each other's advantages to forming composition forces, and furthermore, setting the intelligence exchange down to be a normalized working-mechanism.

### 2.3.2. the joint fight against cross-strait maritime illegality and crimes have made a remarkable achievement

Fujian and Taiwan both conscientiously perform the “NANKING Agreement”. According to the actual need of combating with cross-strait maritime illegality and crimes, the two sides have taken great efforts to seek a breakthrough in cooperation in handling cases, and have got good result.

2.3.2.1. The effect of cooperation is obvious. In 2010-2013, Fujian and Taiwan have exchanged clues, verified information, investigated case jointly and cracked 23 important and especially important Taiwan-related criminal cases. During the course, the law enforcement authorities of two shores have realized deeply that the sincere cooperation between the two sides is the important factor in cracking these

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[4] [http://www.chinadaily.com.cn/hqgj/jryw/2012-12-12/content\\_7745904.html](http://www.chinadaily.com.cn/hqgj/jryw/2012-12-12/content_7745904.html)

cases.

2.3.2.2. The collaboration mode have got breakthrough. The law enforcement authorities of two shores have been energetically exploring the joint investigators mode on the basis of strengthening work in informing case-clue and verifying information. During the course of investigating “2011.6.23” Vietnamese smuggling themselves to Taiwan through Fujian, the Taiwan side timely informed FBDC of the case, and moreover, organized the smugglers involved to identify Smuggling organizers and provided the case records and other documents at FBDC’s request. FBDC informed the Taiwan police of phone numbers involved and other information without delay likewise, so that the significant progress had been made in the case. The two sides cracked down on gangs, destroyed the network and broken channel hand in hand.

2.3.2.3. The scope of cooperation has expanded. The law enforcement authorities of two shores have moved forward strengthening the cooperation in “traditional” cases such as human smuggling and drugs, and in the meanwhile have gradually expanded the scope of cooperation into refined oil smuggling, illegal sand mining, electrocuting and bombing fish, and other Taiwan-related illegalities and crimes.

2.3.3. The Taiwan-related risk control mechanisms and emergency response mechanism have been established

FBDC takes full use of the police contact platform towards Taiwan. On one hand , FBDC grasped timely the Taiwan-related maritime dynamic condition and established Taiwan-related risk prevention and control mechanisms, reported the cases and events which would influence the cross-strait relations to the higher authorities ,informed related authorities in time, finned out and adopted risk-control measures; on the one hand , on account of mutual trust and the rules of efficiency and keeping a low profile, aiming at the feature that currently the incidents happen frequently in the Taiwan Strait , FBDC had established emergencies response mechanism, which would inform the other and deal with emergencies immediately, and had resolved a number of particularly serious, sensitive offshore Taiwan-related events.

2.3.4. Bi-directional repatriation operation have been regularly performed

As a specific implementation unit of “Kinmen Agreement”, FBDC earnestly executes cross-strait bi-directional repatriation. Since “NANKING Agreement” was signed, according to the principles of humanity, safe, quick and convenience, FBDC have done the work well in the procedures, including identity checking, maritime escorting, on-site handover, receiving and examining and so on for the Repatriate, to ensure fulfilling the mission of Bi-directional repatriation. In June 2012, the special ship for repatriation, “Straits”, was awarded the collective First-Class Merit by Ministry of Public Security, Fujian provincial government and Fujian provincial party committee.

## **The plight of maritime law enforcement and policing cooperation between Fujian and Taiwan**

### 3.1. “NANKING Agreement” lags behind obviously

“NANKING Agreement” is the fundamental basis for the cross-strait police cooperation. From the view of the content of “NANKING Agreement”, they are extremely rough, abstract and tend to be conservative; from the view of the practice of the cross-strait police cooperation, FBDC pilots firstly and tries firstly, is achieving tangible results in the cross-strait police cooperation; from the view of the experiences of European and USA, the efficient police cooperation is guided by the forward-looking cooperation agreement, and institutional innovations have been making based on the actual situation; from the view of future development, with the continuous development of cross-strait exchanges, cross-strait maritime illegalities and crimes is bound to be increasing, for which the cross-strait polices must be ready. Therefore, “NANKING Agreement”, which has been signed for over 6years, has been significantly lagging behind .

### 3.2. The subjects of law enforcement of two shores cannot be docking

At present, the law enforcement system, in which maritime law enforcement power is decentralized, so-called “five dragons ruling sea”, not only cannot easily deal with the complex situations of rights protection and law enforcement in the large-scale sea area, but also have not the emergency reaction ability to handle with maritime large-scale emergencies independently and effectively. <sup>[5]</sup> So as to cross-strait maritime law enforcement cooperation, the contradiction becomes more prominent. For example, the competent authorities, that have jurisdiction over illegally mining sea sand, includes land and resources sector and maritime sector(in charge of sea sand), oceanic administrative department , but these sectors have not yet established contact channels with Taiwan “Coast Guard Administration”, between which the cooperation must be carried out via FBDC, which have no the authority to govern and is difficult in handling with the problems. From the view of the Taiwan situation, Taiwan “Ministry of Justice Investigation Bureau”, which is the main department in investigating drug smuggling in Taiwan, have no direct police contact channel with FBDC. The two sides collaborate with each other only in single case. The shortages of such a non-direct docking collaboration involve that collaborative Scope is narrow and small, information lag behind, approval procedures is cumbersome; the depth of collaboration is limited and so on. In addition, the police is the main body of criminal detection in the mainland, however the procuratorial organ is the one in Taiwan. How to dock these two is also one of the factors which influence cross-strait maritime law enforcement cooperation.

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[5] <http://news.sina.com.cn/o/2010-11-26/110421538158.shtml>

### 3.3. The actions of law enforcement of two shores cannot be coordinate consistent

There are some examples of collaborative actions of law enforcement of two shores, such as on September 16, 2010 “Cross-Strait joint maritime search and rescue exercise” was held in the waters between Xiamen and Jinmen; <sup>[6]</sup> in June 2011, after FBDC and Taiwan “Coast Guard Administration” had reached a consensus on attacking cross-strait refined oil smuggling collaboratively, Taiwan “Coast Guard Administration” set up the special crackdown project of air-sea joint cruising and checking the illegal vessels berthing in the seas of Penghu for refined oil smuggling. At the same time, FBDC carried out the specific action called “Sharp Sword for the Gateway of China” to investigate refined oil smuggling in the coastal area of Fujian. However, the law enforcement agencies in Taiwan and the mainland have yet not the ability to make the actions of law enforcement be coordinate consistent, due to differences in the polices obeyed, the law enforcement powers, the public opinion environment, the legal basis, the channel of information, the emphasis concerned, the intensity of punishment and other aspects.

### 3.4. cross-strait information communication platform has not set up

At present, communication of intelligence between FBDC and authorities in Taiwan is still limited to mutual notification of specific cross-border illegalities and crimes. It remains deficient in terms of communication of basic, comprehensive and systematic intelligence information such as the movement of illegal and criminal activities and details of involved people. There is no a comprehensive information platform between Fujian and Taiwan right now. It is hard to get the whole picture of marine crimes such as human smuggling, drugs and cargo smuggling and their regular patterns. Thus it is unlikely to take pointed measures to fight against these crimes.

### 3.5. Evidence standards in Taiwan and the mainland are not compatible

The Clause 8 “Investigation and Evidence Collection”, NANKING Agreement, stipulates that “help each other in investigation and evidence collection based on provisions of own sides”, and “try to provide assistance in the form of requestor”. During the course of joint enforcement between Taiwan and the mainland, differentiated evidence standards always negatively impact the efficacy of evidence collection.

3.5.1. “Written interrogation records” cannot be used as direct evidence. FBDC prepared the written data of the Taiwanese prime culprit according to standards of written interrogation record provided by Taiwan “Coast Guard Administration” in dealing with the case where several Vietnamese smuggled themselves into Taiwan on 26, March, 2013. While Taiwan “Coast Guard Administration” arrested 5 persons involved who lived in Taiwan based on the written data, they announced the written interrogation records cannot be used as direct evidence but only as corroborative evidence for reference.

3.5.2. Evidences do not conform to legal forms. In the case of smuggling into one European or American country that happened on 2, April, 2012, FBDC submitted the “Response to Investigation and

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[6] [http://www.gov.cn/jrzq/2010-09/16/content\\_1703773.htm](http://www.gov.cn/jrzq/2010-09/16/content_1703773.htm)

Evidence Collection”, “Written Judgment”, census registration data and other materials involved in the case provided by polices of Taiwan to procuratorate. While acknowledging the content of these materials is consistent with the affirmed criminal facts, the procuratorate did not use them as direct evidences as the evidence materials for they were provided in form of copies and printouts and bore no references, duty officers or seals.

## **Countermeasures for maritime law enforcement and policing cooperation between Fujian and Taiwan**

### 4.1. Promote signing of supporting agreements for NANKING Agreement

As stated above, NANKING Agreement cannot meet the requirements of fast development of police cooperation between Taiwan and the mainland. It is urgent for the both sides to further discuss details of police cooperation and to sign related agreements. A good example for us is the policing integration promoted by EU in the system of Schengen Agreement.<sup>[7]</sup> Along with increasingly free and close circulation of human resources, capitals and cargos between Taiwan and the mainland, police cooperation agreements need to be signed to facilitate free communication as well as innovation and construction of police cooperation mechanisms. The Schengen Agreement was signed by different EU countries that have big differences in politics, economy, laws and geography. It makes a series of institutional arrangements in order to coordinate the relationship of contracting parties and improve the internal cooperation mechanism. Finally, the Agreement promotes the policing integration in EU. Both Taiwan and the mainland belong to China. We have common root, the same language and the same race and the common pursuit for peace and development. It is favorable to the benefits of both sides and pragmatic for promotion of cross-strait communication and cooperation and mutual benefits to sign more efficient agreements of police cooperation and enhance cross-strait cooperation.

### 4.2. Accelerate construction of law enforcement agencies of united responsibility and power

China Coast Guard was established on 22 July, 2013 and attached to State Oceanic Administration. The main responsibility is to draft marine development planning, safeguard legal marine rights and monitor the use of sea areas and marine environment protection.<sup>[8]</sup> It is an integration of troops and responsibilities of China Marine Surveillance of State Oceanic Administration, coastal guards of MPS, China Fishery Administration of the Ministry of Agriculture and marine anti-smuggling polices of General Administration of Customs according to the scheme of restructure reform and function transformation of the State Council

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[7] Weijun Liu, “the discussion of the system of Schengen Agreement and the policing integration of EU,” the magazine of law, NO.6 (June, 2006)

[8] <http://news.163.com/13/0723/11/94FBSU8O00014Q4P.html>

published in 2013.<sup>[9]</sup> China Coastal Guard has jurisdiction over three branches including Sub-branch of the North China, Sub-branch of the East China Sea and Sub-branch of the South China Sea and 11 coastal guard corps and their detachments in 11 coastal provinces (municipalities).<sup>[10]</sup> The integration and reconstruction of marine law enforcement power starts with the national level. But legal authorization has yet to take place. Local law enforcement personnel are still working under previous names.<sup>[11]</sup> In Fujian, the coastal guards are still under the jurisdiction of FBDC. They are not independent in fact and still enforce marine laws under previous systems. However, China has taken the first step to build uniform coastal guards by referring to the United States Coast Guard, Japanese Coast Guard and South Korean Coast Guard. With these references, it is easy to straighten out the distribution of marine law enforcement rights, conduct marine law enforcement collectively, accelerate construction of professional teams, improve equipment level and carry out cooperation with adjacent countries and regions.

#### 4.3. Build direct and high-efficiency communication platform for marine law enforcement

Both sides are dissatisfied with current fragmental information exchange but have no clear ideas to build direct and high-efficiency communication platform. For this reason, we can learn from the intelligence information exchange mechanism of policing cooperation in EU in following aspects: 1. both parties of cooperation should build basic database, including information like personnel, vehicles, articles and papers, and form data system interconnection for free use of data at any time. 2. A special institution needs to be built to manage the information exchange platform and coordinate monitoring, tracing, arresting, repatriation and other behaviors taken by both parties as required. 3. The approval of the party concerned must be achieved for how to use their information for judicial purposes, such as sworn evidence. The use of information can be also limited to certain purposes by the providers according to their own laws.<sup>[12]</sup>

#### 4.4. Integrate evidence standards for mutual legal assistance

For the differentiated evidence standards in mutual assistance of evidence collection, law enforcement agencies in Taiwan and the mainland should formulate unified legal instruments of standards and evidence formats in order to overcome incompatibility of evidence regulations, increase the efficiency of mutual assistance of evidence collection and bring no troubles to law enforcement and consequent legal assistance.

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[9] <http://www.infzm.com/content/104611>

[10] [http://news.ifeng.com/mainland/detail\\_2013\\_07/10/27324094\\_0.shtml](http://news.ifeng.com/mainland/detail_2013_07/10/27324094_0.shtml)

[11] <http://www.infzm.com/content/104611>

[12] Xingming Wu, “the inspiration from international police cooperation mechanism of EU to the perfect of police cooperation between cross-strait and for place”, the journal of China Peoples Public Security University, NO.3(march,2014)

# New Challenges in Combating Cross-border Drug-related Crimes and Proposed Countermeasures

Li Jianxin, Liu Xuejun

**Abstract:** The plague of drugs brings great harm to economic-social development and people's health and impinges on the social harmony and stability. It is an issue of life and survival of our nation. Pu'er, adjacent to the "Golden Triangle", is the forefront of provincial or even national battle against drugs. In recent years, complicated by domestic and foreign factors, the trafficking of foreign drugs via Pu'er to the inland has become increasingly prominent. The war against drugs is faced with new challenges brought about by increasing activities of cross-nation, cross-border and cross-region trafficking of drugs. Therefore, we shall strive to reinforce the people's war against drugs, carry forward the socialization of drug control, deepen the comprehensive treatment of drugs, facilitate the cooperation of cross-region law enforcement against drug-related crimes, contain the penetration and spread of drugs, reduce drug-related harm, maintain social harmony and stability and create an peaceful society for our people to live and work in.

**Keywords:** cross-border; drug-related crimes; new challenges; situation; countermeasures

Pu'er is situated in the southwest of Yunnan. It shares a 486-kilometer-long borderline with Vietnam, Laos and Myanmar and it is adjacent to the source of drugs, the "Golden Triangle". Because of the absence of natural barriers, ethnic groups living across the border make frequent contacts with one another. In the 1980s, the drug issue in China was brought back into view with the comeback of global drug flood. The trespassing of drugs has turned Pu'er into a disaster area of drug abuse. Pu'er, a forward position for the construction Yunnan's "Bridgehead Strategy" and for the country's Western Development Program, is currently embracing undergoing a golden period of the rapid economic-social development. Meanwhile, it is also a period when problems arise and intertwine. The drug issue has severely stalled the economic-social

development of Pu'er. To cope with this, this paper puts fourth some proposals and insights on how to roll back the situation on the basis of the actual conditions of Pu'er.

### **Situation and Problems Raised by Cross-border Drug Trafficking in Pu'er**

At present, with the continuous international overflow of drugs, the consumer market of drugs is gaining momentum. In some countries and regions, the drug issue is entangled with politics, nationalities, economy and even terrorism, hence producing great harm. Similarly, China's domes drug issue is getting increasingly prominent with rampant cross-region drug trafficking and the expansion of the consumer market of drugs is expanding to populations in areas above the county-level. Synthetic drugs, gang trafficking, armed trafficking, cross-border and cross-region trafficking and network drug-trafficking have all become increasingly rampant. In Pu'er alone, due to its immediate adjacency to Vietnam, Laos and Myanmar of which the north has a history of producing and trafficking drugs ,multiple channels of drug invasions at all levels remain a critical issue, thus complicating the situation and making it more difficult to intercept cross-border drug trafficking.

#### **a)Drug production in the neighboring countries is reviving andcross-border drug trafficking is likely to endure**

With the rising of synthetic drugs, drug production in northern Myanmar is now featured with both traditional and synthetic drugs and will probably remain so in the near future. The amount of seized crystal meth for the first time exceeded that of heroin in 2008, breaking the 1-ton mark in 2010, 2-ton in 2013 and 2.6-ton in 2014 (82% of the total amount of seized drugs for the year). Meanwhile, the domestic drug abuse and the consumer market of drugs have been developing. Strong demand of drugs drives criminals to take risks amidst growing penetration of overseas drugs. Presently, multi-sourced drugs from northern Myanmar and northern Laos, especially from the former, have greatly contributed to the amount of seized drugs which broke the 1-ton mark in 2008, 2-ton in 2010, 3-ton in 2013 and 3.18-ton in 2014.

With the establishment of the China-ASEAN Free Trade Area, the development of the Great Mekong Sub-regional Cooperation, the opening of the Kunming-Bangkok Road and the completion of the middle line of the Pan-Asia Railway, Pu'er will become a golden front oriented to Southeast Asia and South Asia. It will be blessed with great economic opportunities but will also be frustrated by cross-border drug trafficking catalyzed by further opening of border trade, entry of foreign enterprises and capital as well as more frequent movement of people across the border. New challenges arise for border management and anti-drug work: First, the established drug-collection and distribution areas remain in existence across China-Laos and China-Myanmar borders and the area for substitution plantations is shrinking due to the relapse of poppy plantations in northern Myanmar and northern Laos. Second, with the increasing domestic

market demand of new-type drugs, the foreign drug traffickers have turned to the new-type drug production with such features as simple techniques, low cost, wide profit margins, easiness to cover and bulkiness in quantity. It is expected that the penetration of new-type drugs such as crystal meth will continue to assume a trend of escalation. Third, due to a long borderline shared, the absence of natural barriers, the numerous passages, differences in living standards among cross-border ethnic minorities, frequent contacts of border inhabitants and the easy exit-entry, border management and control is faced with immense difficulty. We will still be pressed by challenges such as consolidation of the achievements in heroin treatment, containment of the spread of new-type drugs and defense against the penetration of home and foreign drug trafficking gangs.

**b) Border drug trafficking is multi-sourced and trafficking methods are changing**

Previous cases and related information indicate that drugs from northern Myanmar and northern Laos enter into China through a variety of passages. In the aftermath of the “October 5” Incident, drug-trafficking has been effectively suppressed in the southern direction as a result of the newly-launched joint patrol on the Mekong River. Therefore, traffickers are heading north, getting closer to China’s border. Drug traffickers are now exploring new passages, seeking shelter across the border and playing guerrilla inside out in small villages, hence creating multi-directional threats. First, with the establishment of Kunming-Bangkok Road and Pan-Asia Railway, easy transportation poses challenges to drug interception. Second, the traffic network connecting towns and villages is complicated and the drug traffickers take roundabouts and have chances to slip through checkpoints. Third, with the establishment of the Nuozhadu hydropower station on the Lancang River, the water level has been rising, making waterway transportation unimpeded. Chances of drug entry through river basins and crossings are increasing. Drug traffickers exploit every means to bypass official strikes including varied hiding of drugs, intensified armed confrontations, upgraded transportation and advanced devices for eavesdropping, positioning and silent warning. Since 2003, Pu’er has foiled numerous cases in which new-type electronic devices such as GPS locators, detector phones and cell-phones were used to facilitate drug trafficking. Moreover, cases utilizing logistics and heavy-duty vehicles are stepping onto the stage. Mass cases of drug trafficking and gang drug trafficking are becoming highlights. In recent years, modified heavy-duty goods vehicles and camouflage commodity have been found in multiple mass cases with family operation. In the case of “22/11/2012” in 2012, Pu’er Public Security Bureau intercepted 2 batches of drugs weighing 439 kilograms in total in 2 campaigns. Over a dozen of people were involved in this case. They are mainly from Sichuan and Hu’nan and many of them are fellow-townsmen and relatives to each other. It is evident that among the drug traffickers, over 70% are from outside of Yunnan province intruding mainly from Hu’nan, Hubei, Sichuan and Chongqing.

**c) Cross-border smuggling of precursor chemicals increases and management over this lags behind**

Since 2011, Pu’er has launched multiple effective strikes on crimes involving such chemicals. The

intercepted amount was huge. In 2011 Pu'er seized 266 tons of these chemicals, 433 tons in 2012, over 690 tons in 2013 and 414 tons in 2014. In these cases, the law breakers employed altered package and freight vehicles with or without camouflage commodity. They smuggled the goods from the inland and crossed the border. The main cause for the increase of smuggling activities is the rigid foreign demand of drug production and the huge profit margins. Due to outdated legal regulations, the identification of chemical-related crimes and the effectiveness of strikes are compromised. Problems: First, domestic and foreign drug traffickers constantly update methods of transportation, which contributes to the increasing difficulty of regulation. In recent years, the criminals have turned from centralized shipping to dispersed and camouflaged shipping using freight or passenger vehicles. Second, regulation on non-listed chemicals is difficult. The outbound movement of non-listed chemicals such as thionyl chloride, sodium hydroxide, methylene chloride, acetic acid and compound drugs of ephedrine has mounted to the level impossible to ignore. Due to the evidential and regulatory absence, the situation is yet to improve. Third, professionals are not sufficient. Primary-level anti-drug sectors are not equipped with police with professional skills for dealing with drug precursors. It is the usual circumstance that a police officer is overburdened by multiple tasks.

#### **d)Crackdown on drug-related crimes is difficult**

Due to the particularity of drug cases, most traffickers are convicted to life imprisonment or death sentences. As the prosecution process is time-consuming, suspects are held long and detention is stressful and risky, thus the drug traffickers will be less deterred and awed. In recent years, over 60% of the detention rooms is occupied by drug dealers. In practice, investigation organs and trial institutions vary on the criteria of evidence. Especially, when it comes to the identification of “subjective knowing”, public security organs, prosecutors and courts do not act in uniformity. The result of this is that many criminals find it easy to get away from arrest, prosecution and sentence. In the meantime, problems regarding special groups of people are increasing. These special groups include breast-feeding women, Aids patients and those who are old, weak, ill and disabled, etc. Language barriers and zero identity also make collection of evidence a great challenge.

#### **e)Foreign experience on cultivation of substitutions for poppy is scarce and domestic threats from drug plantation still exist**

Foreign development of substitution for poppy is problematic: First, cooperation is still called for. The substitution requires China, Myanmar and Laos to cooperate seamlessly, the local people to participate and the international society to assist. Substitution plantation involves multiple governmental departments but in Myanmar and Laos relevant government agencies are yet to be created. Communication among countries concerned is ineffective. Second, the quality of participating enterprises is uneven. Many medium and large-sized enterprises are deterred by the conditions in Northern Myanmar. The small-sized border

enterprises, though active in the business, are not without problems: poor capacity, quality, management and experience. Some of them are speculative and ignorant of environment and their social responsibilities, distancing themselves from local communities. Third, basic management is weak. Some enterprises lack management system and management personnel. Fourth, export is barred by numerous factors. Fertilizers, pesticides and seeds for substitutes for poppy are contained on the border thus the expansion of substitution and the implementation of processing projects are restricted. Fifth, there is deficiency of strategic guidance. The problems that occurred during substitution are attributed to the absence of long-term strategic plans. Without a comprehensive strategic plan, the enterprises will work alone in chaos, which is harmful to the development of substitution.

**f) International anti-drug cooperation remains to be furthered and the anti-drug law enforcement cooperation between China and related regions remains to be deepened**

In recent years, Pu'er has sufficiently exploited its border position to initiate anti-drug meetings and exchanges with local governments of Myanmar, Laos and Vietnam. Certain achievements have been harvested in joint raids on drugs, capture of foreign drug dealers, treatment of drug addicts, prohibition of poppy cultivation and substitution for poppy. However, cooperation in law enforcement remains to be furthered and thus the fight against foreign drug traffickers and drug production has not produced prominent effect. Pu'er has been regarding cooperation in law enforcement as a priority and some experience has been accumulated. But so far, due to the changing anti-drug climate and the mass cross-border transportation of drugs, despite the fact that Pu'er police has spent a lot of energy in drug interception and numerous major cases of drug trafficking have been cracked through provincial cooperation, the effective communication between China and its neighboring countries is yet to be established.

**Countermeasures for Fighting against Cross-border Drug Trafficking**

The Party Central Committee and the State Council attach priority to anti-drug work. In June 2014, the Politburo Standing Committee Meeting and the executive meeting of the State Council heard the report of anti-drug work. General Secretary Xi Jinping and Premier Li Keqiang issued important written instructions and requirements for anti-drug work. On June 25, the State Council printed and distributed Opinions on Strengthening Anti-drug Work. To keep pace with the central government, on March 31, 2015, the provincial party committee and the provincial government issued Further Opinions on Strengthening Anti-drug Work. The standing committee of the Pu'er municipal party committee and the standing committee of municipal government heard the report of anti-drug work in specially-called meetings and Secretary Wei Xing for numerous times issued relevant written instructions. On April 22, the standing committee of municipal party committee passed Further Opinions on the Implementation of Anti-drug

Work. The package of measures proposed by the central government and the provincial party committee has shed light on the future path. In line with the work deployment from the provincial party committee, the provincial government, the municipal party committee and the municipal government, the following measures are submitted for the furthering of the anti-drug work and the deepening of the fight against border drug trafficking:

**a) Take on responsibilities, govern comprehensively and further strengthen the anti-drug work**

Party committees and governments at all levels shall lead, organize and coordinate works of all relevant departments, strengthen research and inspection and ensure that the anti-drug work is carried out with fine organization, strong leadership, effective measures and reasonable procedures. First, reinforce the responsibilities of leaders. The party committee and the government assume the general responsibility while the party committees and the governments at all levels take on assigned responsibilities of implementation to make sure the anti-drug work progresses smoothly. Second, strengthen coordination. Anti-drug work is socialized and systematic and shall be the responsibility of all society. We shall tighten our muscle on every aspect and shape the pattern in which the party committee and the government lead, the departments implement and the whole society participates. Party committees and governments at all levels shall enhance guidance, organization, deployment and coordination to carry forward the anti-drug campaign. Anti-drug committees at all levels shall sufficiently organize, lead and coordinate specific works to assist the party committee and the government with advice and to get missions completed. Units of anti-drug committees shall implement anti-drug responsibilities, assist concerned counties and strengthen ties with other departments to forge a unified workforce. Third, strengthen supervision and inspection. We shall urge the member units of the anti-drug committee to carry on with the job responsibility system of partner assistance, enhance the assistance and guidance to counties, townships (towns) and villages, resolve priority problems and implement coordination. The anti-drug committee and the concerned functional units shall set fine examples in their daily routines and annual assessment in line with respective practical conditions. Fourth, mobilize efforts of all stakeholders. The social organizations and the citizens dedicated to drug control shall be brought into full play. All sectors of society shall be encouraged to join the people’s fight against drugs. Examples: support and guidance shall be given to private enterprises and primary-level organizations such as Center of Rebirth and Care and Villagers’ Group in Nanjiaohe Village, Lancang County, citizens dedicated to anti-drug work such as Li Jidong and Zhao Wenhua to help them play their roles. We shall set up and promote fine examples, carry forward the positive energy and encourage all walks of life to join in the great cause.

**b) Strengthen border cooperation of law enforcement and carry forward the work of foreign drug source removal**

First, strengthen cooperation of law enforcement We shall jointly work with foreign law enforcement

units, target on foreign drug lords and criminal gangs, collect hard evidence of foreign drug lords and drug traffickers and strike with special force at appropriate times. Second, create more meeting mechanisms. The anti-drug committees shall lead and strengthen talks and meetings with local governments of Myanmar and Laos. A platform of shared information shall be established to facilitate specifically purposed actions. Third, develop cultivation of substitutions for poppy. We shall, in line with national policies, support enterprises running substitution business in our neighboring countries, strengthen economic and technical cooperation with local governments of northern Myanmar, promote economies of substitution, assist related bodies in their economic development and help their people to shake off drugs. Fourth, facilitate the organic combination of anti-terrorism and anti-drug. Drugs, which induce other crimes, pose great harm to mind, body, family and society. Terrorism, gang-related crimes, gun-related crimes, gambling-related crimes and the escalation of them can all be traced back to drugs. We shall place importance on the combination of anti-drug and anti-terrorism in international anti-drug cooperation, strengthen information exchange, cooperation of law enforcement and border management, carry forward the anti-drug work in line with anti-terrorism, stem the spread of drugs and maintain social stability.

**c) Establish strict enforcement system and block off drug trafficking passages**

First, strengthen border inspections We shall improve the system of joint defense comprising police and civilians in border counties, strengthen border patrol and establish checkpoints at entries, access roads and ferry crossings, maintain 24-hour enforcement at major passages for foreign drug trafficking and implement patrol and inspection from time to time and from place to place at mountain trails and forest roads. Second, enhance the enforcement in inland. We shall deepen the unified enforcement system, combine all forces of the city, implement joint inspection and investigation at major passages by turns as per situations, and establish temporary checkpoints, mostly mobile and necessarily fixed, in counties where roundabout drug trafficking and drug possession inside human body often occur. Third, strengthen the inspection to air deliveries. Public security and postal management departments shall, under the background of increasing drug trafficking by courier, standardize the management over logistics & delivery business and sever the logistics channels. Civil aviation public security and anti-drug departments shall work together to put down drug trafficking by air and freight traffic.

**d) Innovate the investigation system and strike cross-region drug trafficking with full force**

First, improve the intelligence system Professionals of public security organs shall fully exert their privileged capacities to strengthen the establishment of the intelligence system, reinforce the construction and utilization of undercover force and collect information deep at source locations of drug production and lairs of drug cartels to support law enforcement. Second, intensify the departmental cooperation. We shall consolidate and improve the joint forces of different police types of public security organs, exploit their specialties and jointly research, investigate and work in seamless cooperation in a linkage pattern.

Relevant departments of the anti-drug committee shall implement their roles and give larger support regarding intelligence and case management. Security, prosecution and enforcement shall reach a common understanding to maximize the outcome. Third, case handling shall be made cross-region. The public security organs shall strengthen the anti-drug police cooperation with key areas, start intensive exchange on intelligence, police resource and investigative technologies and jointly launch strikes against cross-region drug-related crimes.

**e)Strictly contain precursor chemicals and strike related crimes with full force**

The member units of the anti-drug committee shall strengthen coordination and fully and strictly implement the measures of chemical control, management and inspection. First, strengthen ground control. Security, drug administration and business administration shall enhance coordination, bring primary-level organizations into effective play, normalize the inspection work at key places, discover in time the traces of precursor chemical-related crimes and take measures to strike. Second, strictly manage the precursor chemicals. Public security, safety supervision, drug administration, customs and business administration shall supervise every link on distribution, procurement, transportation and export-import of precursor chemicals to prevent precursor chemicals entering into illegal channels. Third, intensify the striking force. Law enforcement agencies such as Public security organs shall sufficiently implement the role of guard station of law enforcement and call in reinforcements in the inspection of precursor chemicals. Fourth, make amendments to Management Ordinances for Precursor Chemicals. The management ordinances shall be perfected to bring precursor chemicals and other drugs into law-based control to realize legal management over the movement of precursor chemicals from the source to the client.

**f)Deepen drug inspection and clearance, verify and manage key places and groups**

We shall further the management over key drug-related places and groups at borders and key towns, implement inspection and regulation seasonably and press against the survival of drug trafficking and drug traffickers. First, strengthen the inspection over key places. Led by public security sectors and supported by functional sectors such as culture and industry and commerce, inspection and clearance shall be implemented at key businesses, places and locations, be they in cities, counties or towns, and execute the “Instant Death” punishment policy to drug-related entertainment places. Second, strengthen the inspection over border villages. In consideration of the border aggregation of marginal people and people from other provinces, the government shall lead the inspection and clearance from place to place and keep a register for control and management. Relevant departments shall be organized and primary-level organizations shall be mobilized to participate. As to the illegal border-crossing of precursor chemicals, public security, border defense and customs shall join hands to patrol the border, crush the smuggling hideouts and stop stowaway activities. Third, strengthen the inspection over key groups. We shall bring special drug traffickers into control and management via sequential reviews and registers, examine key places featured with drug

outflow and people from key places involving smuggling of precursor chemicals, verify leads of drug dealing for specific targets, bring relevant parties into detection range and strike with force.

**g)Strengthen drug control and rehabilitation work, check and manage every single drug user**

We shall carry out the “whole policy”, that is, implement inspection, interment and management to all drug users to curb the spread of drugs and reduce the number of drug abusers step-wise. First, reinforce the fight against drug peddlers. Public security, prosecution and justice shall enhance coordination and devote greater effort to fight drug peddlers and reduce the consumer market of drugs. Second, strengthen inspection. Centered on key townships (towns), the inspection shall be implemented to all drug users to keep a record of their number and status. Third, strengthen interment work. Public security and judicial administration shall enhance coordination, exploit the resources of mandatory drug treatment sufficiently and be thorough with drug testing, affirmation of habituation, categorized treatment and interment. Fourth, strengthen rehabilitation work. County and township-level party committees and government organizations shall spearhead works such as perfection of rehabilitation facilities, supplement of working staff and implementation of community rehabilitation measures. Meanwhile, central facilities of drug treatment and rehabilitation can be established in key counties, townships and towns. The centralized detoxification and rehabilitation is expected to operate for 3 to 6 months. Fifth, strengthen management. For those drug users who have fulfilled the terms of mandatory treatment and centralized community treatment and rehabilitation, in terms of community and village, officers from communities, villages and townships, part-time workers, community police and the drug users’ relatives can form into work groups to implement works of tracking, examination, education and management and help the former drug users to restore their confidence, develop production and return to society. Sixth, strengthen removal of drug sources. We shall carry on with the responsibility system for removal of drug sources. Governments can sign letters of responsibilities grade by grade and implement by levels to consolidate the work achievements of “zero cultivation and zero production” of drug plants.

**h)Deepen the education on anti-drug and drug prevention and create an atmosphere of anti-drug people’s war**

We shall reinforce promotion and education on anti-drug work, bring momentum to the anti-drug people’s war and seriously implement Opinions on Implementation of Anti-drug Education to Whole People issued by National Narcotics Control Office. For the weak links in present anti-drug promotion, we shall place importance on rural areas, primary-level administrative areas, remote and mountain areas and ethnic minority areas, make teenagers and high-risk groups primary targets, attach priority to laws, regulations and prevention of new-type drugs, promote education at six major locations, namely, community, countryside, school, entertainment, work unit and family and make greater efforts to widen, deepen and make the best of promotion. Departments of anti-drug promotion and education at all levels shall fulfill their responsibilities,

strengthen organization and coordination of promotion and utilize important days such as “June 26” and “October 26” days against drug abuse and illicit trafficking and “December 1” World Aids Day to host topic-oriented promotions. Broadcasting, television and newspaper shall be arranged as a whole. According to specific priorities, Promotion methods shall be innovated, promotion contents shall be enriched, promotion channel shall be widened and promotion coverage shall be expanded. Departments of public security, promotion, media, education, culture and sanitation shall jointly work to fit anti-drug promotion and education into activities such as Peaceful Community, Civilized Family, Youth Volunteers, Serving the Country People in Three Aspects (culture, technology and medical service) and Return Visits to the Masses and expand the coverage of promotion and education. We shall strengthen the construction of anti-drug promotion highlands, materials and talents, boost the construction of bases of anti-drug education and safeguard the long-term development of anti-drug promotion and education.

**i) Strengthen the construction of primary-level organizations and promote deeply the comprehensive treatment of drug abuse**

We shall invest manpower, material resources, financial resources and our energy to the primary-level areas, strengthen the construction of primary-level organizations and promote their capacity. Meanwhile, we shall further improve the border management and border social security maintenance, reinforce primary-level work, make the best of local party committees and governments as the center and rely on army, border defense and public security to mobilize primary-level organizations, actively participate in border management, launch patrols, seizure of drugs, manage and control over drug users and reporting of criminal clues to construct a solid barrier against drug penetration, establish and improve a long-term mechanism for primary-level organizations to engage in drug control, educate with a variety of measures the masses and tell them not to involve in drug trafficking, not to provide convenience for drug traffickers and not to take drugs and encourage them to offer hands in drug control. We shall seize the great developmental and strategic opportunity of “Bridgehead” construction, implement the project of “Border Prosperity and People’s Well-being” vigorously, carry forward the construction of new socialist countryside, constantly improve people’s material life and realize border soundness, national unity, economic prosperity and social stability.

**j) Strengthen the guarantee, promote the quality of personnel and secure the sustainability of anti-drug people’s war**

First, strengthen the financial guarantee The special funds to drug control shall be included in the fiscal budget and expanded by the local governments in line with the local level of development of economy and society, the local public financial requirements and the local drug control situation. Second, strengthen the institutional guarantee. We shall improve the anti-drug committee and its administrative bodies, particularly we shall strengthen the construction of county-level institutions and working teams,

establish and perfect a variety of working bodies and define and fulfill responsibilities. Third, strengthen the personnel guarantee. Based on the requirements of drug control missions, we shall deploy and multiply the anti-drug police force at key areas, ensure the completion and capacity of the drug control force from public security and supplement the police force with assistant police when necessary. Fourth, strengthen the education and training. We shall enhance the education and training for the drug control force, constantly promote the political, professional, legal, physical and enforcement quality of the police to boost their battle effectiveness. Supervision, management and political ideological education to the drug control force shall be sufficiently implemented to avoid internal legal transgression. Meanwhile, we shall care for the drug control force and help them with work, life and family and arouse in them a passion for their job.

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# Research on Police Enforcement Cooperation on Combating Drug Crime in Greater Mekong Sub-region\*

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**Abstract:** Drug crime situation in the greater Mekong sub-region turns increasingly worse and has attracted the strong attention of governments in this region, police enforcement cooperation among those countries has been therefore enhanced, the police enforcement cooperation mechanism have been established at the different level. Research on police enforcement cooperation mechanism fighting against drug crime has highly drawn an attention in theory. In this thesis, based on the necessity of police enforcement cooperation on fighting against drug crime, with our on-site investigations and researches in the border areas, we analyzed the current established cooperation system of police enforcement on fighting against drug crime among countries in Greater Mekong Sub-region as well as predicaments of existing system, and finally provide out our suggestions on enhancing the police enforcement cooperation mechanism on combating the drug crime.

**Keywords:** Greater Mekong Sub-region; Drug Crime Fighting; Police Enforcement Cooperation

Since 1992, on the basis of economic cooperation and the purpose of regional common prosperity, China, Laos, Myanmar, Thailand, Cambodia and Vietnam, the six countries where the Lancang - Mekong river flows through have gradually developed into the Greater Mekong Sub-region today (hereinafter referred to as GMS ). While these countries are continuing to strengthen the cooperation of economic and development, drug crime in this area has become an important issue on region relations, social security and economic development. According to 2013 drug control work conference bulletin of Yunnan province, 44,246 drug addicts had been registered in Yunnan province from January to November 2013 and the

accumulative amount of total registered drug addicts reached to 160,964; 19,122 drug crime related cases had been investigated, 20,591 criminal suspect had been arrested, seized 19.4 tons drugs (including 6.56 tons heroin and 11.4 tons methamphetamine), seized 1017.7 tons drug-making substances, which rose 17.8%, 21.3%, 16.6% and 52% respectively year-on-year;<sup>[1]</sup> governments of GMS countries have noticed the seriousness and harmfulness of the drug crime, and expect strengthening the police law enforcement through cooperation to combat drug crime. Therefore, in order to maintain the peace and development in GMS, research on how to strengthen the cooperation mechanism of police law enforcement fighting against drug crime in this area has the important practical significance.

### **The necessity of the cooperation mechanism of police law enforcement fighting against drug crime in GMS**

At present, the drug problem has become a worldwide problem, and it was called “three public hazards” with terrorism and HIV/AIDS. Drugs not only bring great harm to people's physical and mental health, but also take serious threats to the social security and stability, and it has been always fought against by governments. According to UN' sWorld Drug Report (2015), the amounts of global drug users still show a trend of growth. GMS is one of the largest drug recourses in the world, the famous "golden triangle" is the heartland of this region. China's Yunnan province is adjacent to the "golden triangle" and shares the border with Myanmar and Laos, the unique geographical location and complicated surrounding conditions makes drug crimes in Yunnan and China getting more and more serious: The drug production ability is growing; Production and trade of synthesis of drugs increased, synthetic drugs coexist with traditional drugs and will gradually take the place of traditional drugs; Bulk drugs, armed drug trafficking problems are outstanding; Difficulty of fighting against drug crime is still increasing. Therefore, in order to effectively combat drug crime, it is necessary to strengthen and improve the cooperation of police law enforcement fighting against drug crime.

#### **Strengthen the jurisdiction of drug crime requires strengthening the cooperation of police law enforcement**

According to international law theory, regardless of size, power or social regime the country is, countries are actively advocated the extraterritorial jurisdiction of domestic law, which is both the demand of safeguarding of state sovereignty as well as the support for development of international communication. Notwithstanding, from the legislative jurisdiction to law enforcement jurisdiction, there

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[1] Data sourced from 2013 Yunnan Province Anti-drug Work Conference.

is a certain disconnection. Therefore, carrying out the cooperation of police law enforcement, facilitating convenience and mutual benefit on combating drug crimes and arresting drug crimes suspects and so on, is the guarantee for the effective execution of its own extraterritorial jurisdiction in the region. In GMS, either through signing treaties to establish a fixed platform of cooperation, or through consultations or meetings to establish a temporary or long-term channel to realize the cooperation of police law enforcement to combat drug crime, are foundations to reduce the obstacles of jurisdiction and ensure the effect execution of extraterritorial jurisdiction.

### **Improve the level of drug crime police law enforcement requires strengthening the cooperation of police law enforcement**

Along with the grim situation of drug crime, the range of cooperation of police law enforcement is also getting boarder. Police law enforcement cooperation mechanism, including a country cooperate with surrounding countries to implement the regional police law enforcement and also including the police law enforcement cooperation in border areas, it consists of many ways of cooperation, it is convenient and fast, the procedure is simple and does not required long time for coordination of examination and approval. The frequent and direct police law enforcement cooperation provides a feasible safeguard mechanism for countries to combat drug crime and arrest multinational drug criminal suspect timely, and gradually improves the police law enforcement abilities of GMS countries. It enhances its extraterritorial jurisdiction in the sub-region and at the same time, effectively supports the extraterritorial jurisdiction of other countries. At present, China is positively establishing police law enforcement cooperation with other GMS countries on combating and control of drug crime, all parties have been actively cooperating with each other and effectively combating the multinational drug crime and have made great achievements.

### **Share the advantages of police law force of different countries in GMS and together fight against drug crime requires strengthening the cooperation of police law enforcement**

The difficulties, that develop police law enforcement cooperation on fighting against drug crime, is not constrained by space but also by the varieties of languages, customs, culture backgrounds and legal systems, etc. Domestic police are limited to know the social system, economic system, cultural background, language and customs of the country, but in terms of police law enforcement cooperation, such as joint drug crime investigation, joint case investigation, they are not well aware of. Therefore, strengthening the cooperation of the police law enforcement can make up the shortcomings when GMS countries' polices dealing with international drug crime cases, and overcome obstacles. Polices from GMS countries can learn from each other in terms of preventing, control and combating on drug crimes, draw on the strong points of others to make up for one's own weak points, make full use of all kinds of useful countermeasures, means and methods, and improve the law enforcement abilities on punishing drug crime through communication.

Consolidate the friendly relationships of police forces among GMS countries requires strengthening

the cooperation of police law enforcement

Police forces among GMS countries enhance the cooperation on combating drug crime, which is not only the demand of domestic interests, but also the need of promoting the development of friendly relationships of police force. Eliminating obstacles of borders, strengthening the depth and breadth of police law enforcement cooperation has been becoming an important topic in the GMS leaders' meetings and talks and will also become the hotspot of foreign affairs in the region. Development of the cooperation of police law enforcement has become an important component of China's foreign policy in GMS.

In recent years, as China's central government put forward the "One Belt and One Road" strategic deployment, through diplomatic efforts and practice, China has actively taken more and more actions to prevent and punish multinational drug crime cases, and played an important role in the development and strengthen the friendly and cooperative relationships with relevant countries as well as the maintenance of Chinese foreign policy. Chinese public security force has closely worked with police departments of Laos, Myanmar, Thailand, Cambodia and Vietnam in various forms of cooperation on investigation, many major drug crime cases were detected, which has promoted and improved the relationship between China and these countries. Therefore, the police law enforcement cooperation among GMS countries nations can realize the geographical control of drug crimes, enhance the extensity of prevention of drug crime, and improve the efficiency of the investigation of drug crimes and strength the effectiveness of combating drug crimes.

### **Cooperative mechanism of police law enforcement on fighting drug crimes between China and other GMS countries**

In August 1990, the anti-drug delegation organized by the ministry of public security of China visited Myanmar and Thailand for the first time. Parties reached the intention of the cooperation of anti-drug police law enforcement, since then, China's police law enforcement cooperation with other GMS countries on combating drug crime has began. The Chinese government has been actively promoting multilateral and bilateral cooperation with countries in the region, and signed Beijing Declaration, East Asia Sub-regional Drug Control Action Plan and other multilateral agreements and mechanisms on combating drug crime as well as the Cooperation Agreement between Government of the People's Republic of China and the Federal Government of Myanmar against illicit traffic in narcotic drugs and psychotropic substances and other bilateral agreements and mechanisms. Chinese government has always kept the high-level contacts with other GMS in anti-drug police law enforcement cooperation, and held the annual high-level meeting discussing the anti-drug police law enforcement cooperation, mainly in the bilateral police law enforcement cooperation between the anti-drug sectors of the department of public security in Yunnan province and neighboring countries. Currently, the cooperation mechanisms of police law enforcement on combating

drug crime between the anti-drug sectors of the department of public security in Yunnan province and Laos, Myanmar, Thailand and Vietnam mainly are:

#### **Mechanism of anti-drug liaison officer**

In order to reduce the harmfulness and potential threat caused by drug crimes in GMS to China, in 1996, China and Myanmar has established the mechanism of border anti-drug liaison officer and enhanced the law enforcement cooperation. So far, Yunnan has eight border anti-drug liaison office along its border areas, such as China-Myanmar QiangShuihe border anti-drug liaison office, China-Myanmar Teng Chong border anti-drug liaison office, China-Laos Boten border anti-drug liaison office, China- Vietnam He Kou border anti-drug liaison office and other four offices. The targeted purpose of Anti-drug liaison office is making the police law enforcement cooperation on combating drug crimes "efficient, pragmatic and effective", the establishment of the border anti-drug liaison office platform makes the border anti-drug departments' bilateral contact, exchange and cooperation more efficient, efficiency of handling with cases has been improved. This mechanism establishes a good channel for joint law enforcement against cross-border drugs trafficking and illegal chemicals and other drug criminal activities.

#### **Mechanism of border meetings or talks**

Border meetings or talks are cooperative ways to carry on the communication on police law enforcement. With the development of police law enforcement cooperation in GMS, regularly hold the border talks or meetings have drew more and more attentions of GMS countries, and also increased contacts of countries and police forces. For example, since 2013, anti-drug sectors of the department of public security in Yunnan province has held more than 91 meetings or talks and over 54 working visits with Myanmar police and drug control departments. From January 2013 and June 2013, anti-drug sectors of the department of public security in Yunnan's Hong He prefecture and Wen Shan prefecture held 30 meetings and talks with the anti-drug police departments of adjacent provinces of Vietnam. On February 28, 2014, invited by the police agency of Myanmar's Kachin state, through the coordination of China-Myanmar Teng Chong border anti-drug liaison office, a delegation of 20 officers engaged in drug control departments or anti-drug activities visited Myitkyina and held a meeting with police agency of Kachin state discussing the cooperation on police law enforcement. The anti-drug sectors of the department of public security in Yunnan province have also held the meetings and talks with the drug control departments more than 31 times, and had working visits more than 150 times. Border meeting or talk further strengthen the exchanges and friendship between both sides, deepen the bilateral policing cooperation, at the same time, it also facilitate the cooperation on border controls, anti-terrorism, gambling prohibition and combating on human trafficking, maintain the social security of the border area better.

#### **Mechanism of information exchange and sharing**

Exchange of information was risen up in the 1980s, is an effective mean of detection. It constitutes the foundation of criminal investigation together with criminal technology and criminal investigational secret power, is a special form of detection. Information exchange is a powerful weapon to fight against drug crime, especially transnational drug crime, combating transnational drug crimes cannot without the drug crime information provided by GMS countries. Information exchange and sharing plays a major role in preventing and fighting transnational crime among GMS police forces, providing valuable information and intelligence for cases detection. Anti-drug or drug control departments exchange and share and provide the information with each other in case investigation, investigation of identity, suspects hunting, fugitives repatriating verification of relevant information and others, and the feedback the information to co-workers timely. For example, in 2013, the anti-drug force in Myitkyina handed over 7 drug crime case clues involving Chinese on behalf of Myanmar anti-drug police force to the liaison officer of China-Myanmar Teng Chong border anti-drug liaison office, request Yunnan police force provide assistance to verification.

#### **Mechanism of joint law enforcement and joint combating on drug crimes**

Provinces in China which share borders with neighboring GMS countries have upgraded theirs' cooperation with the law enforcement departments of those countries from sending observers each other in witness of combating activities drug crime to organize joint law enforcement, and achieved more and more significantly effects. Since 2013, the anti-drug sectors of the department of public security in Yunnan province had 96 joint law enforcement and joint combating activities on drug crimes with Myanmar, Laos and Vietnam anti-drug police, including 58 joint law enforcement and 20 joint combating activities on drug crimes with Myanmar anti-drug police, seized 608 kg drugs, 61 suspects involved in drug crimes were arrested and 486 drug addicts were captured; 4 joint law enforcement and 9 joint combating activities on drug crimes with Lao anti-drug police, seized 1.66 tons drugs, 4 guns, 9 vehicles involving drug crime and 16 suspects involved in drug crimes were arrested; 5 joint law enforcement with Vietnam anti-drug police, seized 12.757 kg drugs, 27 suspects involved in drug crimes were arrested and 19 major drug crimes sourced from Vietnam have been detected.<sup>[2]</sup> Drug control departments of public security, XishuangBanna, Yunnan province holds more than 4 times joint combating activities on drug crimes with the police departments of four Northern provinces of Laos annually.

In addition, after the "10·5" case in 2011, China, Laos, Myanmar and Thailand signed the China, Laos, Myanmar and Thailand joint declaration on Joint Law Enforcement in the Mekong River Basin on October 31, 2011 and has started to implement joint law enforcement in Mekong river basin from mid-December 2011. It aims to jointly maintain and safeguard the security and stability and promote economic and social development of the Mekong river basin. As of August 2015, China, Laos, Myanmar and

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[2] Data sourced from Bureau of Narcotics Control, Yunnan Provincial Department of Public Security.

Thailand have finished 37 joint law enforcements and patrol operations along the Mekong River. In 2013, under the uniform deployment of Yunnan provincial department of public security, the anti-drug forces of XishuangBanna, a prefecture of Yunnan, jointly carried out a two-month "Safe Fairways" drug crime combating operation with police force of Laos, Myanmar and Thailand, a total of 116 cases was detected, 74 suspects involved in drug crimes were arrested, seized 697.6 kg drug, 2 guns and 26 bullets, and 5.32 million Yuan involved in drug deals were investigated.

#### **Anti-drug law enforcement officials training mechanism**

On February 24, 2002, authorized by China National Narcotics Control Commission and the Minister of Public Security of China, Yunnan police officer academy held the 1st train program for anti-drug law enforcement officials of Myanmar. As of September 2015, a total of 22 batches of Myanmar train program and workshops have been held and 562 Myanmar anti-drug law enforcement officials have been trained. These officials systematically studied China's anti-drug strategy, anti-drug legislation and law enforcement, drug inspection, drug control intelligence, investigation of drug case and other lessons in a month. Through the strict training, the professional skills of those officials have improved obviously, and some of them have been already on the leadership role in drug control when they came back to homeland. At the same time, the anti-drug law enforcement training programs or workshops also held for Lao anti-drug law enforcement police. As of September 2015, a total of 14 batches of Lao train program and workshops have been held and 437 Lao anti-drug law enforcement officials have been trained. Through the training program, Lao anti-drug law enforcement officials further increased with the understandings of anti-drug law enforcement and also established the friendship with their peers in Yunnan. In addition, anti-drug law enforcement training and workshops for anti-drug law enforcement officials of Thailand and Vietnam have also launched, 25 and 83 officials have been trained respectively.<sup>[3]</sup> So far, Yunnan Police Officer Academy has established a tie relationship with Royal Thai Police and Military Officer University, National Police Academy of Cambodia, the Lao People's Police Academy, and Central Police Training School of Myanmar.

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[3] Data sourced from School of International Police Training and Education, Yunnan Police Officer Academy.

## **The existing problems of police law enforcement cooperation on fighting drug crime in GMS countries**

Although China has a long history in police law enforcement cooperation on fighting drug crime with other GMS countries and good results have been achieved. However, with the increasingly worse global drug situation and new means of drug crimes, barriers of the police law enforcement cooperation among GMS countries are gradually exposing out, showed as the followings:

### **Consensus of strengthening and improving the police law enforcement cooperation on fighting against drug crime is yet to be deepened**

In recent years, police law enforcement cooperation on fighting against drug crime among GMS countries have a good start, but we should also realize that the police law enforcement cooperation is still facing maze. It embodies that the understanding of "police law enforcement cooperation is resources, the police law enforcement cooperation is power" concept has not yet been established, values, ideals and concepts of law enforcement on police law enforcement cooperation are still different among parties. For example, Yunnan's XishuangBanna police force has operated the joint anti-drug police law enforcement cooperation with the Special Region NO.4 ESS of Shan State, Myanmar. Unfortunately, the local executives believe that, the rising and falling of local economy is directly caused by the operation fighting against drug trafficking, gambling by Chinese side, therefore, they are only coping with cooperation on drug control activities but not willing to do so. Those negative attitudes are also showed in information sharing. The police of the Special Region NO.4 ESS provided no information of Chinese citizens participating in the activities of drug smuggling, drug trafficking and other drug crimes since 2014, which gives greater challenge for Chinese anti-drug departments to investigate those suspects.

### **The police law enforcement cooperation mechanism on fighting against drug crime is yet to be improved**

The existing multilateral or bilateral police law enforcement cooperation mechanisms among GMS countries, such as mechanism of anti-drug liaison officer, mechanism of border meetings or talks, Mechanism of information exchange and sharing, are driven by the problems.<sup>[4]</sup> In other words, parities of the cooperation found some problems of drug crimes within its own territory then they sought for cooperation with other parties. With the increasingly worse global drug situation and new means of drug

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[4] "Policing cooperation between China and ASEAN under the view of soft power" by Zhang Qinglei, published in AROUND SOUTHEAST ASIA 2013(7).

crimes, drug crime has a trend of regional spread, from drug production to drug trafficking, drug crime is no longer within the territory of a country or a region, the fight against drug crime has become a common problem for all GMS countries, therefore, parties started to operate police law enforcement cooperation and assistance in order to combating drug crimes together and promote the effectiveness of drug control. Those police law enforcement cooperation mechanisms, which are driven by the problems do facilitate the communication and sharing among the parties to some extent or some ways, and have played a role in anti-drug activities. However, those mechanisms only involve some aspects of the anti-drug law enforcement, such as information exchange and sharing, joint law enforcement, it is not an integrated or entire mechanism platform for the police law enforcement cooperation and cannot completely cover all aspects of police law enforcement cooperation. For example, the bilateral anti-drug police law enforcement cooperation between China and Myanmar, there remains no an integrated police law enforcement cooperation mechanism, and most of the cooperation are based on the personal relationships of two sides.

In addition, the operation of police law enforcement cooperation is lack of mechanism a standard code or procedures. For example, in terms of information exchange or sharing, there remains no integrated information exchange platform and information exchange standard to illustrate what kinds of information and by which ways shall those information be shared, and which information is requested to be shared and which information cannot be shared; another example is, in term of cooperation of drug crime case investigation, there is no a standard procedure which is recognized by all parties, and no clear standard relating to the case investigation, evidence collection, suspects hunting and fugitives repatriating, etc.

**Too many approval process lead to the low efficiency of police law enforcement cooperation on fighting against drug crime, the scale of police law enforcement cooperation still needs to be expanded**

Due to the significant differences in political regime and administrative system among GMS countries, the approval processes for police law enforcement cooperation on combating drug crime and collaborative investigation are different in counties. Overall, the police law enforcement cooperation on combating drug crime needs to be approved level by level, result in too many approval processes and the low efficiency of police law enforcement cooperation. For example, in terms of the police law enforcement cooperation between China and Vietnam, in the actual practice, Vietnamese police force is hard to response and provide timely feedback to the request of assistance arose by Chinese side, such as identification of nationality, investigation assistance, the reply will usually be delayed for half a month or half a year, which cause loss of the best fighting opportunity.

In recent years, police law enforcements cooperation on fighting against drug crimes among GMS countries are mainly concentrated in major cross-border drug crime, anti-drug police training, etc., the scope of cooperation is relatively limited, police law enforcement cooperation does not cover the whole range of combating drug crime. With the rise of drug crime cases, in addition to combat drug crimes, how to prevent drug crime and how to communicate and exchange experiences, is the primary task need all GMS countries

to consider.

### **The differences in political regime and law enforcement system lead hardly to obtain achievements of police law enforcement cooperation mechanism**

For example, in terms of the police law enforcement cooperation between China Myanmar, Yunnan's Tengchong county is adjacent to the former Special Region NO.1 ESS of Kachin State, Myanmar, where is the major poppy farming areas. However, due to the conflict between the central government of Myanmar and local Kachin authorities, Myanmar's drug control department has not established a corresponding drug control agency there, which leads to the cooperative mechanism is hard to operate, local anti-drug activities there are mainly operated by police, troops, or immigration agencies; On the other hand, although the two-side border anti-drug liaison office mechanism has been established, due to the social instability of Myanmar, the Burmese officials, who build the relationship with Chinese officials have been changed frequently, which leads to negative effects in border anti-drug law enforcement cooperation, exchange of anti-drug information fall behind, bilateral joint police law enforcement on combating drug crime is difficult to receive positive effects.

### **The differences in laws and judicial process lead to the lack of police law enforcement cooperation platform and atmosphere**

#### **Extradition**

Extradition means a country hands over the one who has been wanted or sentenced being criminal punished according to the request of other countries but live in the territory of the country for trial or punishment, it is a kind of international judicial assistance. Naw Kham, the chief culprit of "10.5" case in 2011, was captured by the police force of China, Laos, Myanmar and Thailand in May 2012 and was extradited to China and stood trial in China. But the other side participating in this case, some Thai soldiers were not extradited to China. According to the Extradition Treaty between the People's Republic of China and kingdom of Thailand, although the intentional homicide is under the condition of extradition, but article 5 (1) of the treaty also stipulates "the contracting parties shall have the right to refuse to extradite its citizens", namely "citizens refuse to extradite" clause.<sup>[5]</sup>

In practice, considering the interests of the state or other sensitive factors such as military secrets, extraditing suspects involved in drug crime are usually unrealistic, instead of diplomatic channels or extradition alternative models such as repatriation or dissuasion. However, due to differences in laws, same

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[5] "The analysis of extradition issues of 'Death on Mekong River'" by Li Bo& Zhou Min, published in LAW AND ECONOMY, May 2014.

criminal behavior may be convicted in different criminal offences, and legal penalties are also different. It cannot be the reality that all countries adopt a unified legal system or ruled by one law, but it leaves the opportunity for drug crime conductor to shop the weak punishment and avoid strong penalty.

### **Repatriation**

In the view of the actual situation of police law enforcement cooperation between China and Vietnam, although there is breakthrough in the cooperation between the two parties, however, it reminds less optimistic. For example, Chinese police handed over materials of drug addicts to Vietnamese police, such as the ID, border passes and physical evidence, the attitude of Vietnamese side is not positive enough, which usually leads to Chinese police cannot finish the handover within the statutory time limit. At the same time, due to the limited budget and limited detention capacity, Chinese side cannot leave the Vietnamese drug addicts within the territory for long-term drug addiction rehabilitation, so the addicts will be deported and ordered to leave out of state. However, many of them are not under the control of police when they going back to Vietnam and will return back to China again.

### **Handing over the suspects involved in drug crime**

In the view of the cooperation of China and Myanmar, Chinese side provides assistance in capturing Burmese drug criminal suspect, however even the suspect was captured, due to the difference of laws, Chinese side cannot take the Burmese suspect into custody because it won't supported by Chinese law and it is also lack of legal documents. Therefore, the only way is arranging someone supervise the suspect until he has handed over to Myanmar police. On the other hand, there are too many procedures on handing over the suspects involved in drug crime, it is long-winded and time-cost, seriously brings down the effectiveness of combating drug crimes in border areas as well as the effectiveness of police law enforcement cooperation.

## **Suggestion on further strengthening police law enforcement cooperation on combating drug crime in GMS**

Drug crime is the social reality in GMS and countries in the region have to face, particularly the multinational drug crime, which brings a big threat to the social stability, prosperity and development in GMS. Under the influence of increasing drug crimes, the globalization of the drug trafficking, to eradicate drug crime cannot simply replay on one country's power. Aims to combating and preventing drug crimes, GMS countries have to strengthen police law enforcement, make joint efforts to combat down on drug crimes. In practice, constantly strengthen and improve the police law enforcement cooperation on fighting against drug crime, and actively in-depth implementation of police law enforcement cooperation provide a good platform for the police law enforcement cooperation on fighting against drug crime.

### **GMS countries shall reach a consensus on police law enforcement cooperation on combating drug crimes**

Under the current drug development trend, especially drug crimes bring a big threat to the social stability, development and prosperity in GMS, therefore, GMS countries should list the police law enforcement cooperation on combating drug crime in the agenda of foreign affairs activities, hold more meetings and talks, establish more consultation and communication channels, to fix this problem together. The police law enforcement cooperation among GMS counties shall be based on the common understanding and spirit of cooperation. The cooperation is urgent, and shall be the unshakable duties of all countries. The cooperation shall be established on the basis of equality and mutual benefit and respect, continuously improve the measures and the levels of the police law enforcement cooperation, enrich the content of police law enforcement cooperation, and realize the all-round cooperation, so as to maintain the social stability, development and prosperity of this region.

### **Improve the police law enforcement cooperation mechanism on fighting against drug crime**

For further improve the police law enforcement cooperation mechanism on combating drug crime among GMS countries, on the foundation of the existence of current police law enforcement cooperation mechanisms, it is necessary to establish a comprehensive joint police law enforcement platform that all GMS counties participate in, to combat drug crime together. The platform can hold regular meetings or talks, consult on drug crime related police law enforcement cooperation, make the cooperation from discussion to reality. The platform could be composed of drug crime prevention mechanism, cross-border collaboration working mechanism, transnational drug-related joint-action mechanism and safeguard mechanism and other related mechanisms, which can extend the ways of the police law enforcement and explore a new mode of law enforcement of police, simplify the procedures of police law enforcement cooperation and promote the police law enforcement cooperation in GMS from a loose mechanism into a multidimensional and multiform one. The improvement of police law enforcement cooperation mechanism on combating transnational drug crimes will bring a good result on preventing and reducing drug crime, amend the former cooperative ways, which were driven by problems, and make the entire law enforcement cooperation mechanism flexible and effective so as to maintain the social stability, development and prosperity of GMS community.

### **Strengthen the collection of intelligence information on drug crime**

Relying on the international anti-drug law enforcement cooperation mechanism and GMS police law enforcement cooperation mechanism on combating drug crime among GMS counties, establish the drug crime information communication and exchange mechanism. At the same time, aim to the major multinational drug crimes, all parties should strengthen the relationship of national border check points and establish the good communication and linkage, continue to expand overseas police law enforcement

cooperation work, gradually build a network which can provide intelligence information for all GMS countries' cross-border operations, improve the intelligence information collection, and overseas drug crime investigation abilities of all GMS countries. Through effective development of collection of drug-related intelligence information, not only transnationally and also domestically and finally realize the intelligence information sharing.

### **Creation of legal support of police law enforcement cooperation**

On the basis of mutual respect and benefit, sincere cooperation and seeking common ground, all parties of cooperation strengthen should hold more dialogue and communication, enhance mutual trust, promote understandings and continue to conduct high-level consultations and meetings, and sign more multilateral or bilateral treaties on police law enforcement cooperation on combating drug crimes, or publish more joint statement related to it, and establish more corresponding operational standard or mechanism according to the treaties and statements, form a complete set of police law enforcement procedures and protocols, make a legal system both inside and outside, and lay a legal foundation to develop comprehensively bilateral and multilateral police law enforcement cooperation. At the same time, strengthen the communication and collaboration of the local governments and law enforcement agencies of GMS countries' border areas, overcome the difficulties and reach a consensus, broaden the permission of police law enforcement cooperation in border areas so as to facilitate the local government or police law force in border area more flexibly carrying out bilateral or multilateral law enforcement cooperation, and reduce the damage in the areas caused by drug crimes and maintain the peace and stability of the border areas.

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# Preliminary Study of the Evidence Effect of Information Stored in Mobile Phone Memory

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**Abstract:** Since the beginning of this century, mobile phone communication has found extremely extensive application in drug-trafficking activities, while information stored in the mobile phone memory has played an irreplaceable role in providing electronic evidence for exposing and verifying drug-related crimes. How could we bring into maximum play the evidence-providing role of phone memory information in investigating the cross-border drug trafficking cases? Firstly, the phone memory information must be integrated with other collected evidences so that they can form a complete evidence chain. Secondly, to manifest its might of providing evidence, phone memory information must be reasonably integrated with case investigation and suspect interrogation. Thirdly, phone memory information must mutually supplement with case investigation and evidence extraction, so that phone memory information could become evidence. Moreover, phone memory information must be retrieved by adopting standard procedures to guarantee its evidence effect, boost its evidence-providing power and bring into full play its important role in cracking down on the cross-border drug trafficking crimes.

**Keywords:** cross-border drug trafficking; mobile phone information; evidence

Thanks to rapid development of the IT industry in China, mobile phone communication and telecom network have found extensive application in almost all aspects of people's routine communication, and gradually replaced the traditional ways of information delivery, mutual connection and exchanges. While offering people great convenience in social activities, mobile phone communication also greatly facilitated the drug-traffickers by providing them with low-cost communication lines, easy channels of exchange, and practical means for transporting drug and drawing illegal money. For such reasons, mobile phones are widely used in the cross-border drug trafficking activities. Almost all drug trafficking cases solved by the

public security organs since the beginning of this century showed close association with the use of mobile phones in communication, liaison or business consultation among the drug traffickers, and collection of mobile phone evidences is showing daily-increasing importance in cracking down on the cross-border drug trafficking crimes. As a newly emerging media for the storage of electronic evidence (hereinafter referred as “e-evidence”), phone memory information has shown irreplaceable role in exposing and verifying facts of the drug-trafficking crimes. It has become the new task confronting the drug control public security organs to bring the role of mobile phone information into fuller play for investigating the cross-border drug trafficking cases and effectively combating the cross-border drug trafficking crime.

### **Mobile Phone: Its Development into E-evidence and Application in Drug-trafficking Activities**

“The e-evidence came into existence when science and technology of the human society developed into a certain phase, and the prerequisite for e-evidence application should be based on development of the computer science. If the electronic technology were non-existent, there could never be the computer science and the e-evidence.” The so-called “e-evidence” refers to all electronic devices or records that take the form of digital information, are stored in computer storage or exterior memory media, and could be used to prove facts of the criminal cases. E-evidence may include records such as mobile phone messages, emails and online chatting, all of which carry e-information that may reveal the generation, alteration or extinction of legal relations; keep e-records of the entire process of e-information creation, storage, transmission, alteration, supplementation or deletion. Moreover, e-evidence carries information of the software and hardware environment in which the e-information existed, shows advantages like fast collection, easy storage, small space occupation, convenient transmission or transportation; repeatable presentation, easy application, examination and verification, and easily-performed operation. Moreover, e-evidence helps avoid drawbacks of other evidences like misrepresentation of testimony and wrongly recorded documentary evidences. For such reasons, e-evidence has been frequently adopted in case investigation since the beginning of this century, while the e-evidence stored in hi-tech electronic media is being extensively utilized in the judicial profession, thus promoting China’s evidence system to a higher stage. In the “Rules of the People’s Procuratorate on the E-evidence Verification Process (for Trial Implementation)” promulgated in 2009, the Supreme People’s Procuratorate specified, “e-evidence refers to various IT-technology-generated materials and derivatives which may verify real situation of the cases.” In its decision of March 14, 2012 for adopting the Criminal Procedure Law of the People’s Republic of China (Amendment), the 5th Session of the National People’s Congress also defined e-evidence as a kind of independent form of evidence. This stipulation finally established the legal status of e-evidence as an independent evidence form that runs parallel with other evidences, thanks to which e-evidence starts to

show daily-increasing vitality in the contemporary time when the internet and IT technology witness rapid development.

Since the turn of this century, and along with the development of mobile communication technology and continuous updates of smart phones, functions of mobile phone could almost rival those of the computer. Owing to the daily increasing use of mobile phone in the criminal drug-related activities, retrieval of the e-evidence stored in mobile phones starts to show self-evident importance and necessity. When being used in cross-border drug-related crimes, mobile phone shows strong concealment feature. Compared with other law-breaching activities, drug-related crimes feature a kind of well-disguised offence. In the words of drug traffickers, “drug business is the trade that generates huge profits yet exposes the traffickers to the risk of decollation”. Drug trafficking crime is committed under utmost disguise, during which both drug-trafficking partners would use mobile phone as the major means of communication, just because mobile phone communication may guarantee greater concealment as compared with the traditional communication by ways of fix-line telephone or other approaches. The use of mobile phone features a highly personal activity, which could be done in any concealed locality, helps avoid the traditional face-to-face contact between the drug traders and enables the traffickers to conceal the drug-trafficking conducts, thus greatly boosts concealment of the drug-related crimes. Moreover, mobile phone helps ensure strong maneuverability, eliminate geographical restriction and greatly expand the range of activity, because it can be used not only within China, but also in almost all foreign countries, not to speak in China’s cross-border neighboring countries. By using the mobile phone, the drug dealer in a foreign country may easily reach a trafficker in any area within China and carry out business consultation with him/her. It’s easy job for any mobile phone user to change the phone card for greater complementarity, which enables the drug dealer to change phone number in different areas of the drug-trafficking activity. For instance, the drug dealer may cash in on the strong functions of mobile phone, such as by using a special phone or number for a pinpointed or specialized target, or using several phones or numbers to manipulate different drug dealers. The moment of practical transaction between drug dealers is the crucially important link for the public security organ to collect evidence of the drug-dealing crime. Drug transaction might be accomplished without face-to-face contact between dealers who enjoy considerable mutual credibility: the seller only needs to pick up his/her mobile phone to tell the buyer his/her bank account number and the drug-hiding place, which may greatly boost the maneuverability of drug-related crimes. Secondly, drug dealers show considerable anti-investigation capability. The present-day mobile phones are usually furnished with diversified functions for recording voices or videos or surfing on the internet, plus huge memory for storing information, while functions of some mobile phones might even rival those of ordinary computers. Within a second or so, mobile phone can send voice message, text or other digital data to the receiver, and thus help boost the drug dealers’ anti-investigation capability. In a cross-border drug trafficking case solved by Kunming Municipal Public Security Bureau in 2009, the drug traffickers communicated by using mobile phone messages exclusively consisted of symbols and numbers. For instances, “??” indicated inconvenience

in answering phone calls; “!” indicated readiness of taking the phone call; “3+” meant “arrival in about 3 hours”; “25-” meant “arrival in 25 minutes”; and “.....” suggested “goods on the way”. Such inconspicuous symbols and numbers proved to be the simplest, most convenient and effective means of communication between the drug dealers. Upon detection of any anomaly in the course of drug trafficking or transaction, the drug dealers would use mobile phone to quickly transmit message to all related partners, who would temporarily pause the drug trafficking or transaction process, change the route of transportation, or alter the time and venue of transaction, or even use phone message to engage other people to continue the criminal activity. Meanwhile, the criminals would promptly delete the communication record or phone message. To adapt to the eye-dazzling development of internet-based IT technology, the public security organ must fully understand the features of mobile phone and telecom networks that show close association with the drug trafficking activities, gain accurate information of the drug traffickers’ activities and their potential actions, all of which might help effectively curb the cross-border drug-trafficking crimes.

### **The Evidence Function of Information Stored in Mobile Phone Memory**

In accordance with the Criminal Procedure Law of the People’s Republic of China, evidences for verifying drug-related crimes might be classified into 7 categories, which include physical evidence, documentary evidence, eyewitness and oral testimony. Along with rapid development of science and information technology in recent years, e-evidence rapidly emerged and gained application. In line with existing legal system and its evidence classification, e-evidence might also be classified into 7 categories including the e-physical evidence, e-documentary evidence, e-visual and audio data, e-eyewitness, e-oral testimony and litigant’s e-statement. We suggest that information stored in the mobile phone memory (hereinafter referred as “phone memory information”) be defined as e-documentary evidence, which might show irreplaceable evidence effect and extensive application in combating the cross-border drug-trafficking crime. When solving the key cross-border drug trafficking cases in recent years, Kunming Municipal Public Security Bureau retrieved the suspects’ phone memory information and used it as major evidence to verify the suspects’ criminal conducts, although all key suspects refused to confess their criminal deeds. Eventually, the People’s Procuratorate approved the arrest of the suspects, who eventually were severely punished by law.

#### **1. e-evidence may help disclose the correlation between members of the drug-trafficking group, and verify criminal deeds of the drug-trafficking participants**

In drug-related criminal activities, the huge drug-trafficking-yielded profit would entice the criminal to risk his neck. When being seized, the criminal would desperately deny his criminal deeds for escaping punishment, while interrogation of the suspect often ended up in “absence of confession”. In a number of

cases, even if drug was seized right on the scene, yet the suspect denied confession of the criminal deeds. In such cases, it became vitally important to retrieve the suspect's phone memory information and find out correlated evidences, which would be used to promptly expose the drug-trafficking crime and subject the criminal to punishment by law. When investigating such cases, acquisition of the phone message and correlated e-evidence may play indispensable role in disposing and verifying the crime. Owing to that each mobile phone carries its own number and network access code, the message it transmitted would be displayed on the receiver's mobile phone together with the sender's phone number, which would let us know about the sender, verify the correlation between the sender and receiver, and thus verify the case-involving deeds. The group drug trafficking case of the suspect Wang so-and-so solved by Kunming Municipal Public Security Bureau might serve as an example, in which both suspects Wang so-and-so and Zhang so-and-so denied confession of crime. Wang's crime was confirmed by the informer and another suspect named Sun so-and-so, whereas Zhang's crime was accused only by the informer. Because of such single evidence, the application for Zhang's arrest was rejected by the People's Procuratorate when it was submitted for the first time. Shortly afterwards, the case investigators found out the correlation between Zhang, the overseas drug lord and other suspects by digging into Zhang's "Record of Mobile Phone Communication Retrieval", and verified Zhang's function in the drug-trafficking activities. When application was submitted for the second time to the People's Procuratorate, Zhang's arrest was approved in accordance with law, after which Zhang was sentenced to life imprisonment. That was the example testifying the role played by phone memory information in providing vitally important evidence.

## **2. E-evidence may help expose the liaison and communication between the drug-trafficking criminals, thus facilitating case interrogation and evidence collection**

Compared with other crimes, drug-related crime shows dissimilar features. Offenses like killing and robing would leave behind the crime scene, and the crime could be independently committed by one criminal. However, the drug-related crime does not produce a crime scene in the traditional sense, and the drug-trafficking crime cannot be accomplished by a single criminal just because it involves too many links like drug purchase, transport and selling, which usually involve more hands and even a large group. When being seized, such criminals could even evade punishment if evidences are not found to testify the correlation and connection between them. The "October 31 Case" of drug smuggling, selling and transport solved in 2012 might serve as an example. The case involved several criminal groups such as the "Hubei-origin drug-trafficking gang", the "Zhaotong-origin drug-trafficking gang" and the overseas "Yan-family drug-trafficking gang". Kunming Municipal Public Security Bureau captured 14 suspects of the drug-trafficking gangs including the drug traffickers Zhou so-and-so and Zhang so-and-so, and seized over 121,600 grams of heroin and ice (methamphetamine), plus drug-purchasing money totaling over RMB 6 million. In Xiaogan City of Hubei Province, the public security organ captured Chen so-and-so and other 12 suspects of the drug-trafficking gangs, plus drug-purchasing money totaling over RMB 10 million.

The campaign annihilated the gigantic cross-border, trans-regional drug-trafficking network, in which the suspect Chen organized the selling of 32.9 kilogram of ice. Owing to that Chen was captured in Hubei, and the case-involving drug was seized in Kunming, Chen believed the public security organ could do nothing on him because he was not captured together with the “goods”. For this reason, his younger brother told him to “hold out one month and everything will be OK”, hoping that Chen would be released after the 30-day deadline of criminal detention. During the entire interrogation process, Chen denied any confession despite that he was identified being guilty by another suspect, yet the single evidence failed to subject Chen to punishment by law. The detectives timely retrieved the phone messages exchanged between Chen and Zhang. In one of the phone messages sent to Zhang, Chen asked, “Where are you?” which proved Chen really contacted Zhang. In the return message, Zhang told Chen “You might get a call in a few days. The 35 things would be settled by two sevens”. In this message, “35 things” referred to 350,000 tablets of ice (methamphetamine), and “settled by two sevens” meant the drug would be sold for RMB 270,000. Shortly afterward, Zhang sent another message to Chen: “The quantity might be about 35”, which meant gross number of the drug was 350,000 tablets. Based on evidence furnished by the phone memory information, the People’s Procuratorate approved the arrest of Chen in accordance with law. Another instance is the drug-trafficking case involving the suspects Yang so-and-so and Li so-and-so. Owing to that drug delivery to the suspect ended in failure, both Yang and Li claimed they did not know one another and neither did they know the informer, and thus denied any confession. By digging into the two suspects’ “Record of Mobile Phone Communication Retrieval”, our detectives found the records of communication between the two suspects and the informer. The e-evidence compelled Yang and Li to plead guilty, based on which the two suspects were arrested and severely punished in accordance with law.

### **3. Mobile phone information may help visually verify the process and deeds of drug-related crimes**

Evidence is the basis for verifying the case-involving deeds. In cross-border drug-related crimes, the criminals could be duly punished in accordance with applicable laws only when the case-involving deeds are thoroughly clarified. To clarify and confirm the case-involving deeds, we must base the investigation on evidence, which may help verify nature and situation of the crime, and eventually enable us to reach the goal of exposing and fighting crimes. When solving the case involving a 5-person drug-trafficking group consisting of Yang so-and-so, Yan so-and-so and other suspects, Kunming Municipal Public Security Bureau found the principal criminal Yang denied confession of his criminal deeds. From his mobile phone memory, the detective retrieved 9 messages sent to Yan and other suspects, in which Yang ordered Yan and others to hire a motor vehicle, drive it to a certain place, contact a person named so-and-so, and then leave the motor vehicle as the pledge ... The phone messages provided direct evidence to verify the drug-trafficking group’s criminal deeds such as car hiring, drug purchase, acquisition of additional drug by mortgaging the motor vehicle and hiding the drug, based on which the suspect Yang was arrested and severely punished in accordance with law.

## **How to Bring into Maximum Play the Evidence Function of Phone Memory Information**

When fighting the cross-border drug-related crimes, it becomes vitally important for the public security organ to retrieve phone memory information of the seized suspects, which may help the investigators know activities of the drug-related crime and collect related evidences. Moreover, such information may provide major evidence for fighting the drug-trafficking gangs. How could the phone memory information be retrieved and used as effective evidence? How could we bring into maximum play the evidence function of phone memory information? All these might become the hard nut to crack for the case-investigating detectives.

### **1. Phone memory information must be incorporated with other collected evidences, so that they would form the complete evidence chain and yield excellent evidence effects**

The evidence chain refers to evidence links that consist two or more different evidences, in which both ends of the chain are interconnected, the ends and body of the chain show objective connection, and the contents may mutually testify to boost the might of the evidence; which provides the evidence assemblage for verifying the case-involving deeds; and which includes the direct and indirect evidences. Under normal conditions, phone memory information could provide indirect rather than direct evidence. Such indirect evidence could only be used to verify a certain section of the case-involving deeds. Only when several indirect evidences, which separately verify dissimilar sections of the case-involving deeds, are collected and put together to clarify their mutual connection could we weave them into a complete evidence system or evidence chain and used them to verify facts of the entire case. While showing irreplaceability in the case-investigation process, application of the e-evidence might be associated with the use of other evidences, so that they mutually verify to reinforce the accusation against the suspects. Phone memory information possesses the previously mentioned advantages. When investigating the cross-border drug case, evidences collected through other channels would show considerable ambiguity. Firstly, such evidences may include all physical and documentary evidences collected at the scene of crime or the site where the drug was seized, and thus might be defined in terms of the evidence science as “characteristic physical evidence” or “attributive physical evidence”. Secondly, such evidences may include situations and conditions produced by human activities, conversation at the scene of crime or during the process of case investigation; or situation and scene appeared in the criminal activity, which were mutually verified by the suspects’ confession or description. From a certain viewpoint, such evidences could be classified as situational physical evidences, with the only exception that the “physical evidence” discussed in this

paper takes the form of electronic information. Through on-site observation or case investigation, changes of the situation or scene may offer clues to the process in which the case came into existence and started to develop. Despite that the situation or scene did not show any special or utilizable temporal and spatial changes in their characteristics and attributes, the practical existence status may offer adequate evidence to verify the crime-related facts such as nature of the case, the crime-committing objective and process, and time of the crime, all of which may offer the basis for confirming details of the case.

1) To yield ideal evidence effect, phone memory information must be incorporated with the situation and phenomena of the crime scene. In other words, the investigators must utilize various methods and approaches to obtain the crime-related information hidden in the evidence. By using such information to analyze and evaluate the crime-related details, the investigators may get answers for the crime-scene-related questions such as “What” and “Why”. The drug-trafficking case committed by the suspect Gao so-and-so and solved by Kunming Municipal Public Security Bureau might serve as an instance. In the case, the suspects Gao and Chen were carrying out drug transaction in an unenclosed park in Kunming, while detectives of the public security organ rushed to the park for surveillance and control. Upon entering the park, Gao started looking around nervously, thus revealing himself to the detectives who immediately fixed him up as the suspect. When the two suspects got together, Chen addressed Gao with the following words: “You are too skeptical”, which puzzled the detectives. After capturing the two suspects, the detectives retrieved phone messages exchanged between the two suspects: Gao’s message to Chen read, “Seems to be plainclothes in the park”, to which Chen answered: “So many people in the park, how can you tell who among them are plainclothes?” When separately viewing Gao’s looks of the moment he entered the park and Chen’s complaint that Gao looked terribly skeptical, the two phenomena seemed irrelevant with the crime scene and the evidences. However, when the two phenomena were joined with the unique environment in which the two suspects exchanged phone messages, the situational physical evidence (phone messages) would immediately reveal the difference between the former and latter scenes, and bind the two phenomena together. All those were criminal-psychology-generated traces which carried factors of the criminals’ mentality, and which explained why Chen complained Gao was over skeptical the moment they met. To sum up, the phone messages exchanged between the two suspects and the scene observed by the detectives should be jointly used to confirm the two suspects’ criminal conducts.

2) To yield convincing evidence effect, phone memory information must be incorporated with the situation and phenomena of the crime scene, and the mutually verifying evidences must be woven into a complete evidence chain. The degree of evidence-produced verification effects is determined by completeness of the evidence chain, and by the evidence’s capability in proving the facts to be verified. Kunming Municipal Public Security Bureau solved a drug-trafficking case that involved the female suspect “Meizi” (Guo so-and-so). The detectives seized a man named Qin and a woman named Luo who were trying to slip across a tollgate on Kunming-Yuxi expressway. In the luggage of the two suspects, the detectives captured 17 well-sealed tins of coca cola, inside which they found 4,020 grams of ice. Qin

confessed, in a place near the tollgate, the female boss “Meizi” stopped the SUV they rode, asked him and the woman named Luo to walk through the tollgate with the beverage cans, then take a passenger bus to Guiyang and join her there, after which they would drive in the same car to Wuhan. With assistance of the Guiyang police, the detectives seized Meizi, who claimed being innocent because she was not caught on the crime scene. She believed the accusation against her by the single witness Qin would be insufficient for the police to verify her criminal deeds, just because the other suspect Luo knew very little about the crime. Being more bold than fearful, Meizi denied all accusations and yelled, “You cannot accuse me of drug trafficking just because he (Luo) said so. Show me the evidence!” Previously in a rental house of the border area, the detectives seized the sealing machine used by those suspects to seal drug into the coke cans and large quantity of semi-finished ring-pull cans, all of which were photographed for evidence fixation. When seeing those evidences and photos, Meizi became less arrogant, yet continued to deny association with the crime, believing she was safe because the man employed to reside the rental was still at large. Investigation of the case came to a standstill. The detectives retrieved Meizi’s phone memory information, which were shown to her for confirmation. After that, the detectives asked, “Have you ever taken profession like beverage or picked vegetable processing, or other trades which use jars, pots or cans for containers?” Meizi answered, “I run a nightclub in Wuhan and am its boss, why should I use such things?” The detectives showed her a message retrieved from her mobile phone, which read, “Meizi: I failed to reach Kai because he has gone to Hong’an to buy more cans. You already have so many cans, why should you ask for more?” She turned pale after reading the message, and lowered her head to plead guilty. In the case, the evidences included drug hidden in the coke cans, which made the ring-pull cans another key evidence. Later, the police seized the can-sealing machine and large quantity of semi-finished ring-pull cans in the border area near Jinghong, and retrieved messages from the suspect’s mobile phone that were related with ring-pull cans. By then, the complete evidence chain focusing on the ring-pull can was established, which helped the police smash the psychological defense of the suspect Meizi.

## **2. To yield powerful evidence effect, phone memory information must be incorporated with case investigation and suspects interrogation**

Being a legal action, interrogation of suspects must be based on evidences that verify the unknown and acknowledged facts. The core of law-based interrogation features a series of investigation activities, which start at acquisition of case-involving evidences and end at formation of a convincing, adequate evidence system. To make phone memory information of the cross-border drug traffickers a kind of case-involving evidence and weave them into the crime-verifying evidence system, the messages should be incorporated with the entire process of suspect interrogation. This is because that under dissimilar circumstances, phone memory information could be interpreted in different ways, and the sole reasonable interpretation could be obtained through roundabout interrogation, which would help fix up the evidence-providing message in the “Interrogation Record” to keep the suspect from offering false explanations.

Meanwhile, the use of phone memory information as evidence and the interrogation of suspects should be mutually supplementary. On the one hand, phone memory information could yield evidence effects only when it acts as evidence in suspect interrogation. In the afore-listed case involving suspects Wang so-and-so, Zhang so-and-so and another one, the “Record of Mobile Phone Information Retrieval” for Zhang’s mobile phone was made at the first time after the capture of the 3 suspects, and registered simultaneously with the “Record of Evidence Collection” that focused on the seized drug. Why should the People’s Procuratorate reject the first application for Zhang’s arrest, and approved the second one in which no change was made in the evidence? The answer lies in interrogation of the suspect Zhang in the supplementary investigation phase, during which the detectives showed Zhang the “Record of Mobile Phone Information Retrieval” and asked him, “Are those numbers registered in the record taken from your mobile phone?” Zhang said, “Yes, they are numbers on my mobile phone. You copied them from my phone in my presence.” Then the detective pointed at the number of the overseas drug lord and asked, “By calling this number, whom did you want to speak to? To which area did this phone card belong?” Zhang answered, “By calling this number, I spoke to a friend in Guangxi. The phone card was also purchased in Guangxi.” The detectives went on to ask, “Investigation showed the phone card was sold in the border area of Yunnan’s Dehong Prefecture. How could it be purchased in Guangxi?” Finding it difficult to answer, Zhang remained silent. When the question was asked again 10 minutes later, Zhang still remained wordless. The detectives immediately put such scenes of the interrogation in the “Record of Suspect Interrogation”, plus the length of intervals in which Zhang remained silent. All those were recorded in the “Explanatory Remarks”, which was submitted to the People’s Procuratorate with mobile phone number of the overseas drug lord that was furnished by the informer. In accordance with Article 46 of the “Criminal Procedure Law of the People’s Republic of China” which stipulated, “The defendant may be found guilty and sentenced to a criminal punishment if evidence is sufficient and reliable, even without his statement”, the People’s Procuratorate resolutely issued approval for Zhang so-and-so’s arrest. In the afore-discussed “Meizi case”, the roundabout interrogation method was adopted to fix up the evidence in the “Record of Interrogation”, which disabled the suspect from providing false explanations for the beverage cans mentioned in the phone message. All those suggest that phone memory information could show strong evidence force only when being incorporated with interrogation of the suspects. On the other hand, the retrieved phone memory information would also be used to promote smooth progress of the interrogation. In the case involving a drug-trafficking group including suspects Han so-and-so and Tao so-and-so, all the 5 gangsters were residents of the Sino-Myanmese border area. In the cross-border foreign country, the suspect Han handed over 16 kilograms of heroin to Tao, and ordered him to join other 3 people to ship the drug to Kunming, whereas he would take a passenger bus to Kunming. By climbing mountains, walking through mountain trails and riding motor vehicles on part of the route, Tao and the other 3 people carried the drug to Kunming, where they were captured. During the interrogation, Han claimed not knowing Tao and the other drug traffickers, and argued, “If such a large quantity of drug were mine, how could I be so assured as to entrust it to those strangers?” Because Han denied any confession, the

interrogation came to a standstill. When interrogating the suspect Tao, the detectives learned that on their way to Kunming, Han kept contacting them on the mobile phone. They promptly took out Han's "Record of Mobile Phone Communication Retrieval", with which they asked Han, "Did you contact any of those 4 people on the mobile phone?" Han replied, "How could I contact them on the mobile phone since I do not know them." At that moment, the detectives showed Han the "Record of Mobile Phone Communication Retrieval" and the mobile phone he used. Pointing to the mobile phone, the detective went on to ask, "You had over 30 calls with this number, who was the person you called?" at this moment, Overwhelmed by the detectives' questions, Han could do nothing but admit he was calling Tao and the other 3 suspects. The detective continued, "You said you do not know them, why should you call them so many times?" Han had to say, "I will confess, and tell you everything." Eventually, Han was tried by the Intermediary People's Court of Kunming Municipality, which sentenced him to death. The afore-listed instances fully show that phone memory information could be used as evidence to deter the criminals and promote smooth progress of interrogation of the suspects.

### **3. Phone memory information must be closely associated with case investigation and evidence collection, so as to lay the basis for turning phone messages into evidence**

When solving a drug-related case, investigation and evidence collection should be accomplished within the shortest possible time, whereas comprehensive knowledge of the case-involved facts, adequate collection of the crime-related evidences and accurate judgment of nature of the case are the basis for imposing criminal punishment in accordance with law. Therefore, the investigators must base themselves on practical situation, comprehensively and objectively collect all evidences that are associated with facts of the case. They must investigate or interview as many as possible the case-related people, events and things; analyze the inevitable as well as accidental ties between the evidences and the case-related facts. Phone memory information may interact with case investigation and evidence collection, and shows mutually complementary features with the previously acquired case-related evidences. To serve as evidence for solving the cross-border drug trafficking cases, phone memory information itself also needs verification, and should not be utilized as evidence without excluding other possibilities. In the afore-listed instance, the phone message sent to "Meizi" could be used to confirm the suspect Meizi's drug-trafficking crime, because her legal use of the beverage cans was excluded. Moreover, phone memory information may involve various situations, all of which should be investigated for extracting truly valuable evidence and excavating new evidences. The drug-trafficking case involving Shen so-and-so and other 3 suspects might serve as an instance. With the help of his mistress, Shen purchased drug in a cross-border foreign country, and planned to ship the drug to his hometown in Yunnan's Zhenxiong County where he would sell the drug. When being captured in Kunming, no drug was found in the car Shen was driving, while Shen and passengers riding the same car denied involvement with the drug-trafficking crime. From the "Record of Mobile Phone Communication Retrieval" of Shen's mobile phone, the detectives found a message that contained

the account number and bearer’s name of a savings card issued by the Construction Bank of China. Investigation was immediately unfolded, and from the bank the detectives retrieved the transaction list of that savings card, which showed a sum of money totaling RMB 100,000 was transferred to Shen’s savings card from a Kunming branch of the Construction Bank. The detectives retrieved the original transfer voucher of that sum of money and the surveillance video of the sender’s operation over the counter, and confirmed the signature on the transfer voucher was made by Shen and the man in the video was nobody but Shen himself. On the same day of the money transfer, that sum of money was withdrawn by someone at a branch office of the Construction Bank in Ruili City on the national border. Through further investigation, the detectives obtained convincing evidence that showed Shen transferred RMB 100,000 to someone in the cross-border foreign country, which was used to purchase the drug. Shen repeatedly denied involvement with that sum of money, and provided “zero confession” throughout the entire interrogation process. Based on evidence furnished by the phone memory information, the case witnessed a breakthrough, after which the People’s Procuratorate approved arrest of the suspect Shen in accordance with law. In another instance, the drug-trafficking case involved 4 suspects including Qiu so-and-so. In early 2011, a woman named Qiu so-and-so sent a batch of cargo from Menghai of Jinghong City to a logistics company in Kunming, which included a leather suitcase and 2 electric motors. Qiu entrusted Liu so-and-so who was boss of the company to keep the leather suitcase and advance the 2 electric motors to a man named Yao so-and-so in Wuhan. After that, Qiu sent a phone message to Liu, telling him the name and mobile phone number of the man in Wuhan. During that period, Qiu sent a total number of 4 phone messages to Liu. Upon acquisition of the phone messages, the police immediately unfolded thorough investigation, which disclosed that Qiu and other suspects frequently travelled between Wuhan, Kunming and Xishuangbanna, that Qiu purchased 2,874 grams of ice in the cross-border foreign country, and that she hid the drug in the electric motors for slipping it to Wuhan for sale. The case witnessed a breakthrough thanks to investigation of the phone message that provided new evidence.

### **Points of Attention for Retrieving the Phone Memory Information**

Being an electronic evidence, phone memory information shows dissimilar features as compared with the traditional physical evidence, documentary evidence or other evidences. Such phone memory information possesses considerably high technological contents, and shows attributes such as difficult accessibility of information, easy extinction and leakage of files, extensive and multiple forms, easy storage, fast transmission, repeatability and reproducibility. With the rapid development of internet and IT technology and enhancement of criminals’ anti-investigation awareness, explicit contents in the criminals’ phone message are daily decreasing, and the phone messages they use for communication are becoming more obscure and hard to decipher, while some of such messages would be immediately deleted after being

read. All those impose great challenge to the collection of phone message evidence. Upon capture of the drug traffickers, the police must seize the hard-to-get opportunity to retrieve and fix up the phone message evidence at the earliest possible time. If the legal effect of phone messages used as e-evidence could be brought into fuller play, the phone memory information would help us deal fatal blow on the cross-border drug trafficking crime.

### **1. Basic requirements for information retrieval**

The objective of retrieving phone memory information is to convert into text or image the phone memory information, which was record of the communication between the criminals by using mobile phones in the drug-trafficking process, and produced such e-evidence at the court to verify the doer's criminal deeds, so as to subject the criminal to punishment by law. Compared with collection of other evidences such as the physical or documentary ones, retrieval of phone memory information involves more elaborate and stricter operation, which should exclude any missing of text, number or symbol, and should guarantee promptness, accuracy, completeness, faithfulness and objectivity. First, retrieval of the phone memory information must be jointly carried out by at least two detectives; Second, the phone information must be retrieved in the face of the suspect; Third, retrieval of the phone memory information must be done in the face of the witness who shows no involvement with the case; Fourth, the retrieved information must include complete record of the suspect's communication in all his/her mobile phones, phone cards and replaced phone cards during the entire drug-trafficking process, and must exclude any missing of information such as the insignificant symbol, number and data, which might serve as important evidence to verify the drug-trafficker's crime.

### **2. Major contents to be retrieved:**

- 1) Dialed calls;
- 2) Received calls;
- 3) Missed calls;
- 4) Message outbox;
- 5) Message inbox;
- 6) Address book

It is compulsory to retrieve the above-listed 6 items. If needed, the following contents in the mobile phone(s) must also be retrieved: audio and/or video records, contents of the mailbox and emails.

### **3. Method and procedure of information retrieval**

Upon verification, signature and fingerprinting by the phone holder, the retrieved phone memory information would acquire the effect of legal evidence. Therefore, the information retrieval must be carried out carefully, and by following standard, flawless procedure.

1) Power-on check and conformity verification

After turning on the power, the mobile phone must be checked to see if the unit and all its functions work normally, and if the battery is exhausted. In case the mobile phone shows any of the afore-listed problems, a professional servicer must be engaged for repair and adjustment. To ensure adequate power for retrieving the information, the exhausted battery must be replaced with the backup one, or recharged if the phone has no backup battery. Secondly, the mobile phone must undergo conformity verification to see if the displayed time shows difference with the real time. In case the suspect’s phone shows incorrect time, the information retrieved from it would not match those in his/her counterpart’s phone, and thus lose the evidence effect. For this reason, such time difference must be calculated and logged in the “Record of Phone Memory Information Retrieval”. Thirdly, the mobile phone must be checked for conformity with its phone card. When engaged in drug-trafficking activities, it is common practice of the drug trafficker to frequently change mobile phone and phone card. In some cases, even the mobile phone’s owner did not know the number of his phone card. Therefore, the investigator must use the suspect’s mobile phone to call a traditional fix-site telephone that may display the number of incoming calls, or call another mobile phone to verify the number of the suspect’s phone card. In case the suspect used a dual-card mobile phone, both cards must be separately checked and verified.

2) Checking contents of the phone memory information

Objective of such check is to find out all information that involves the criminal drug-trafficking activities. Such check should be carried out sequentially starting the dialed calls, received calls, missed calls, message outbox, message inbox and address book. This would not only help the investigator gain a thorough understanding, but also help him compile the “Record of Phone Memory Information Retrieval”.

3) Compiling the “Record of Phone Memory Information Retrieval”

This is the core of the entire process of phone memory information retrieval, and the basis for converting the phone memory information into evidence. Therefore, the record must be taken in standard format, neat handwriting, well-defined structure and the least possible alteration. The “Record of Phone Memory Information Retrieval” may follow same format of the “Record of Evidence Extraction”, and could be compiled in the following 3 parts: the header, the main body and the coda. The header and coda might follow fixed format, which could be either printed out before hand or hand-written on the spot.

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Collection of Cross-border Drug Trafficking Cases Solved by the Drug Control Detachment of Kunming Municipal Public Security Bureau

# Study on Community Policing of “We Media” Era

Huang Lingjuan, Liu Hongbin

**Abstract:** The emergence of “we media” has changed the way of transmitting and exchanging information, but also has made people get a variety of channels to understand the world. “We Media”, which is popular, independent, low threshold, strongly interacting and fast communicating, is a challenge to the community policing, and also an opportunity. In order to promote the further development of community policing, it is necessary to overcome the disadvantages of “we media”, and to give full play to “we media” advantages, while to seize the key idea of community policing that is to promote relationship between the police and the public and to build social security comprehensive management system.

**Key Words:** “We Media”; Community Policing; Challenge; Chance; Feasible Plan

Community policing was born in 60, 70’s of 20th century, while the relationship between the police and the community was tense, and the ability of the police to fight against crimes was questioned. Into twenty-first Century, the rapid development of science and technology has created “we media” era, when the way of transmitting and exchanging information has been changed, but also has made people get a variety of channels to understand the world. In this situation, community policing that has become the main mode of policing in the world has not completely solved the problem of the relationship between the police and the public, and has not yet been fully built up the system of preventing and fighting against the crimes. Community policing met the challenges and opportunities of the “we media” era. In the “we media” era, it is a new subject of policing that how to improve community policing deeply, to deal with challenges brought about by the conversion of information communication mode in “we media” era, to build mutual trust relationship between the police and the public, and to effectively prevent and fight against crimes together.

## The concept and characteristics of “we media”

(1) To meet the challenges should begin with the understanding of the challenges, so the concept of “we media” has become the starting point of study of community policing development in the “we media” era.

In 2002, Dan Gillmor, a famous American columnist of IT, put forward a new concept of “media 3.0”, which is different from the traditional media (old media), and the new media. In 2003, the definition of “we media” was made by Willis Shayne and Bowman Chris in the report of “we media”, who came from media consultant and design firm Hypergene in Atlanta. They thought that “We Media” is a way of understanding how the general public can provide and share their own information and their own news through the digital technology and the global knowledge system<sup>[1]</sup>.

(2) The characteristics of information dissemination in “we media” era

In traditional media or old media era, information was transmitted by traditional news organizations, or by means of an organization to audiences. The blog as the representative of the “we media” made each individual have the right to press release, so countless “one” change into a “we”. This way of information dissemination makes “we media” become a private, civilians, universal, independent of the information communicator by the means of modern and electronic, and a new media delivering normative and non normative information to the majority or a specific single personal.

a) Civilization and democracy is the most fundamental characteristics of “we media”

Since each “we media” participant comes from “bystander” into “the parties”, the participant can have a copy of your own newspapers, blogs, podcasts, micro channel, micro blogging, microscopic and citizen journalism websites. People use the Internet to express their views, feelings, and news freely. The characteristic of the development of the 3rd generation media is not only a new media communication means, but also the subject of communication. Thus, “we media” era everyone is the audience, everyone is the anchor, the more the image of the title is “news DIY” and “the grassroots news”. The diversification of and the popularization of the subject of communication will inevitably bring about the personalization and the autonomy of the content and mode of communication and make the media have the larger discourse space and autonomy. So, from the literal meaning, “we media” has more “freedom” than the “new media”.

b) Covenant-lite easy operation make the populist and democracy possible

The establishment and operation of radio, television, newspapers, magazines and other traditional media is a complex process, which needs to go through the relevant agencies’ approval, inspection and

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[1] 自媒体, 好搜百科, <http://baike.haosou.com/doc/5013890-5239245.html>

other procedures, needs a large number of financial investment, needs to maintain a large number of agencies operating. However, in the “we media” platform, users only need to apply for a simple registration, according to the service provider to provide the network space and templates, to use layout management tools on the Internet to publish text, music, pictures, video and other information, to create their own media, and to publish their own concerns. Therefore, “we media” users do not need a lot of cost and expertise, as long as one can type and send text messages, he can use the phone, Internet and other ways to update their personal information.

c) Large amount of information, hard to distinguish information true from false, and hard to judge good or bad

When everyone becomes the subject of information dissemination, a large number of information without processing, selection and filtering is following. During the 2010 World Cup Famous, technology website Times EE has done a survey that all the information about the world cup on Twitter, only 16% was the appropriate news, and 74% was meaningless redundancy information<sup>[2]</sup>.

d) Strong interaction and fast transmission make the timeliness of information increase greatly

Traditional media professional journalists used group advantages and technical support to facilitate their collection of information around the world. Since the emergence of “we media” broke the time and geographical limitations, people can rely on the Internet for any time and place to operate their own “media”. Any time the experience and the spectator may be the event’s reporter, and report the news often earlier than the mainstream media. Thus, the timeliness of information is greatly enhanced, which may make the social impact of the incident spread quickly.

## Characteristics of Community Policing

Community policing is supposed to overcome the nervous relationship between the police and the public and questioning on the ability of the police brought about by the police professionalism and public service modernization. Therefore, community policing pay more attention to the public who play an important role in the police work, giving the public powers to participate in the decision of policing, stressing the communication between the police and the community, jointly maintaining peace and order of the community, improving the community public security, and improving the quality of life of the community. Specifically, community policing has the following characteristics:

(1) Diversification of policing subject

According to community policing, it is believed that each of the social activities participants should

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[2] [http://t.sina.com.cn/profile.php?uid=1653689003&page=1&filter\\_search=twitter](http://t.sina.com.cn/profile.php?uid=1653689003&page=1&filter_search=twitter), 2010年6月25日

bear the corresponding legal responsibility to maintain social security, and government, corporates, social groups, and even citizens have the responsibility and obligation to maintain social security. Community policing is to form the whole community to participate in the maintenance of social security.

(2) Socialization of policing

Community policing is not only concerned with the crimes, but also the social issues affecting the social security. Once social problems come up, people

(3) Partnership between the police and the public

The police and the public both in the maintenance of social security law status is equal, so the public have the right to participate in decision-making of policing.

(4) Pre-intervention policing work

Community policing through active crime prevention, the community can solve crimes in the bud, the early intervention of social problems through the comprehensive policing to effectively inhibit the generation of crimes.

In short, community policing characteristics reflect the police democratization, people-oriented, community oriented, emphasizing the prevention of community policing core elements, which coincide civilians, autonomy, interactive communication features of “we media”. However, those characteristics of “we media” such as low threshold, Civilian, and without choice of the “media”, also bring about some random and disorder, which is a challenge to community policing.

### **Challenges to community policing in the “we media” age**

(1) The influence from “we media” on the relationship between the police and the public

a) Stigma of “we media” has seriously affected the image of the police, and weakening of the trust of the public in the police.

As mentioned above, “we media”, having the characteristics of equality, freedom, democracy, pluralism, gives the general group more of a say. And vulnerable groups under the traditional stigma of depression often lead to the loss of rational judgment, stigmatization of any dissatisfaction with the social reality. In other words, that means target increasing, content extending, motives complicated, and stigma of trend risking to expanding. And the relations between the police and the public has not yet fully benign, the public trust has not been fully established, the police tend to become the object of Pan stigma. So once the incidents involving the police, comments will be a large number of reproduced in the “we media”. The police are stigmatized exists everywhere in the world, and more attention are paid to it. For example, January 5th 2015 an editorial was published in “world news”, which was about Chinese police Wen Chien

Liu was killed in New York City, to pay homage, at the same time reviewing the police stigmatized<sup>[3]</sup>. Another example: according to a piece of report in Taiwan’s Central News Agency published in February 6th 2015, the KMT chairman Chu said in Taiwan in the past few years the worst is the political struggle, and the stigma of civil servants, teachers, soldiers and police. Their rights and interests were given as the welfare, which is not right<sup>[4]</sup>. The stigma and negative information about police spreading rapidly in “we media” is bound to further reduce the reputation of the police in the public, and reduce public confidence in the police, thus damaging relations between the police and the public.

b) The autonomy of “we media” challenges the police authority, and weakens the police authority of law enforcement

Democracy and autonomy of “we media” is bound to bring about questioning and negating the authority, and in the community policing the authority of police enforcement is questioned and challenged. So when contradictions of the society are continuing and social stratification is increasing, Tacitus trap is reflected in the police and law enforcement repeatedly. Community policing emphasizes the public’s right to speak and participating in the public security management, but the premise is that the absolute loyalty of the police to the law, that is, the absolute authority of law enforcement. The father of modern police, Robert Bill, emphasized in the principles of the construction of the police that the police can not rely on to meet the public opinion, and can only rely on their own to seek and maintain the public’s love of the law absolute justice. In reality, because of fearing “we media” exposure, the police officers took “kneel type”, “grievance type”, “step on the hair type” law enforcement and so on to cater to the public. It was undoubtedly that was the result of “we media” challenging on the authority of police enforcement.

(2) The impact of “we media” on the fighting against crimes

a) Information in “we media” platform mixed the genuine with the fictitious is easy to lures and leads crimes

A large amount of information on “we media” platform is full of violence, pornographic uneven, and some bad rumors. The information of the network is not only against the victims, but also the Internet users. With the social and real social interaction, some information lures and lead crimes.

For example: In Northern Ireland eastern counties, UK, Hanah Smith, a girl at the age of 14, registered a profile in a social networking site of Ask.fm website and uploaded her photos. Then network mob abuse was overwhelmed with Hannah. She couldn’t bear the abuse, so she hanged to death in Leicestershire. Taking another example: terrorist organizations recruit through the network and spread the explosion video trough the network. The criminal methods also spread out the network to lure and teach crimes.

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[3] 美华媒：殉职警察刘文健事迹应载入华人奋斗史册 2015年01月06日 11:40 [http://finance.ifeng.com/a/20150106/13409299\\_0.shtml](http://finance.ifeng.com/a/20150106/13409299_0.shtml)

[4] <http://www.chinanews.com/tw/2015/02-06/7042596.shtml>

Community policing is an important factor in the world's major policing paradigm. It is the crime prevention to reduce the risk of crime, effectively improve the safety feeling of the public. And the network virtual society reflects the real social problems and hidden dangers, therefore, to put further crime prevention ideas and measures of community policing into "we media" becomes our research topics.

b) Diversity of "we media" may lead to violent conflict in culture, awareness and other areas

Because of the mutual attraction of cultural, the network community has a cultural identity. Different network communities and the circle of friends are often prone to cultural conflicts. Because of the interaction between virtual society and real society, the cultural exclusion in virtual society is also reflected in the real world. People in different cultures have been attacked in the network society, but also tore the interpersonal relationship in the real society. For example: the war of words in network caused the conflict in the reality. The Community culture is often the source of community cohesion, and community cohesion is the basis of community policing. Therefore, how to deal with the cultural conflicts in "we media" era and to strengthen and achieve common prosperity and stability of the community are the challenges to community policing.

### **"We media" era offers community policing development opportunities**

(1) Chinese policing model in "we media" era

With the arrival of the era of "we media", in 2010 the Public Security Bureau of Zhaoqing City, Guangdong Province, also opened first official certification of public security micro-blogging, "Peace Zhaoqing". The duty of "Peace Zhaoqing" is mainly to release service measures for the public, the latest trend of policing and stories of the police and the public, and to collect the opinions and suggestions of all walks of life in society, but not to accept reports to the police and complaints. According to statistics, by December 26, 2013, except Hong Kong, Macao and Taiwan regions, the Chinese political and legal departments and public officials opened about 37,500 official micro-blogging, and policing micro-blogging accounts for about 3/4 of the total. At that year they released 102,000,000 blogs, with 449,000,000 fans. And the number of wechat user in policing increases rapidly. By July 31th, 2013, there are 648 wechat in policing, of which 145 passed the certification<sup>[5]</sup>. Micro policing has been developed including using network tools policing such as "micro blog" and "wechat policing" and focusing on the basic policing work such as "micro livelihood policing," "micro community policing," and other "we media" era of policing. The development and application of policing in "we media" era expands the channels of disseminating policing information and changes the framework of the police's right of words. In China, the frame goes

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[5] 中国警察网-人民公安报 发布时间: 2013-08-12 5:28:45

throughout all levels of police agencies longitudinally, and covers various kinds of the police. It shows large cardinals, affecting a wide range, and high degree of concern trend. This is a good hardware foundation for community policing in “we media” era.

(2) “We media” policing provides new opportunities to establish a good relationship between the police and the public

As mentioned above, “we media” has the characteristics of strong interaction and fast communication, which help to eliminate the time and space between people and people. In China, interaction between the police and the community being emphasized, technology development is met timely in community policing in “we media” era, QQ, micro channel, micro-blogging, bar and the forum are used to built good relation between the police and the public, give publicity to crime prevention, broadcast alarm, report to the police and other policing work. At the same time, lots of police agencies established Internet police station, micro channel policing platform, as well as electronic police, which eliminate the barriers between the police and the public in time and space, overcome community problems caused by lack of the police, enrich communication channels between the police and the public, and increase the interaction and communication frequency. Thus, it is possible to ensure the interaction and communication smoothly between the police and the community, to ensure the public can timely access to the police service, to reduce the misunderstanding between the police and the public caused by poor communication, and to play an important role in benign relationship between the police and the public.

(3) “We media” providing a new channel for fighting against crimes

a) “We media” helping the police to improve public awareness and ability to prevent crimes

Since “we media” platform publishing fast, “we media” policing can broadcast the characteristics of crime, the rules of crime, the relevant information about suspects and timely teach the public knowledge and skills to prevent crime. So it can provide new channels to the public to increase the awareness and ability to prevent crimes.

b) “We media” policing’s characteristics of civilians and popularization delivering the possibility to the police to mobilize the whole society to participate in fighting against crimes.

Everyone makes information DIY in “we media” era, it is possible to guide everyone act as the ears and eyes of the police, and mobilize the whole society join to fight against and prevent crimes. For example: after “Chaoyang people”, “West aunts”, Beijing police officers organized a group of new net friends, “Haidian net friends”. The citizens report to the community police officers timely what happens in the community by the micro blog, micro channel, etc.. And the community police officers can receive the information of suspects, and stop and crack down crimes as soon as possible. According to the “safe Beijing” statistics, in August 2015, the police officers in Haidian District City, Beijing granted to more than 3000 “net friends” about 1,500,000 yuan, but more than ninety percent “Haidian net friends” initiatively gave up the reward.

## **The feasible plan for community policing in “we media” era to seize the opportunity to meet the challenges**

The police around the world are being adapted to the changes brought by “we media”, and gradually form a comprehensive governance framework of the social safety.

(1) To purify the environment of “we media” and lead “we media” playing an active role in community policing

a) To establish and improve the relevant laws and regulations of “we media”

Laws and regulations always have a certain hysteretic nature. “we media” is a new thing, so the countries around the world draw lessons from each other, as soon as possible to keep up with the development of “we media” to establish and improve the “we media” management of laws and regulations. For example: governments, network operators begin to control and management pornography, violent, extremist ideas and information; widely spread user network real-name registration system; keep recklessly publication within limit that caused by anonymous psychological; and formulate laws and regulations to protect under age users in the safety network and so on.

b) To strengthen the “we media” supervision

To establish and improve the relevant laws and regulations is the premise of supervising “we media”. The supervision is a dynamic process and a process of the specific implementation of laws and regulations. Since “we media” broadcasts information quickly, regulators should also adapt to this fast speed. The police should find out the network public opinions as soon as possible, should discover and clarify the truth as soon as possible, and should stop the crimes as soon as possible. For example: In May 2013, “a young woman falls dead” event happened in Beijing. After receiving the report, Beijing police officers took action quickly, and announced the fact quickly. Thus the occurrence of network mass incidents or public crisis events was effectively avoided. The image of the police was improved. And trust of the public in the police was enhanced.

(2) To standard law enforcement of the police, to set up a good image of the police, and to promote the benign relationship between the police and the public.

a) To improve norms for the police law enforcement, to improve the ability to law enforcement, and to establish a good image of the police

Just as the old saying: the blacksmith needs its own hardware, to improve the image of the police directly depends on the justice delivered by the police. Since “we media” era is an era of information opening, and a time of seamless social supervision, law enforcement should be under social supervision. Therefore, it is an important basis for improving the public recognition and understanding of the community

police officers to regulate law enforcement and improve the ability of law enforcement. So the police law enforcement norms should be improved as well as the training of law enforcement should be strengthened. Then enhance the effects of police law enforcement. Finally the police should establish an idea that each law enforcement action is an important way to strengthen community policing.

b) With the help of “we media”, to eliminate emotional barriers in order to build the benign relationship between the police and the public

“We media” platform provided technical and material guarantee for the police to contact the public timely. However if the communication between the police and the public is effective also depend on building the emotional communication between the two parties and the same interest points. Thus eliminating emotional barriers still need to be strengthened. The key point of eliminating the emotional obstacle between the police and the public is to solve the community safety problems concerned by the community. Therefore, community police should find problems with the help of “we media”, solve problems timely, reflect the problems found from the “we media” to social reality problems, manage the community online and offline together, in order to realize the community-oriented and problem-oriented community policing requirements better.

(3) With the help of “we media”, to mobilize the public’s enthusiasm and sense of responsibility, and to jointly safeguard the community

The characteristics of civilian and low threshold often make “we media” user’s participation in a certain randomness and disorder. For example: The official “we media” community policing platform is little. Police platform built by the community police officers is lack of concerns from the public. “We media” in the folk is less concerned about community policing. As a result, it is hard to work in community policing that “we media” has the technical advantages and features. Therefore, it is necessary to train the community police officers. To enable them to be good at guiding community “we media” users’ enthusiasm, and mobilize community “we media” users’ responsibility sense, can make the community concern about the common safety issues, and put forward suggestions about community policing.

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# The Evolution and Development of Community Policing in China: Past and Present

Xue Jiao

**Abstract:** Community policing is an important part of establishing a community. Through promoting social order in individual communities and towns, the implementation of community policing strategies can encourage the stability of urban and rural communities generally, and in the establishment of a harmonious society, which helps to create a positive relationship between society and police, encourage social development and improve the efficiency of public security units, as well as aid in the development of urban communities and a new socialist countryside. This paper introduces the readers to community policing theories and practices in classical and new China and reveals that some western experiences are even the old traditions or practices Chinese people have dealt with for years, and these may constitute coincidence or cross references between both cultures. By illustrating how community policing works in China, this paper also points out that due to its special position and function in the comprehensive governance of social security in China, we shall attach importance to the theoretical research and practices on community policing, and especially work out reasonable community policing mode in line with Chinese situations, otherwise the community policing in China will be pending in an ideology manner without good development in practice.

**Keywords:** Community Policing; Theory and Practice; Chinese Characteristics

Theory of community policing was preliminarily created with reference to system science, criminology, social management science, information science and integrated public security governance science etc. It can be characterized as follows: reduce crimes, develop police-citizen cooperation to suppress

violations and crimes, carry out prevention rules and spread successful cases. Comprehensive governance<sup>[1]</sup> on public social security was initiated at the very beginning upon the ten chaotic years at which time juvenile delinquency dramatically boosted due to people’s disorderly ideology and twisted values, in which circumstance relevant policies and strategies were taken to deal with juvenile delinquency. Thereafter, comprehensive governance was shifted to a working policy dealing with all public social security issues under the third crime peak circumstances in history, and was finally determined to be a legitimate principle continuously improved and perfected in practice.

### **Community policing in classical China: thinking and practice**

Classical China was an agricultural society. Except for a few major cities and trading ports, it was largely made up of rural communities based around blood relationships, wherein people enjoyed life and work with their families and led lives characterized by mutual assistance and support as well as a strong feeling of belonging to their local community. In this self-supporting society, communities were places where people came together, places for leisure and rest, as well as places for organizing self-defense. These types of traditional communities have continued to be important even to the present day. The clearest example of this importance can be seen in Chinese people’s deep sense of community, as exemplified by their strong sense of identity and belonging. This “community spirit” had a unique and valuable role in the development of community policing. In terms of cultural psychology and personality, there were also many elements conducive to the development of community policing, as exemplified by the value placed on lawfulness, emphasis on morality over personal interests, attention to etiquette, the respect for clan and family, deference to authority, good-natured tenacity and tolerance for hard work, and the finding of joy in good deeds. Although community policing according to its modern definition did not exist, the maintenance of public order nonetheless included many elements, both in theory and in practice, which are similar to modern community policing theory. Examples include 1)the Qin Dynasty’s “five and ten implication system”, which was part of the Shang Yang reforms during the Qin Dynasty. It was a type of "implication system", a system in which those associated with someone who commits a crime are also implicated and punished. When Shang Yang came to power, one of his first acts was to separate residents into units of five

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[1] Comprehensive governance was firstly adopted by the Party and the Central Government to deal with public social security issues, and now has constituted an effective and correct way to prevent and eliminate juvenile delinquency. For comprehensive governance, political-legal organs will, under the consistent leadership of Party Committees and Governments at all levels and in reliance upon the support of the mass public and all social circles, take the lead in adopting all possible measures in terms of laws, politics, economics, administration, education and culture etc to punish criminal acts and reshape criminals, educate and reform violators and prevent crimes, and to finally maintain the social security, safeguard people’s happy life and secure the smooth performance of the socialist modernization course.

and ten families and make them be responsible for monitoring each other. If one family committed a crime, all of the families would be implicated and punished, thus transforming the people into a single unit with a common interest; 2) the Song Dynasty's baojia system, it was a grassroots administrative organization system implemented at the county level and below during the Nanjing Nationalist period, used to maintain the reactionary regime. The system was a mechanism of social control carried over from China's feudal monarchies, the primary characteristic of which was that families, as opposed to individuals as found in the West, were viewed as the basic societal building block; 3) the Ming Dynasty's ten family arch. It was a system of the Ming Dynasty established by Wang Mingyang. The system consisted of an archway for every 10 families, with a small sign in front of each household used for investigations, registration, and reporting. The system required each resident to keep an eye and report on the activities of the neighbors. In the case that households were discovered to be concealing illegal activities, all ten households were implicated (akin to the five and ten implication system above); 4) the Qing Dynasty's watch bellsdrum message systems in which clappers or drums were used during night patrols to mark the time at certain intervals; and 5) night patrols. All of these systems contained elements of community policing theory had also made use of policing methods similar to those used in modern practice. At the same time, policing in classical China made a big cultural impact, as exhibited in idioms such as "showing money stirs the thief, just as showing flesh stirs the dissolute" and "a dark and windy night does a murder make". In terms of the layout of communities, the "inner sanctum" model of the Tang Dynasty and the divided residences of the Song Dynasty, as well as the arrangements that developed from these systems such as Beijing's courtyards, Shanghai's stone warehouse gates, and the adobe homes of western Hunan, are all physical examples of classical China's security culture.

### **The development of community policing in new China**

From the founding of new China until the 1960s, society was in a relatively closed and static state under economic planning. During this period, the public security offices tasked with basic policing responsibilities were focused on fundamental police work and crime prevention, which was based on the household management system and focused on a permanent familiar population of adults, and aided by administrative bodies at every level and mass organizations such as the powerful security committees. Altogether, this system formed a tight web of police control. Under the guidance of the "integration of specialized work with the mass line" strategy, public security organizations fully devoted themselves to serving the people. Civil police immersed themselves in their districts, serving the masses and enhancing grassroots level police work, giving rise to a harmonious relationship between the people and police and excellent public safety. In terms of guiding theory, policing strategies, and even specific police work, the grassroots policing implemented by China during this period was rich with elements of community

policing. A typical example of this was the “Fengqiao experience” of Zhuji county in Zhejiang province.

The Cultural Revolution seriously damaged the traditional public safety system and reduced society to chaos. But after the reform and opening, society began to transform from a closed system into one in which people, money, and goods flowed freely. Society’s value structure changed, conflicts between different social groups became more pronounced, and crime increased precipitously. Faced with such a serious crisis of public order, China had no choice but to continually implement a series of long-term crackdowns. The focus of police work shifted from preventative to offensive, compromising grassroots police work in the process. China thus began pursuing a flawed strategy of strong offense and weak defense, in which prevention and work with the masses was ignored, which brought about a cooling of the relationship between the people and the police. But this assault-style attempt at public order failed to eliminate crime and police work became reactionary. As China’s market economy gradually began to take shape, the country entered into a sensitive period of social change in which public safety efforts began to encounter new circumstances and new problems. Public safety became interconnected and complicated with many social issues, and these social problems became more pronounced and volatile. Moreover, the public became more and more zealous in their reactions to these public security problems. Altogether, these factors forced the public security system to reflect on these policing mechanisms and begin to look for routes for reform.

Against this background, in the late 1980s China began to conduct research into the community policing models of Europe and North America and started to realize the important role of communities, society’s most basic unit of organization, in the establishment of socialism and a harmonious society. In the early 1990s, the Ministry of Public Security’s Fourth Research Institute began collaborating with the public security department of Jinan in Shandong province to develop a community policing pilot project, and then went on to conduct a survey of the reforms and community policing practices of police departments from 16 cities throughout the country. In April 1997, the Ministry of Public Security’s National Public Security Working Conference confirmed the basic role of community police management and preventative work, and set new goals and standards for evaluating police work, namely “few cases, good order, and a satisfied populace”. The focus of police work shifted to safety and prevention and sergeant<sup>[2]</sup> and precinct systems<sup>[3]</sup> were implemented. Effort was made to improve the relationships between the police and people and preventative social organizations were improved. Activities to promote public safety and improve

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[2] The "police sergeant" system is a policing jurisdiction system for police forces (made up by police sergeants, administrative police, residence police, etc.) centered around and led by the police sergeant. These reforms changed the previous system, one in which individual civil police had separate precincts, into a system in which whole police forces were collectively responsible for a given precinct.

[3] The "precinct system" separated regions into different precincts designated in accordance with features such as geographical location, population density, and crime rate in order to rationally distribute police resources and police by district.

social decorum were organized in urban and rural communities and grassroots police work improved. In December 2000, China began actively promoting the establishment of urban community precincts. To deal with the new dynamics that had emerged during the process of establishing urban communities, the Ministry of Public Security released requirements regarding the implementation of community policing methods. In March 2002, at that year's National Public Security Working Conference, the Ministry announced plans to deepen the reforms, calling for community policing methods to be completely implemented in large and medium-sized cities around the country and for work to begin on research and pilot sites for establishing community policing systems in the countryside. Since then, community policing has become fully established as the direction for the development of China's policing system.

### **The Decisions Regarding the Implementation of Community and Rural Policing Strategies**

In October 2006, the Ministry of Public Security formerly released the Decisions regarding the Implementation of Community and Rural Policing Strategies (hereafter referred to as the Decisions), which expanded the implementation of community and rural police strategies nationwide. The Decisions put forth clear standards for the establishment of community and rural policing mechanisms, including rules regarding guiding ideology, the duties of community and rural police, their work methodologies, their jurisdictions and resource allocation, the establishment of police stations, standards and experience requirements for police officers, systems for management, oversight, and evaluation of police, the political and economic rights of officers, and, along with nine other facets, increased organizational leadership over the establishment of these systems.

1. Guiding thoughts for community and rural policing strategies: the Decisions stipulate that the guiding thinking for the implementation of community and rural policing strategies, as informed by Deng Xiaoping thought, the Three Represents, and the Scientific Outlook on Development, is as follows: the basic duty of the police shall be to maintain social stability, serve the masses, and enforce the law for the people; the goal of their work shall be to achieve “few cases, good order, and a satisfied populace”; there shall be complete integration of specialized work with the mass line; there shall be resolve in adherence to the principles of seeking the truth from facts, acting in line with local circumstances, advancing vigorously, and pursuing practical results; precincts shall be established and the people empowered; the allocation of police resources shall be optimized and police operations standardized; basic work shall be prioritized over the use of force and the grassroots shall be strengthened and the foundation solidified; the police and people shall be brought together to ensure public peace and security; new mechanisms for policing, adapted to the administrative mechanisms of new communities and construction of the new socialist countryside, shall be gradually established; finally, an environment shall be created conducive to the goal of constructing

urban communities and a new socialist countryside, and establishing a moderately wealthy and harmonious socialist society.

2. The duties and working methods for community and rural police: the Decisions stipulate that urban community and rural police shall, through visitation, informational campaigns, patrols, on-site investigations, and crime alerts, fulfill the following duties:

1) Work with the masses:

Live amidst the masses, listen to their opinions, understand their troubles, and work to relieve their anxieties. Work to serve the people, to organize the people, and to keep them informed. Respond to reports in a timely manner and answer their requests within a stipulated period. Actively participate in investigations into civil conflicts and problems and work to resolve destabilizing issues at the grassroots, at their earliest stage. Report work to residents at regular intervals and accept their oversight.

2) Keep abreast of the social mood:

Promptly collect and report information pertaining to political instability or public security threats. Regularly investigate and evaluate changes in social mood and new threats to public security. Input all received or collected information into a computer for recording, so that it may be preserved and used for analysis and comparison, and to achieve digitization of grassroots work records.

3) Manage the population:

Thoroughly and accurately register the entire population of the precinct and work to understand their basic circumstances. Become familiar with high-risk populations that may commit crimes and note the activities of focal populations and surveillance targets. Develop and implement strategies to monitor, manage, and mentor members of the at-risk population, monitored groups, or individuals who commit minor offenses. Make it a priority to understand the residential status of the nonpermanent renting population.

4) Organize preventative measures:

Work with grassroots organizations to develop safety and preventative education. Improve the self-help awareness and capabilities of the local population. Oversee the public safety patrols and neighborhood watch activities of public safety committees, volunteer patrols, and other public law enforcement organizations in order to create a tight network of law enforcement. Make use of the precinct’s resources to mobilize residents to utilize technological and physical public safety features in order to increase their security.

5) Maintain social order:

Closely manage the security of public venues, entertainment venues, specialized industries, commercial centers, rental properties, and sites with hazardous materials. Frequently inspect areas for public safety. Encourage and guide public safety hotspots in creating their own comprehensive security systems and in implementing measures to prevent or reduce the probability of criminal activities. Assist in ongoing cases pertaining to public safety, and provide clues to aid in criminal investigations.

3. Layout of police precincts and resources: the Decisions require public security organs to designate police precincts and distribute police resources in a scientific and rational manner, with attention to factors, such as the geographic size of a precinct, population size, security conditions, and overall police resources. In cities precincts should, in principle, be designated in accordance with community boundaries. Smaller and/or safer precincts should implement a system of one officer per precinct, while working together with officers from neighboring precincts, thus increasing cooperation between precincts. Larger and/or more complicated precincts should have multiple officers per precinct. In the countryside, one or more than one administrative village may be included in a single precinct, with a single officer per precinct.

4. Supporting the establishment of urban and rural community police offices: for cities as well as county-level towns, the Decisions require communities to be entrusted with the establishment of police offices. In the countryside, in principle one police office should be established per precinct. Normally, a rural precinct's police office should be established either in the most central town or in the administrative village host to more complex public security conditions, and should be located near to the village committee office. The demarcation and configuration of municipal and county level police offices should be standardized. Signs reading "X police station" or "X police office" should be hung at all police office locations. For the purpose of increasing the transparency of police work as well as officers' sense of pride and responsibility, police stations may be named after police officers who have made an especially noteworthy impact, subject to approval from the local or municipal public security body. Police officers should erect a mailbox for communication with the community and disclose phone numbers by which to contact the community's police. Police offices should be outfitted with the necessary transportation and communication tools as well as office supplies, police equipment, and protective equipment.

5. Standards and experience requirements for urban and rural community police: the Decisions require that urban and rural community police be selected based on "three understandings and four abilities" (namely understanding guiding policies, laws and regulations, and their area of expertise, and being able to capture criminals and defend themselves, enforce the law and carry out their duties, manage their work, and work with the masses) as well as their ability and capacity to improve work with the masses. The Decisions also go on to establish and implement a centralized training system and ensure that all community police received at least 15 days of training per year. At the same time, the Decisions encourage community police to establish themselves at their posts and engage in self-study, to ensure that they truly do have the basic character, abilities, and qualities needed to carry out their duties. Candidates should have a stable life and working career, typically with no less than five years of work experience in the community. Civil police are recommended and encouraged to work long-term in their communities.

6. Management, oversight, and inspection of urban and rural community police work: the Decisions call for increased daily management of urban and rural community civil police, in order to gain a better understanding of their work and living conditions. Urban community police should report their work to the station on a daily basis, that the office may understand recent events and changes in public safety

conditions. Rural community police should, in principle, report to their offices once per week, and report issues of importance immediately. Also, examination systems should be established focused on evaluating criteria such as how familiar police are with their precincts, the public security conditions of their precincts, and whether or not the masses are satisfied with their work.

7. Political and economic status of rural and urban community police: the Decisions call for the support of party committee organizational departments or government personnel departments in providing community police who have worked continuously for more than 10, 15, and 20 years, and who meet the qualifications for promotion, be offered compensation and responsibilities analogous to that of a vice principal administrator, principal administrator, and assistant director, respectively. Exceptional officers awarded three consecutive superior evaluations by public security units at or above the municipal/prefecture level may be offered rank or professional promotions, in accordance with related guidelines. Also, 30% of the community police force should be evaluated annually, emphasizing commendations for those officers who perform well in their basic duties, maintain public order in their precincts, file fewer cases, keep the masses satisfied, promptly discover and report important information pertaining to political and social stability, and provide key clues for solving cases.

### **Typical examples and Practices/Achievements in Community Policing Development in Rural and Urban Areas of Hangzhou City**

In essence, the core of community policing is mass work. Public security units from around the country have begun exploring new methodologies for community policing, increasing the ties between people and police, and developing new management systems. One example is the “community patrol” system implemented by the Qingdao public safety department, which calls for officers to adopt the “10 and 20” method, which is to spend 10 hours on patrols, and to visit 20 residences. Over the course of three years, the Wuhan public safety department invested 100 million yuan in installing electronic security systems in all of the city’s neighborhoods, and as of 2006 had completed installations in 406 residential communities. The department also took the lead in developing a series of “no burglary”, “no murder”, and “no drugs” community activities to promote public safety in communities and on the streets. Also, through the establishment of various systems and activities to promote community-police relations, such as introducing spokespeople for public security news, establishing specialized police-public relations organizations, introducing activities such as “open police work days” and “people-police fellowship days”, the honest and clean treatment of precincts by community police, and meetings between police and citizens, relations between police and society have improved dramatically and the public has more understanding of, and support for, police work. Throughout this process, there have been several community police who

have taken the initiative to do research on the characteristics of this new era in public-police relations. The methods developed by these individuals, such as Zhejiang's Wang Fajin<sup>[4]</sup>, Sichuan's Tang Min, and Heilongjiang's Tan Yong, which have achieved great results.

Public Security Bureau of Hangzhou has, in accordance with the requirement of the Party Committee and Hangzhou City People's Government of promoting community development as well as the arrangement of the Ministry of Public Security, incorporate community policing development into the agenda of top leaders of Hangzhou City, and carried out long-term practices and explorations for this purpose. For the sake of regulating community policing work, Hangzhou released the Working Regulations for Community Police Offices, Operation Rules for Community Police Offices, and Regulations for Community and Rural Police Offices as well; advocated to learn "Fengqiao Experience"<sup>[5]</sup> and continuously reformed community

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[4] Wang Fajin, once a community police in the Wenyuan Community for years and now a deputy director of the Yuehe Police Station in Huzhou City, is one of the most well-known community police officers. In the year 2000, Wang begun his career as a community police and started to safeguard the security of the Wenyuan Community. Within the 5 years he worked there, Wang created various ways to improve his service, such as 1) spending his own money on printing contact cards containing his contact information, and handing them out to the residents in the Wenyuan Community door to door; 2) posting his photo and telephone number on every corner of the Community (26 places in total), so as to increase his exposure to the residents in the Community; 3) actively participating in all community events, such as movie-night or parties, to introduce himself and to talk with the residents to encourage them to turn to him if they have any problem; 4) drawing the "Community Security Bulletin" on the Publicity Board everyday to keep the residents posted of the daily policing news of the Wenyuan community; 5) forming a law study group for the Community and organizing a night class for migrant workers; 6) so as to help the juvenile delinquents; and carrying out the "dawn project". Furthermore, he gave yellow ribbons to families in the Community that were too poor to afford a phone, and committed that he would be at their home as soon as they tie the ribbon on their window frames. Gradually, all residents in this Community know about him and are strongly attached to him. Other than the above, Mr. Wang also wrote a book titled *The Policing Method of Wang Fanjin*, which is quite comprehensive and soon became a must-read for every community police. As a community police, Mr. Wang truly deserves the title "Police of Many Good Ideas" that is given to him.

[5] At the very beginning of 1960s, government leaders and the masses in Fengqiao Town, Zhuji City of Zhejiang Province created Fengqiao Experience of "activating and relying upon the masses and resolving relevant contradictions at the occurrence place to realize the target of arresting as less criminals and possible and maintaining sound public security situation". For this experience, Mao Zedong once instructed in person in 1963 that other regions shall follow Fengqiao Experience and take pilot programs for the experience, and ensure to spread the successful experience. Thereafter, Fengqiao Experience became a well-known example with universal praise among the political and law industry in China. The details of the experience include: minor contradictions shall be resolved within the village, while major incidents shall be resolved within the town, and ensure that all contradictions will be resolved at the premises of their occurrence without turning to the superior authority. For this purpose, Fengqiao Town set up relevant mediation organizations in neighborhood committees and village committees, and even in some key enterprises. In recent years, Fengqiao Town successfully resolved over 1,000 disputes by mediation and realized a successful mediation ratio of 97.2%, in which 80% disputes were resolved at the village level. In addition, on the basis of establishing complete set of law dissemination, input over 200,000 Yuan every year for law promotion and education, and set up the working system of supporting but not abandoning the people who have committed violations, and of assisting in the long run but not in the short run the people who have committed violations. Secondly, take measures to assist and support persons released upon completion of a sentence. For five years, most people among over 200 persons released upon completion of a sentence in Fengqiao Town have acquired necessary skills to make a living, realizing the transformation ratio of 99.15%, some made a good fortune, some joined the Party, and even some were selected as village cadres.

Thirdly, create new mode for management of external population with the economic development, and resolve the housing and offspring education issues for external population, and appraise "Top Ten Excellent Youth" every year, and award medium and senior talents the honor of "Honorable Citizen".

policing, adopted on-duty system characterized by “information dominated, focusing on field management and control and being active in safeguarding community security”. Currently, Hangzhou has formed the working mode of “residing in the community to which relevant officers are held liable, depending upon the masses for prevention and treatment, making full use of information system for field management and control, being flexible in working manner and frequent in patrol”. Accordingly, remarkable results have been acquired in dispatching police officers to work in communities, enhancing the results in the strike, prevention and control of community crimes, and maintaining close contact with community citizens for public security.

#### 1. Making full use of police resources and improving the police efficiency

Implementation of urban and rural community policing strategy has made full use of activated police resources, and enhanced the awareness among police officers in actively controlling and managing community security. Firstly, Public Security Bureau of Hangzhou adopted to the flexible working hours, and dispatched police officers at any time and in any place where numerous crimes occur to adjust working time of police officers, and to ensure that the resources allocation and working rules would be appropriate for the public security situations, realizing the target of low input and high output. Secondly, implement the patrol system of multiple types of police officers, and the dynamic working manner combining patrol and visiting, shifting the passive response to positive discovery, from static waiting to dynamic patrol, which has favorably improved the ability of police officers in preventing crimes and arresting criminals. Thirdly, adopt the on the spot working system, which has remarkably improved the prior situation that police officers were busying responding to reports on violations or crimes and could not gain an overall control on the public security situation. As of 2005, public security situation in Hangzhou has realized the targets of declines in overall criminal cases and degree of seriousness of the cases, the increase of overall number of criminal cases being crackled and the number of strikes, the zero increase of main indexes in traffic accidents and fire accidents.

#### 2. Promoting security socialization progress and making prevention and control network stricter

Implementation of urban and rural community policing strategy set up the concept that “police resources are limited yet the power of the mass public is unlimited” in the society. Comprehensive Governance Committee of Hangzhou took the lead in integrating and arranging the resources for mass prevention and mass treatment, such as auxiliary/ supporting police, community security, and security volunteers in urban and rural communities etc, and established three-tier security patrol and prevention team covering public security organs at the city level and regional (county) level, police stations, and urban/village police stations, enriching and enhancing resources for mass prevention and treatment. Accordingly, the mass prevention and mass treatment network that “streets are subject to patrol, lanes are subject to defense, entities are subject to guard, buildings are subject to watching and villages are subject to joint defense” are formed which greatly reinforced the security prevention and control capacity. In addition, floating population crossing guards are arranged at the proportion of 500 floating population: 1 crossing

guard in Hangzhou in March 2006, which provided powerful support for the establishment of floating population management system of “one set of property for one citizen, one citizen for one permanent residence”.

### 3. Keeping closer police-citizen relation and enhancing service level

Implementation of urban and rural community policing strategy provides an efficient channel for public security organ to serve the masses. In line with the strategy, the police officers, based upon the urban and rural community police offices, go to communities and rural areas to resolve and get rid of difficulties and hardships for the masses, and provide favorable service satisfactory to the mass public. In light of the demand of the mass public, define the functions of police offices and figure out service rules for the public, requiring that police officers being charged to community shall work in responsible communities no less than half of the total working hours, and shall offer services of consultation, assistance and certificates agency etc. Promote the security prevention measures in all possible manners, including the establishment of security information bulletin, the sending of security prevention SMS etc to the mass public. Adopt the system of regular reporting to the mass public, in which police officers being responsible for communities shall report to the mass public every half year, while the police station shall report every year, and listen to the opinions and suggestions of the mass public. Spread the security prevention and control practice in a multiple manner. Keep a tight control on the security prevention and control in public areas like streets etc, and request resident stores to sign security prevention and assistance commitment sheet, and promote the “citizenship” management upon floating population. Promote community- style management for rural residential areas, apartment-style management on temporary residents, and commissioning accountability management for rental housing etc, to consolidate and expand the coverage of security prevention and control areas, increase the sense of security of the mass public, and secure a closer tie with the public, promote the further development of the service function of the public security organs. As of 2005, Public Security Bureau of Hangzhou has been awarded the “Satisfactory Organ” for successive three years in “Making the Mass Public Satisfactory” Program among governmental organs directly under Hangzhou People’s Government.

4. Improving information-orientation level in urban and rural community policing development as supported by high technology

Public Security Organs in Hangzhou combined the urban and rural community policing strategy with the adoption of high technology, and persisted in the spread of information technology, the information-orientation of all fundamental issues, and hi-tech orientation of all grassroots issues to improve the efficiency of grassroots police. In particular, we focused on the application of hi-tech in the grassroots policing, and have established large quantity of practical grassroots application systems including the police station application work platform, the police geographic information platform, online strike platform and high dangerous people control and management platform etc, thereby largely and efficiency enhanced the capacity of information application and practices. In 2006, grassroots police stations in Hangzhou City

collect over 12 million pieces of all kinds of basic information, and arrested 1,131 escaped criminals by using information system, showing an increase of 11.9% on a year on year basis.

## **Deficiency and Weakness in Chinese Community Policing**

### **1. Superficial and unclear understanding**

The Chinese public security organs must fully understand the fundamental position and support of community in police affairs, otherwise the community policing in China will be groundless and be pending in a theoretical and ideology manner without good development in practice. However, most community police officers are still unclear with respect to the definition, content and essence, position and function among the police work, urgency and practical value etc of community policing. In defining the work division of public security authority, quite a few officers failed to identify the features of community policing from a strategic view, and failed to make good use of community policing as a new police classification; in addition, some officers may mix the concepts of comprehensive governance and grassroots work of the public security authority, the grassroots work of the public security authority and community policing, a few even replace community policing with specific strike campaign<sup>[6]</sup> and failed to develop good social circumstance for promoting community policing effectively. Due to these superficial and unclear understandings on the theory, community policing is developed on an unsound base.

### **2. Lack of strategic and tactical support**

Under the current political situation, grassroots public security forces undertake heavy burden for safeguarding stability and dealing with emergent issues. Assistance and aid for people’s police could not match the increasing demand for social security and stability, whereby social development and management are quite insufficient. Police could not handle the current situations due to the pressing demand on social security, let alone actively carry out other work. Community policing is helpless and blind under this situation. We have developed relevant theories, but we do not have any practical operation mode; we have ideas, but we have no measures; we identify the necessity of community policing, but we cannot attach importance to it. Community policing shall be planned and developed in the long run. Nowadays, since people’s police in community policing could not obtain good results in performance review and are hard

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[6] Specific strike campaign, which was also called specific treatment, specific action, integrated treatment as well, was to carry out targeted strike or governance upon specific issues and objects by the public security organ within a certain period, in line with laws and regulations, to reduce the outbreak of violations or crimes in certain realms, and to establish the long-term security management and work system to maintain the continuous and stable public social security. This campaign operates as an effective way to strike certain outstanding security issues, reduce the possibility of violations and crimes and create a clear and clean social atmosphere. It is characterized by targeted strike, significant input, short-term and quick generation of results. It is commonly used by public security organ in reacting and responding to outstanding social security issues at relevant times.

to be promoted, even second-class officers or officers who are old in age, weak, suffering from disease or disability were dispatched to work in community, so police are normally unwilling to work for community policing, which delays and prevents the improvement of community policing as well.

### 3. Lack of operation mode

Community policing shall be based upon communities and shall be supported by and dependent upon the mass public to fulfill relevant tasks. It constitutes the mass work and mass line of the Party under the new situation. However, currently, we have not worked out detailed operation rules and measures for the way of starting work in community, the prevention and defense of crimes, communicating and interaction with community citizens, thereby people's police lacks instructions for implementing their work. Experts and scholars have introduced theories and practices of community policing in foreign countries, but the basic community policing mode in light of Chinese situations, and the development direction of community policing is still unclear. This is the key barrier and puzzle we are confronted with. Public security authorities at all levels have not mastered the concept of community policing and only promoted and instructed the community policing implementation in papers without working out practical operation rules. In addition, community development in China is quite weak for the time being in terms of community organization staffing, basic facilities, working system etc, which constrains the development of community policing as well. Under this situation, community policing cannot be well promoted and implemented in communities, and could not develop well in China.

### 4. Lack of organizational and resources support

One noticeable bottleneck constraining the promotion of Chinese community policing is the insufficiency in community development, since some of which could not fulfill its own functions, let alone community policing. According to community policing theory, people's police shall master many skills while specializing in one, and shall have all-round comprehensive capacities. Large part of community policing is not police affairs, yet is necessary to fulfill the targets in police affairs. We can only improve and develop closer police-citizen relationship through the non-police affairs. People's police in the community policing mode not only constitute a new police classification, but also assume the posts in connection with criminal police, traffic police, constable and firefighters due to the all-round and relative independent functions expected of them. Accordingly, community police shall be comprehensively competent and shall possess necessary skills for the work; in addition, they shall be active in and good at communicating with the mass public. People's police in current China still need further improvement in this respect to adapt to the multi-functional and all-round requirement for community policing.

## **New Challenges Confronted by Community Policing Practice in China**

### 1. Challenges arising from new trends of economic globalization and of criminal activities

Accession of China into WTO resulted in influences in all relevant respects ranging from economy, politics and culture to people’s way of thinking. We have stepped into the global floating times of goods, services, productive factors and information due to the trend of economic globalization, internationalization and integration, which will greatly boost the economic prosperity and growth; in the meantime, it will bring some adverse effects as well. For example, criminal activities will be conducted on a trans-national basis and in an intelligent and organized manner; financial crimes will increase in some periods, and money laundering crimes may become significant. In addition, with the forthcoming of network-based economy, quick change of new technologies and products, extensive application of online banking, electronic commerce and online payment, we will be confronted with the new and critical issues of hi-tech based economic crimes. Accordingly, for the time being, officers engaged in community policing shall maintain contact and cooperation with customs, taxation authorities and banks etc to strike economic crimes; on the other hand, they shall learn and command hi-tech know-how as well to become more competent in striking crimes.

## 2. Challenges arising from floating population

Gradual loosening of closed management manner in Chinese cities led to the growth of regional flow of people, cash and goods significantly, while economic development and industry structure adjustment generated too many laid-offs in cities, greatly increasing unstable social factors. These factors, plus the various foreign ideas and unscreened cultures upon Chinese accession into WTO, brought about adverse situations in public security and new challenges to public security organs of China. In practice, officers engaged in community policing shall adapt to a series of new demands; e.g. public security organs, in particular, grassroots public security organs, shall adopt new way of thinking, improve the quality of grassroots people’s police to enhance the service level and adapt to the requirement of international community on community policing; in the meantime, hi-tech elements shall be added into the daily work of people’s police to react to and tackle new issues continuously emerged in daily work.

Hi-tech elements in agricultural industry will increase daily to cope with the development pressure of the industry, which will further exacerbate labor redundancy in rural areas and bring significant employment pressure. Shift of redundant rural labor to non-rural area has become unobstructed trend, which will cause thronging of rural labor into cities and difficulties in external population administration and social security work. These factors bring about new challenges for the floating population administration, and raise new requirements for community policing development in strengthening the floating population and external population administration.

## Comments

Implementation of community policing strategy made the police-citizen relation closer and greatly

improved social security situations in rural and urban areas, primarily forming into the new situation of community policing integrating “strike, prevention, administration, control and service”. As of the end of 2012, there are over 50,000 local police stations and over 170,000 police units (incl. 58,000 community police units, 116,000 rural police units, which are staffed with 210,000 community and village police officers) covering villages and streets extensively. Staff arrangement and service are closer to the grassroots and the public, which has promoted the capacity of the public security organs in preventing and striking crimes, controlling social security and serving the mass public obviously. As of 2006, eight serious crimes including killing, robbery, raping, kidnapping and serious bodily injury etc registered in public security organs nationwide has declined continuously, for 9% in 2010 than that in 2009, for 10% in 2011 than that in 2010. Continuous decline of criminal cases reflected the effects of the strengthening of community security prevention.

Theory of community policing with Chinese characteristics is based upon the Chinese politics, historic and cultural traditions, and the philosophy and politics ideology. First, we shall observe the leadership of the Party and the mass line, as in China, public security forces are subject to the absolute leadership of the Party, and shall cooperate with the initiatives of the mass public to safeguard our country. Second, we shall observe the theory of comprehensive governance on social security. The concepts, views and practice of community policing in western countries are quite similar with the guidelines and practices of comprehensive governance on social security in China, and both share the concept of community-orientation, the introduction of community resources, the exercise of citizens’ functions, governance on the root course of crimes and control of the social causes provoking crimes. Yet, in line with the contents and features of comprehensive governance, community policing will only constitute a part of the comprehensive governance of social security. In terms of operation manner, community policing is obviously different from the comprehensive governance of social security, since the latter is government-led and shall be carried out according to administrative rules and steps, and is largely dependent on grassroots organizations; while community policing shall be community police-dominant and be carried out through police-citizen cooperation, and shall be mostly supported by the community citizens in preventing crimes and violations.

In conclusion, western community policing practices are not fully contradictory and contrasted with Chinese experiences. We may discover upon the opening policy and exchanging with western scholars that western countries may possess the so-called Chinese characteristics as well, and even may have something to be learned by us. We are glad to witness the incredible achievements and inspiring examples from these years’ community policing practice, but we shall also be aware of the deficiency and weakness in Chinese community policing. Still, under new challenges arising from economic globalization and the growth of floating population, a more reasonable community policing mode in accordance with Chinese characteristics is highly wanted.

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# Dialectical Thinking on Reform of Duty Mechanism in Town Police Station

—A case study on Zhengxiang District Sub-bureau of Hengyang Public  
Security Bureau in Hunan Province

Long Bo

**Abstract:** Duty Mechanism Reform of Hengyang Police Station has made remarkable achievements, but there are some problems to be solved. For example, the lagging of police thinking in both leadership and implementation level, insufficient presence of police security and other supporting measures, the effect of over meticulous division and so on. Under the new situation, police must uphold "no growth improvement" as the goal and focus on the following six aspects to deeper police reform: First, effectively change the concept of policing to achieve "clarity in thinking". Second, optimize the allocation of resources to achieve "scientific management". Third, rationalize duties and tasks to achieve "fight together". Fourth, fully expand social resources to achieve "overall defense". Fifth, build a scientific evaluation mechanism to achieve "standard test". Sixth, strengthen the regularization of construction to achieve "sufficient power".

**Keywords:** Local police station, reform mechanism of police duty, dialectical thinking

## Preface

In recent years, Hengyang Public Security Bureau has, by its reform, made steady improvement in its grassroots foundation work, fundamental strengths, team vitality and overall combat effectiveness. But an objective analysis suggests that the systematic obstacles and barriers by which the pragmatizing of combat experiences is restricted are still in existence to different extents. Therefore, we must deeper our reform. In the context of the "four constructions", it is a serious subject matter on how to accurately grasp the deployment requirements of superior public security divisions and establish practical and realistic duty mechanism to meet the expectations of both normal combat and the masses.

## **To improve quality and enhance efficiency: Favorable changes in police station Duty Mechanism Reform**

Hengyang Public Security Bureau Zhengxiang Branch shoulders the maintenance of stability and security of Zhengxiang District and the Hi-tech Development Zone. Its jurisdiction covers 101 square kilometers and 26 million people with a floating population of 12 million. Stability maintenance of law and order is no easy job. Faced with the challenges and pressure, the branch is oriented towards policing in actual combat, launching a service reform in its institutional settings and police configuration to transform its focus to grassroots efforts. Some initial success has been achieved so far.

### **The enhancement of comprehensive strength**

First, grassroots police has been enriched. Branch police station laid great stress on police forces on the front line to strengthen principles. The "three MUST" iron rules were introduced. All newly hired police must serve at the police station. All police without grass-roots working experience must serve at the police station. All new public security establishment must be assigned to grassroots units. This was to strictly control the lack of police force in police substations. Since 2014, through the enforcement, police forces in substations has accounted for 61% of the total police force. Meanwhile, the Bureau has won 248 auxiliary police officers by calling attention of the party committee and government, which has effectively alleviated the problem of shortage of policemen.

Second, institutional structure has been standardized. The "three squadrons two rooms" have been built in 5 district areas. (basic management squadron, Petrol squadron, case handling squadron, integrated service control room, street dispute mediation room.) "Two squadrons two rooms" have been built in 2 villages. (basic management squadron, cases handling squadron, integrated service control room, street dispute mediation room). Meanwhile, with the streets dispute resolution room as a platform to promote mediation in the judicial system, the pressure of dispute mediation was reduced greatly.

Third, community policing has made solid progress. Branch stated that community police persons should not be engaged in police office duty during the day, nor should they give instructions to strike targets or be involved in non-community policing activities. Community police persons should also not be dispatched in principle even if there is an emergency task. Community police persons should work in the community for not less than 3 years. In 2014, the branch arranged 800,000RMB as a special fund for community policing. Policing budget was reinforced. Their assessment bonus was higher than that of the civilian police. Each year, the assessment bonus and working expenses could add up to 18,000RMB. In the meanwhile, according to the standard of two auxiliary police officers assigned to each police office, the total number of auxiliary police officers for 33 Community Police offices reached 66.

### **The overall improvement of police security**

First, the infrastructure has been improved. In recent years, the branch has financed for more than 1,000,000,000RMB, and built a joint police station together with two other closed police stations in Hongxiang Rd. They stood out as the provincial first-class police stations in both hardware and office equipment. This year, the branch has gained support from the district government and won more than 500 million RMB investment which also covered the construction and upgrade in police law enforcement zone. 6 units including Huaxing Police Station, North Zhengxiang Road Police Station and The Population and Immigration Hall have achieved standard upgrade, bringing a new look.

Second, funding was raised. The Branch upheld "lay particular stress on the grassroots". From the beginning of 2014, the Branch raised public funding for the substations by 40%, operational funding by 50%. The amount of funding has reached a historical level. At the same time, allowance for the personnel also increased to make sure that they enjoy no less benefits than their counterparts.

Third, equipment support was improved. According to Ministry of Public Security "police equipment construction standards", the Branch allocated sufficient and necessary transport, weapons, protective equipment, detection equipment and communication tools for police substations. Each police station is equipped with four police cars and three motorcycles. Each policeman is equipped with a set of equipment, a mobile device, 1 law enforcement recorder. Each community police person is also equipped with an electric car. All police offices are with equipped with exclusive police network and the Internet.

### **The comprehensive strengthen of control and fight ability**

First, a cooperation mechanism investigation was established. The Branch established a mechanism in collaboration with the police and the criminal investigation department to achieve the cooperation in combat, foundation work establishment and criminal investigation as well as the sharing in sources and responsibilities. The mechanism of special police staff from the branch stationing in substations was improved. Special police staff is responsible for case files and should submit them for review, which improves the efficiency of law enforcement.

Second, security precautions and management grinding was promoted. The Branch started the grid Petrol, maximizing policing in the streets. The patrol unit carried out all day patrol on 4 main roads and 8 secondary roads by both car patrol and foot patrol. The police substation built 33 patrolling stations on 33 streets and 165 alleys. Public Security Bureau established a comprehensive mechanism to evaluate the valid number of 110 alarms, property-embezzling crimes, pornography, gambling cases and the handling of the above. Under the district government's attention, community crime prevention and control system has been strengthened. 2014, Zhengxiang District government invested 2 million RMB in establishing a new community. 100 high-definition surveillance cameras were set up in Li xin-ai community which was shaped to be a provincial model police station that year. The Bureau urged the district government to issue the "on the strengthening of internal security" which focused on the internal implementation to improve the security

guard system "manage our own people, promising our own door, retaining our own homes."

### **The enhancement of the basic work**

First, the population management was more reinforced. Led by the Population brigade, police-based personnel paid visits door by door to ensure that the resident population information was complete and accurate. To enhance the flow of population management, a strategy of "house to individual, ID card to individual, network to individual" was carried out. Strengthen key personnel dynamic control. The implementation of the monthly meeting and quarterly study was implemented to reduce social risks.

Second, conflicts and disputes mediation has been more powerful. In the district government's overall arrangements, police substation and the street office worked hand by hand to establish the disputes mediation committee. Community police worked together with judicial mediation to undertake dispute resolution and increase the rate of dispute resolution. By the improvement of "Three-in-one" and "three inter-mediation", "five cascade tune" and other mechanisms, police mediated first and stood by the principle of "keeping household issues within the local community. "

Third, the effectiveness of safety supervision has been outstanding. The Bureau strongly promoted the three-level management mechanism to investigate and rectify key places to prevent and reduce fire accidents. Regulatory of storage, transportation, management, use of Civil Explosives was handled with great circumspection to avoid leak and exploding.

### **Rational discussions: the problem of the reform in police service mechanism**

Police-duty reform is a gradual process, which may be tortuous or repeated; It is also a systematic engineering, focusing on top level design and scientific advance, whose difficulties lie on the transformation of thought, thorough systems and implementer measures. To deepen the reform of the police station, we must adhere to problem-orient, deep understanding, accurate analysis, and timely resolution to the problems that will impact the development of system, mechanism and security of police station in the long term.

### **The key of these problems are backward ideas**

The first one of which is the relatively-rigid basic thinking. The 20th National Public conference declares that the police office is foundation of the public security organization. It is a multi-functional and comprehensive combating entity, which possesses prevention, management and services in one. The decisions on further strengthening and improving public security work from The Central Committee of The Communist Party of China has pointed out that the police station is the most basic unit. We should further reform and strengthen the police station work, transferring it into a real comprehensive combat entity. But until today, some police office lacks consensus in police station's function, or they one-sided

emphasis on criminal investigations, or simply pay attention to the prevention and control management, service for the people. Police station should both cope with the pressure from the upper class and take much efforts to criminal investigation, while focus on the safety prevention and basic works of financial and labor allocation by abiding the reform. Undoubtedly, the task of the police station is more and more serious, the police pressure is growing. Police station is busy with detection, and weakens functions to it on purpose. It is necessary to complete the detection tasks and must deal with the basic work, which leads to the embarrassing situation of "Not too play and not too prevention". At the same time, the police station also meets all kinds of center works and assessment. Due to limited police, energy and financial resources, it is difficult to combine the actual situation to take initiative to carry out the detection of the fight, and the security prevention and control of basic works.

The second ideal is the supporting mechanism failing to follow. Any reform and innovation must be synchronized with the establishment of supporting mechanisms. But we see that restricted by all kinds of subjective and objective factors, the current branch of the police station duty reform has not yet been established to improve the according mechanisms. The basic level of funding, equipment of police station is still insufficient, especially the lack of effective incentive mechanism, so that the majority of police is still in the state of "do or not or do much is the same and" and the inherent potential of the team cannot play effectively. Affected by the un-excellent law enforcement environment, many grassroots police work is bounded, whose awareness of the initiative is not strong; minority police's occupational identity is not strong, and can't keep their mind; under the influence of unhealthy atmosphere, individual polices are slacker and dazed, even abuse of power, and negligence of duty, which seriously affects the overall image of the public security team.

The third one is improve gathering information. By the shackles of traditional policing thinking, some grassroots police do not pay attention to the basic information collection which will not use the law enforcement investigators system, will not input the basis of information into system, and will not use information to collect evidence. About 20% community policeman cannot be a good grasp of basic information input. They must rely on auxiliary police to help complete the information collection; About 20% police investigators cannot be skilled use of law enforcement system and various criminal information acquisition systems. Restricted by various factors, police station in the application of criminal technology marks the current survey, inspection at large gap. There is no normal judged warning mechanism and low information technology combat ability.

### **The shortage of police**

It comes to consensus that police problems have bothered the functions of basic public security organ. However, our evaluation of police force should not be arrested in the number of police officers, but from the comprehensive ability, namely quality of the police, police force allocation, and service operation.

The first is still lack of basic police. Statistics show that branch police occupies 6.82/10000 of its

area, which mismatching the economic development and social security of the area. As for the police station, due to the shortage of policemen, police is in state of working day and night, so exhausted that psychological problems gradually increased. Due to years of overtime duty, many policemen break the law of life, resulting in insomnia, neurasthenia, depression, anxiety, and great pressure.

The second is that the police operation mechanism is not free. The rest system, service agencies has been long plagued by chronic illness of police performance. From the branch, in addition to assault mission and the work of the special action, police station is the same routine systems as administrative authorities. The police are used to sitting on the judgment seat, and staying office step by step so that has not formed the pattern of "police alarm follows the police situation, and police tasks follow public opinion". The temporal and spatial layout of police operation cannot adapt to crack down illegal crime and meet the need of security prevention which limited police has not been made full use.

The third one is not efficient auxiliary police use. The auxiliary police is a social professional police auxiliary power, which is funded by government and administered by public security organs, whose function and equipment is between security and the police. They do not have the right to law enforcement, which is important to revitalize the police resources and reduce the cost of police. But from the part of the police, auxiliary police is not standardized and its management is not in place, which illegal use of auxiliary police takes place to law enforcement investigators, confiscate revenue, seriously affecting the public security team image.

### **Meticulous division of labor is bounded**

One is that the role of prevention and control is fragmented. From the station, the police station is over meticulous in division of labor and poor in coordination, resulting in policing efficiency declined. Under the current systems, the patrol squadrons and investigators, only takes their own responsibility. The basic squadron manages community policing and the police squadron only charges their own fields while the fight and control is not enough, weakening the effectiveness of police. At the same time, subtler police division brought different level of busyness. For example, investigating police assumes alarming exploration, investigation and evidence collection, information input, but also deal with the detection of stolen goods, clues excursion, law enforcement inspection. Overtime is the norm and not breaking a case should be accountability; the public security prevention and control lacks relatively rigid assessment index. Patrol police often follows the prescribed order and their pressure is relatively small.

Two is not strong duty police force. In the past, the city police is on duty with squadron form, responsible for value inscribed alarming, contradiction dispute mediation, and the integration of the power is strong. After the reform of the service system, city police, with integrated control center, patrol anti squadron, handling squadron joint together to shoulder the duty. Duty police have increased. Because they belong to different squadrons assuming their respective responsibilities, coupled with the cumbersome work-flow, alarming efficiency has decreased. Such as the jurisdiction of the police station received some

alarm incidence, handling squadron personnel is not enough. The shift leaders schedule other polices to rush to the scene. Own to the police no assuming responsibility to solve, on-site disposal often is perfunctory. Neither do they an exploration, nor do investigation and evidence collection.

Three is a serious weakening of the handling of cases. Over the years, the performance appraisal for bureau of police tends to be more against and suppress the incidence of and other basic work, score set share apparently becoming less. In the deployment of all kinds of special operations, the police station is basically equal to professional team, issued with combat processing tasks per capital .

Four is part of the function failing to work. An integrated control center is the information center of the police service command center, high speed distribution, the scheduling center of security management, the management center of unobstructed police orders, and the central supervision of enhancing the effectiveness of police. But in practice, the a few basic leadership follow traditional policing thinking, namely” blow outweigh prevention, results outweigh reasons, and cases outweigh incidence itself”. They are poor at judging information and video application. For the public security management, in the past, police station established security squadron, responsible for special industry management, position control, the eyes and ears of the building against regulation. After the reform, the community police bear the responsibility of public security. Due to the community police mainly charge for information collection and verification, key population management and patrol visit. Different professional quality leads to passive pornography wiping.

### **Comprehensive police affairs: the development direction of reform on police station’s duty mechanism**

With the development of the public security work, two kinds of policing reform trend has gradually formed: a comprehensive one and a professional one. If you are grass-roots public security organs, the more in front of a massive crowd, the more tend to comprehensive police accomplishment and a variety of talents. If you are one of top public security organ, the more professional division of work, the more division of labor upgrades. In the grassroots police station, carry out comprehensive police affairs to build a comprehensive law enforcement at the grass-roots level and the superior professional launching complementary advantages of policing system, which has become the developing direction of modern policing.

#### **To grasp the connotation of comprehensive police affairs deeply**

Comprehensive policing theory can be traced back to the UK police theorist John Anderson who raised "the theory of un-expanding improvement" in 1976. The theory here is that the police without any increase in personnel and equipment improvement improve the police force and fighting capacity. This

viewpoint proposed has fixed with the realistic demand in the process of Chinese modern policing. So far, domestic policing reform mode has no normative pattern yet, but reform impetus is everything points to "police strength of un-expanding improvement" goal.

There are three key reasons for the grass-roots public security organs to implement comprehensive police. First is the widespread objective connection between departments and launching. The developing trend of police station function has experienced several stages of development: it starts from a base of population management and a center of public security management to build the police station construction into an integrated combat entities, and to fully implement of the strategy of community policing and so on. For decades, while the grass-roots public security organ promotes department division of labor and strengthen profession, at the same time also continue to emphasize collaboration between departments cooperate. While in the criticism of overlapping operations by different departments, overlapping functions and low efficiency, at the same time to appreciate the team spirit, the system of its comprehensive police within the body has been expecting new life.

Second is the objective requirement of "social person" social management. With the vigorous development of market economy, unprecedented changes have taken place in the security situation. The traditional management of public security administration which has used for dozens of years planned in economy period is becoming more and more ineffective. "Unit person" and "entrepreneur" are become less and less, "social person" is become more and more. They will be able to move freely without definite residence. Only by the community police of permanent residency and habitual residence cannot effectively control the actual population, especially the key personnel. Therefore, the public security organ to make concerted efforts strengthen coordinated with the internal integration has become a necessary choice.

Third is the path requirement of police affairs information construction. Intensify the police by technology is a modern means to improve public security work, which not only permeated various fields of public security work, but also has fundamental influence on the service mode of public security organs. In a sense, the comprehensive police affairs is the inevitable result of modern science and technology information application in the field of public security.

### **The comprehensive construction of police affairs**

Comprehensive police affairs build an active control mechanism of police affairs which backed with "flattening" scheduling command, based on grid cloth warning system, and safeguarded by the integrated management system by straightening out division of duties and reinventing process of grassroots police affairs, to the realization of the aim of the optimize allocation of police force and improve work efficiency. Comprehensive police affairs must push overall layout, the comprehensive supplement and orderly advancement. The system should at least consist of three interlinked system:

First is flat command system. This is the main system. It supported by the public security information system, from the city bureau, bureau and police station tertiary structure a service scheduling command

platform which gather monitor, command, check and evaluation in an organic whole as to integrate police resources, to extend work tentacles, and to realize the dynamic service under the single police positioning, point-to-point scheduling, form a scientific and efficient, the most clear, smooth operation command management model.

Second, the grid cloth police system. Local police station set up integrated room, community policing and several general police units. Integrated room is charged on duty, intelligence, the legal system, window services, housekeeping, and etc. Community police is responsible for mediation contradiction dispute, actual population management and so on. Comprehensive police team responsible for alarm work, maintain public order and public security case investigation and police station to undertake criminal case. According to the regional, divide responsibility reasonable. There are several police groups which work in pairs as logistic partners. Police groups were the basic units and work on patrol handling. The establishment of this system is under the condition of flat conductor, modern policing is given priority to with tour mode and community policing model two-way development inevitably choice.

Third is the integrated management system. Management is the important means to systems and components implements the effective configuration and facilitate operate orderly. It is also one of the basic elements of the system. Specifically, it is under the condition of establishing a flat command system and grid cloth alarm system, highlight the formulation and implementation of standard operating procedure of police, and special attention to details, realize the standardization of management, programming, legalization, make goals, execution, feedback, evaluation, and results an organic integration.

### **Researches on comprehensive police station.**

Guo Shengkun, state councilor and minister of the ministry of public security, said, “We must stick to a problem-oriented, reform-driven, and with the spirit of keeping pace with the time to strengthen and improve public security work and construction under the new situation. Facing the new situation, policing reform which based on police station service is particularly urgent.

First is to effectively change the concept of policing to achieve “clarity in thinking”. Policing philosophy is the core content of modern policing mechanism, only firmly in line with the concept of modern policing of social development, the police service reform to take to the track of the long-term development. On the concept of law enforcement, rule of law, people-oriented, and enforce the law for people were the essential requirement of the public security organ law enforcement, and became the soul of police work and banner. On the concept of criminal charges, control should be taken as the general guiding ideology instead of eliminating crime. Fighting against crime shall be given a heavier blow gently from implementation to predominant control integration dealing. In the service concept, the policing work should jump out of the pure law enforcement circles, make efforts on service to the masses, improve the relationship with the public, inherit and carry forward the mass line. Based on the above ideas, it’s necessity and urgency to grasp the implementation of comprehensive police from three aspects. Firstly, the implement

of comprehensive police reflected the law enforcement concepts of rule of law, people-oriented, and enforce the law for people, which is the objective demand of the active response to the security situation, and the basic way to improve work efficiency, but also an effective measure to improve the security and satisfaction of the masses. Secondly, the implement of comprehensive police reflected the concept of control criminal combat, prevent, control and manage integration. It also make the existing police force resources and related social security force a reasonable allocation and effective organization and regular use, which ensure local police station police integrated in full, focus more precisely, internal operation and information transmission more efficient, and able to play the role of police substation integrated combat entity. Thirdly, the implement of comprehensive police reflected the mass line in the new era of peace. Through broad masses, integrated social resources effectively, which can organize the population resources, mass organizations, property power and technology dimension and various powers, to make the limited police force for the development and utilization of unlimited financial resources of the people.

Second is to optimize the allocation of resources to achieve "scientific management". As the guidance of the pursuit of effectiveness and efficiency, the reform is to have vitality. Therefore, the police service reform must minimize police resources to maximize the goal of police affairs. We want to change the one-sided procedure in pursuit of the growth in the total number of officers, to both pay attention to increase the number of police and quality, make efforts to improve the efficiency of the management and emphasize on three problems as follows: firstly, division of labor reasonable. It is understood that patrol in the west accounted for more than 60% of the total force at the grass-roots level with a lot of law enforcement jurisdiction, such as traffic punishment, suppression of crime, and public security management responsibilities, which embodies the implement of comprehensive police, practical utility ideas of police. Police station as the most comprehensive combat entity, putting cops scientific decomposition function, dividing labor reasonable were particularly important. At present, Hengyang city police station takes "three squadrons two rooms", "two teams one room" mode, which organizes criminal investigation, public security prevention and basic management, and other functions into an organic whole. Its essence is "more police to the combination". While comprehensive police affairs follow the principle of public security, fully respect and delegate powers to local police station to fix one's post autonomous, the essence of which is "more police united to one person". According to the ideas of comprehensive police affairs, local police station combination with the actual local situation set up a comprehensive operation department, which responsible for scheduling command, and to alert, apply information, service management, and other functions. To set up several comprehensive police teams and several police teams, which respectively responsible for the district public security. To set up a community policing, which is divided into several community policing? It is a full-time, take the responsibilities "to carry out the mass work, master the public opinion, and manage actual population, organizational security, maintain public order". It operated by transcribing and information verification, key population management and patrol visited. Second is the innovation mechanism. According to the requirements of "allocating police force reasonable and actual situation based

learning" to scientific adjust system and service mode, to optimize allocation of police force, and to improve the initiative, pertinence and effectiveness of local police station. To allocate police force reasonable is to carry out dynamic allocation of police force according to the public security situation of the jurisdiction and actual needs of police implements. To optimize the space-time layout of the grassroots police. According to the principle of "big scattered, small concentration" dynamic duty, police follow security and the hot issue. To cover key sectors is to further adjust system in time. To implement the comprehensive crisscross time elasticity is as to change work-hour to office hour or duty hour. To make sure prevention, management and service such basic work title to case peak time, weak management period, convenient service time. In space, by further adjusting service, prompting police is to street level, to places, to the community, and into the crowd, to ensure that the key period and key parts of the cover without blind angle. In addition, it can promote "police district combined service force" system. Several adjacent police stations unified to form a logistics community, the community police served as the chief. It needs community police cooperate to divide and accomplish the task. Implementing the joint logistic work for the police can solve the inadequate at the grass-roots level, overcome the disadvantages of normal police, and also can work on the community policing to form a new core to achieve "combination". The way it works is that each logistic form a security patrol. The community police led patrol. In the security check, They should timely detect and correct security hidden danger. Cooperation for rental housing and special industry management is to found illegal crime clues. Collaboration on key parts of security problems and location is to investigate and punish all kinds of public security cases. Third, the police force optimizes combination. To solve the problem of insufficient available police, it has to break the rigid model "human resources to solve some problems such as overstaffed". Local police station carry out optimization of police, adopt measures of "director vote mid-team leader, mid-team leader vote police". Optimum combination of mid-team leader and civilian police can adopt the method of partners, fixed person and location. For those eliminated policeman can train three months. For those civilian police who refused to obey the arrangement or bad performance can adjust until the laid-off decisively.

Third, rationalize duties and tasks to achieve "fight together". To promote investigation department and local police station to build a "Internet interaction" relationship into a pattern of "duty bound, mutually beneficial ". Firstly, highlight the dominant position of the criminal investigation department. In accordance with the thinking of "profession to profession, team to team, systematization to systematization and making special kind of police and refined business, the specialization of the investigation will be comprehensively promoted. To improve the core fighting capacity of the crime investigation division, the police operations should take steps from the perspectives of construction use, means of investigation, interrogation of assault fortified positions, surveying the scene, the intelligence judgments, and standardizing law enforcement and so on.

Secondly, pay attention to the police station to solve the function. On the issue of beating criminals and solving cases in local police station, the views of the Ministry of public security and the provincial

government are very clear. The police station need to handle some obvious and simple criminal cases without professional investigative means and inter county / city investigation under their jurisdiction. From the practice, fighting against crimes is a necessary means to establish the prestige of the police station, and promote the effective development of the prevention of basic work. The police must be actively launch a crackdown on the crimes.

Thirdly, build a long-term mechanism for the interaction between police stations and groups. Some departments like Criminal investigation, public security, drug and others need to improve normalization guidance for police liaison mechanism to ensure real-time tracking alarm judgments, study on the measures to prevent and combat, and promptly notify the police station. Through daily alarming, police station analyzes characteristics of jurisdiction alert and initiatively carries out some small combats and remediation, if necessary through applying for solutions from relative departments with joined efforts to carry out some initiatives.

Fourth, fully expand the social resources, to achieve the “overall defense”. Measuring the vitality the police service reforming should look at the integration of their resources, social effects and the development potential. It is required to: (1) make the socialization of the police as a guide, rely on the strong leadership of the Party committee and government, to fully integrate various social resources, and strive to improve the effectiveness of social security prevention and control. (2) Strengthen the construction of intelligence information. Deeply implement the strategy of the “intelligence led policing” for extensive collection of various types of intelligence information by entering into the community, activities of village households. (3) Make full use of modern means of science and technology to finish effective integration and use various information resources to improve timeliness, initiative and pertinence of the police work. (4) Be strict to the basic management. This requirement is to improve the real population management mechanism, adhere to the principle of “the house manage people”, the jurisdiction actual population should be totally included in the scope of management, to find out the basic situation, improve basic information. Moreover, the key management of emancipist, delinquent, temporary population and other special populations is necessary and must be strictly implemented and controlled. (5) Further strengthen the management of blasting gun and dangerous goods, and timely detect and eliminate safety hazards. This measure is to improve the management of special industries and public entertainment services to establish the industry standards, implement the control of position prevention, and reduce and discover the illegal crime. (6) Strengthen prevention and treatment, which is to establish the community policing assessment mechanism and urge the community police to actively carry out prevention and management. What’s more, it needs to strengthen the construction of prevention and treatment oriented by Bulgaria, security guards, and obligated patrols. Besides, multi-channel implementation of funds is much important which requested to strengthen the work guidance. In some residential units, the implementation of civil defense, physical defense, and technology measures play important role to enhance the ability of public security.

Fifth, build a scientific evaluation system and achieve the “standard test”. Scientific evaluation

mechanism is an effective way to promote the work to be carried out smoothly and ensure the effectiveness which plays a “baton” and “booster” role in the public security and team building. In the reform of police duty, a scientific evaluation mechanism must be established. The requirements are as follows: (1) Adjust the evaluation content. The first point is required to take the “low incidence, good order, social stability, masses satisfaction” as the goal, to solve problems existed in the police station like excessively high targets and false basic work. That must be took the lead by the municipal public security bureau, the main city of the main city and the city of the city to establish a standardized evaluation of the city's local police station. The evaluation is launched from three indicators namely social security monitoring index, the case-solved index and the public evaluation index. First of all, the monitoring index of social security is based on the different elements such as the incidence, population, security level, geographical location, key sites and so on, through which is assigned different proportion according to various factors to develop a comprehensive evaluation index reflecting the public security. Secondly, police’s cases-solved index is combined with the case combating situation of each police station in past three years and it is based on the number of cases per police, the number of suspects, criminal prosecution against usurpation of criminal prosecution, the number of criminal suspects blow eight suspects and the number of handling the “pornography”, which are assigned different proportion to develop as a comprehensive evaluation index about people’s security and satisfaction. Last public evaluation index is based on the public opinion polls, and police investigation, through which are assigned different proportion to form a comprehensive evaluation index about people’s sense of security and satisfaction. (2) Improve the evaluation model. This requirement not only needs to achieve the full coverage of the work, but also to achieve the process and results for the final goal of improving the performance evaluation of the guiding the grass-roots work. Also the station must comprehensively promote the refinement level assessment according to the next-test-level principle to guide the police station combing with the actual conditions, establish and improve the classified assessment of the squadron and the police and form a motivated and creative police performance appraisal system which possesses a clear responsibility and united interactive team. (3) Pay much attention to the application of assessment results. The police station should make scientific, reasonable and clear quantitative assessment criteria. Therefore, the final awards of each unit must be based on regular collection of various kinds of assessment and the establishment of basic points, bonus points as well as subtract points. The important point is to satisfy the guide of masses satisfaction, take the task index into account and carry out executive force and resultant force to avoid the quantitative ranking just according to the task index. About the evaluation results for the police which should be applied to the final awards, meritorious promotion and appointment to form a scientific selection and appointment mechanism which is to mobilize the majority of police to take root in the grassroots level, make contributions to the enthusiasm and make efforts to create a good atmosphere.

Sixth, strengthen the construction of the team to reach the goal of “enough power”. There are three requirements: (1) strengthening the educational training is significant, which must be based on the principle

of “what do you want to do” “what do you want to learn” and “what do you lack”, and the training should be developed according to different post responsibilities and working abilities to meet the needs of different levels of police. (2) written exam should be took as the test form and also take some measures of on-site application and other methods to test the training effect. For those who failed in the application and related operation are forced to improve their operational capability by which it is better for them to play their proper roles and serve the society. (3) Care about the police in their daily life, mind and politic thoughts. The measures of implementing the preferential treatment are necessary. In addition to, it is required to pay close attention to ideological trend of the police, accurately grasp the pulse of the thought police and timely solve some ideological problems.

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# Necessity and Approach of Constructing the Modern Policing Mechanism

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**Abstract:** With the comprehensively deepening reform of the national strategy, shortcomings have been increasingly emerging in traditional policing mechanism. Accompanied by the practical problems of public security work, it is extremely urgent to construct modern policing mechanism. This paper starts from two key aspects: “fighting” and “prevention” in the public security work. It believes that the construction of modern policing mechanism should focus on the innovative three-dimensional prevention and control system in public order and improvement of police combat ability. It suggests that the police force should actively give full play to the key role of public security, further improve the work pattern and combat command system, strengthen work linkage and guarantee law enforcement in conformity with standard on the basis of summarization of previous experience.

**Keywords:** public security reform; modern policing mechanism; three-dimensional prevention and control system in public order; policing combat

Since the 18th National Congress of Communist Party of China, the CPC Central Committee led by Xi Jinping as the General Secretary has focused on the overall situation in construction of socialism with Chinese characteristics, proposed construction of a moderately prosperous society in an all-round way, comprehensive deepening of reform, comprehensive rule by law, strict rule over the Party and other strategic plans. In February this year, the Ministry of Public Security responded positively to the call of the Party Center Committee and issued theoretical framework and reform proposals about deepening the public security reform in an all-round way. Under the overall planning of the Ministry of Public Security, a new round of exploration and practice on modern policing mechanism reform has arisen in the local public security organs at all levels. The hot topic of construction of modern policing mechanism once again arouses wide concern in all walks of life.

## **Content and Features of Modern Policing Mechanism**

First of all, it is necessary to define the content and features of modern policing mechanism in the concept. Mechanism originally referred to machine structure and working principle in industrial circle, for example, a Chinese poet in Qing Dynasty named Qiu Fengjia wrote in “A Song about Shantou Customs to Bo Yao” that “Westerners like white sugar and Chinese brown granulated sugar ends up being sold cheaply for knowing nothing about the mechanism”. It means that the Westerners liked white sugar, but the Chinese in the backward China had no machine and knew no principle to refine the sugar, so they could do nothing but sold the raw sugar to the Western powers cheaply. Later on, the term mechanism has gradually extended to the fields of politics, economy, culture, social construction, etc. Although there are a lot of interpretation and definition of the term, the academia has reached a consensus and believed that the mechanism refers to the sum of parts of a whole and operation mode. It mainly stresses on two points, the first one is that all things consist of a certain amount of parts, and the second one is that there is certain operation modes for all the things. Then, the mechanism and police work work together to form the concept of policing mechanism. Some scholars have pointed out that policing mechanism is “sum of the organizational system and operation mode in the internal structure, administrative subordination, case handling and on-site disposal, police force allocation, command system, equipment allocation, logistics support and other police matters”<sup>[1]</sup>. Earlier this year, Vice Minister of Public Security Ministry Huang Ming answered the journalists about the issues of all-round deepening reform of the public security, “we will build modern policing operational mechanism which led by intelligence information and supported by dynamic logistics service and police cooperation, characterized by professional norms through reform, so that the police deployment will be more scientific, patrolling control will be more targeted, case investigation will be more accurate, and police cooperation will be more effective”<sup>[2]</sup>. Therefore, he indicates the direction for the construction of modern policing mechanism.

## **Necessity of Construction of Modern Policing Mechanism**

Public security organs are an important tool for safeguarding our people’s democratic dictatorship in China and people’s police in China are the armed public security force to safeguard the government administration and criminal justice. The public security organs and the people’s police aim to actively

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[1] Wu Rui & Li Bin, Modernization of policing mechanism: basic concepts and key issues [J] Jiangsu Police Institute, Page 2 in the Edition 1 in 2010.

[2] Huang Ming, The Masses’ Expectation for Security and Justice is Our Goal [EB / OL] Important news of public security in the news center on <http://news.cpd.com.cn/n3559/c27734648/content.html>, February 15, 2015.

perform their functions and tasks, including defending national security and social stability, protecting citizens' personal security, personal liberty, legal and public property and preventing, deterring and punishing illegal and criminal activities through exercising executive power of public security, criminal jurisdiction, the right to use police equipment and weapons and emergency powers, as well as doing the police work well. For decades, public security work has achieved remarkable achievements in information construction, police combat ability construction, law enforcement standardization construction and police team normalization. However, in the new era, in the face of the profound changes in the world affairs, national conditions and police affairs, like lagging information delivery, difficulty in sharing information, training disconnected from the combat, barriers in collaboration and lack of police guarantee, have increasingly emerged in the traditional, closed, static and passive working mechanism. Along with the new tasks, new requirements and new problems in the public security work and new expectations from the public, awkward situations also emerge, like slow response in public security work, terrible tactic, bad disposal of case and critical voice from the public. Therefore, it is inevitably necessary to construct modern policing mechanism so as to conform to the times, respond to the voice of the people, safeguard social fairness and justice and promote social harmony and stability. Moreover, it is closely related to the combat capacity of the public security force, the vital interests of the people and China's security and rule of law, so the construction of modern policing mechanism is imperative.

**(1) Construction of modern policing mechanism is the main part of all-round deepening reform of public security**

Currently, according to the overall deployment of the CPC Central Committee, the public security organs make every effort to deepen the reform in an all-round way with reform of modern policing mechanism as the top priority so as to achieve the overall goals of improving national governance system and governance capacity and the goals in public security work, including guaranteeing public security, improving sense of security and satisfaction of the masses. Ministry of Public Security proposed the "Three Focus" in the police reform direction, namely focus on modern police operational mechanism, focus on public security administrative reform and focus on the rule of law in the public security work. It aims to realize "Three Establishment" on the basis of "Three Focus", namely the establishment of a modern policing mechanism in conformity with the socialist rule of law system, establishment of management system in public security organs in conformity with the nature and tasks of the public security organs and the establishment of law enforcement capacity and credibility in conformity with the rule of law in public security work. It can be told from the "Three Focus" and "Three Establishment" that the construction of modern policing mechanism has always been the primary and key part of the all-round deepening reform of public security.

**(2) Construction of modern policing mechanism is needed to solve the various problems in public**

**security work**

Social interest game, prominent social contradiction, improper social behavior and social relation imbalance are coexisting during the period of social transformation. Meanwhile, the public security work is faced with a high incidence of criminal offenses, occasional occurrence of major cases, offense committing by the criminals on the run, gang crime, repeat crime, rapid growth of new types of crimes and other practical problems. The serious violence and terrorist crimes which affect public safety are repeatedly happen without a break, such as Case “10-28” in Beijing, Case “3-01” in Kunming and other violence and terrorism cases; personal extreme violence and criminal offenses have occurred occasionally, such as “9-01” Campus injury case in Yunxi, “7-5” bus arson in Hangzhou; the public safety incidents affecting the sense of safety of the masses are very hard to prevent, such as stampede in Shanghai and stampede in the Mingtong Primary School in Kunming; some of the cases frequently occur, such as “robbery, grab and theft” and property usurpation economic cases. At the same time, new types of crimes continue to emerge, such as phone fraud, cases related to firearms, pornography and explosives on the network, eavesdropping and photo stealing, personal information stealing, pseudo base stations, food safety, environmental pollution, and crimes in securities and futures. There are still insecurity, disharmony and instability in the complex social order. Although the public security work has played a key role in the society, it still is faced with the obvious absence of social management, priority over fighting rather than prevention, lack of overall linkage with scattered resources, heavy tasks, lack of guarantee and other problems. To achieve truly prolonged political stability, peace and happiness for the people and social stability and order, the public security work must take solving the problems existed in the work as the direction and break the bottleneck of public security deepening reform. Moreover, it shall regard the construction of modern policing mechanism as the foothold and starting point to further optimize organizational structure, strengthen police combat capacity, integrate police resources and improve police performance.

**(3) Construction of modern policing mechanism is the only way to promote the policing mechanism Reform and development**

The local government in Liaoyuan City of Jilin Province made the first bold attempt to revoke public security sub-bureau and local police stations and established police departments in 2003, the local government in Daqing City of Heilongjiang Province revoked local police stations and re-established urban public security sub-bureau in 2005 and the local government in Henan Province promoted revocation of public security sub-bureau in the whole province, focused on the development of local police stations and promoted the combination of traffic police, patrolmen, security police and criminal police to form the “integration of four types of police” in favor of “one police with multiple abilities in capable of comprehensive law enforcement” in 2010. Many local public security organs have conducted beneficial exploration on policing mechanism reform in recent years, such as Police Tactical Unit (PTU) and the Response Tactical Unit (RTU) in Kunming City have achieved initial success in the tactical application.

Over the past decade, the policing mechanism reform has developed from the exploration stage to the practical and testing stage and transitioned to deepening reform stage. In the first phase around 2003, the revocation method was used to flatten “three-tier management system” into a “two-tier management system” with the emphasis in structural reform. Some local governance revoked sub-bureau and restructured local police stations, some revoked local police stations and restructured sub-bureau, while the other came up with a new idea and established new police departments. Some of them failed, such as policing mechanism reform by the local government in Liaoyuan City; some of them succeeded, while such as the policing mechanism reform by the local government in Daqing City. In the second phase around 2010, comprehensive method was adopted with emphasis on the integration of various police types and integrated administration and comprehensive law enforcement were mainly advocated among several major types of police, including traffic police, patrolmen, criminal police and the security police. Some of them mainly relied on the local police stations, such as the mode in Shanghai City; some relied on mobile police booths, such as the mode in Wuhan City. Some of them have achieved initial success with good police cooperation; some of them are faced with problems, for example, a police with multiple capacities is hard to achieve. Currently, the policing mechanism reform is in the third phase of the deepening of reform and development with overall direction of connotative development. The combination of top-down reform and bottom-up reform is adopted to encourage and support some local government to make the first attempt. Meanwhile, successful experience in some places is summed up and publicized so as to break the bottleneck of police resource shortage, enhance the combat capability of the police force, push the transformation from “quantity-oriented” police to “quality-oriented” police and build a new type of policing mechanism which is a dynamic, active, responsive, and efficient mechanism based on information technology, adapt to modern economic and social development.

### **The approach to build a modern policing mechanism**

There are four keywords about the features of the modern policing mechanism in the blueprint of deepening the reform of public security by the Ministry of Public Security - information & intelligence, dynamic logistics, police cooperation and professional norms. They reflect the deficiency in the traditional policing mechanism, including the lack of speed, trueness and sharing in delivery of information and intelligence which miss the opportunity for combat; the response is not agile enough, the gathering is not quick enough and the disposal is not effective in the logistics mode, so it is in a passive position and taking a beating; there are barriers between different police types and different departments, so the police coordination is not smooth enough, resulting in inefficiency; the unprofessional law enforcement, un-normal behaviors and lack of credibility often affect the image of police force. Of course, the policing mechanism is a complicated systematic project, so it is difficult to describe the construction of the modern policing

mechanism only in a few words. However, starting from the problems of public security work, according to the universal rule of public security work, it is possible to sum up a few approaches to construction of policing mechanism in combination with the nature, tasks and characteristics of public security work. It has been explicitly stipulated in the Paragraph 1 of Article 6 of Chapter 2 in the People’s Police Law of the People’s Republic of China that the main responsibility of the public security organs is “to prevent, deter and investigate illegal and criminal activities”. However, the severe violence and terrorism crimes are a real test to the police operational mechanism of the public security organs. In the face of such crimes, how to successfully prevent and fight against such crimes is the logical starting point of the construction of modern policing mechanism.

**(1) Innovative three-dimensional prevention and control system in public order lays the foundation for the construction of modern policing mechanism**

The comprehensive treatment of public order was first proposed in the late 1970s and the innovative three-dimensional prevention and control system in public order was proposed in the 18th National Congress of CPC. This year, the General Office of CCCPC and General Office of the State Council promulgated “Opinions on Strengthening the Construction of Prevention and Control System in Public order”. The construction of prevention and control system in public order has been developed for 30 years. The prevention and control system in public order is a long-term supportability project, a preventive pro-people project and a project to build the foundation for the construction of modern policing mechanism.

**A. Establish a working pattern of joint management**

In the past, due to involvement with a wide range of areas, big investment, slow results and inadequate construction and development, the comprehensive management manifests little effect on the prevention and combat against crimes. In recent years, the public security organs think outside the box, stop confining themselves to the public security work and policing mechanism and realize that many social contradictions can’t be solved only relying on public security organs, such as some mass incidents; a lot of police resource is actually wasted in a large number of non-police activities, such as the disposal of civil disputes. If some deep-seated interest issues are not resolved, construction of modern policing mechanism is nothing but empty talk. They will have various police activities and non-police activities to attend to, the government departments and the people will still excessively rely on the public security organs and the people’s police are still stuck in the strange circle of “too many affairs to deal with and nothing can be done well”. Therefore, it is necessary to construct the three-dimensional prevention and control system in public order under the leadership of the party committees, dominated by the government, comprehensively managed by various departments and supported by social forces. The construction requires the key role of the public security organs and the support by the government departments and social forces, so as to realize source control, comprehensive management, systemic management and governance by rule of law.

B. Give active play to the key role of public security organs

The public security organs and people's police play a key role in the process of constructing the three-dimensional prevention and control network in public order.

Firstly, maintain solid position network well. According to geographical location, population density and the public security situations, public security organs at all levels should make scientific division of prevention and control regions, reduce blind spots and dead zone and, achieve grid management in prevention and control. Moreover, they shall turn the logistics services into dynamic state, take initiative to prevent, try to station police force in the street, keep in standby state, try to integrate public security officers with armed police and other police resources, optimize police allocation and promote allocation of police force in the street. For example, Hubei "3366" mode has achieved initial success. The specific method is to treat "110 as the main tool, various police types from different departments as the support, patrol police and swat as the backbone, informationization, grid, management and socialization (three aspects) as the development direction, the prevention and control circles surrounding province, city and County (three circles) as the defense lines, the prevention and control net in the street, community & village, organizations & companies, video surveillance, police cooperation and virtual society on the network (six nets) as the framework, policing service station, community police office, security teams in urban and rural areas, security departments in the companies, security center family and various kinds of security guards as the support (six support). Moreover, it also to coordinates all forces, integrates various resources and adopts all means to construct "three-dimensional prevention and control system in public order"<sup>[3]</sup>. It is worth mentioning that, the establishment of PTU by Kunming government is a new attempt to take prevention and innovate policing mechanism in the construction of three-dimensional prevention and control system in public order. PTU has played a key role in the treatment of the "3-01" violence and terrorism case and was also awarded by the Ministry of Public Security as the national outstanding success in public security last year. Currently, there are 29 PTU combat units in Kunming, which are patrolling around the party and government organs, squares, stations, downtown and suburb. The police officers in every combat unit are elite equipped with advanced equipment and rapid response. Generally, a unit is staffed by two policemen and two auxiliary policemen and equipped with a vehicle, two 95-type assault rifles, two 92-type pistols and eight cartridge clips filled with bullets. What's more, the vehicle is equipped with vehicle-mounted communication system, video surveillance system, LED display screen and explosion-proof clothing and other protective gears, so it is a mobile "combat fortress" which integrates the people and vehicles as one. Therefore, the vehicle can play a key role in patrolling in peacetime, acting as a deterrent force, providing cooperation and support in wartime and making efficient disposal. In July this year, Kunming government

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[3] Research office of Public Security Department in Hubei Province, Practices and Thinking on Innovative Three-dimensional Prevention and Control System in Public Order [M]. Construction of Innovative Three-dimensional Prevention and Control System in Public Order, Hubei People's Publishing House, October 2014, p. 10.

has also built 24 RTU and each unit is equipped with a high power motorcycle, two police officers and some equipment. In case of violence and terrorism crimes, the RTU can achieve “quick response” and “efficient results”

Secondly, accelerate the construction of virtual information network. Information construction is a weak link in the four construction items in the public security area. The best opportunities to solve many severe violence and terrorist criminal cases under investigation are missed, for the information is delayed and can't be shared. There are two reasons, one is the information barriers caused by the difference in various departments, police types and regions; the other one is the low informationization caused by the insufficient investment and limited technology. Therefore, it should accelerate the construction of longitudinally connected, horizontally integrated, secure and reliable integrated information platform which can support share led by science and supported by technology. The relevant public security organs shall reinforce the collection and entry of basic data, improve police affairs integrated application platform and open the business platforms of public security, traffic, fire control, network monitoring, departure and entry and other kinds of police types to the largest extent and try to achieve information sharing and resource sharing, so as to achieve mutual benefit and win-win situation. The new generation of Internet, internet of things, big data, cloud computing, intelligent sensing, remote sensing, GPS and geographic information system technology shall be made full use of to build a batch of demonstration projects with the organic integration of information. The relevant public security organs shall promote the construction of public security video surveillance, networking and application step by step from high starting points with highlight, grade and make the effective integration of various video resources and give full play to the key role of video surveillance in crime prevention and control, criminal investigation, maintenance of stability and treatment of emergent situations. They also should conduct dynamic monitoring and make overall judgment on the public opinion, public security dynamic condition, hot and sensitive issues and other kinds of information they collected so as to find the trends and tendencies of problems and promptly predict, make early warning and prevent the problems. Therefore, it further highlights the key role of information guidance, technology application and police guarantee in the construction of modern policing mechanism.

## **(2) Improve policing combat capability is to build the ultimate goal of Modern Policing Mechanism**

If the role of the innovative three-dimensional prevention and control system is mainly in “prevention”, then the enhancement of police combat capability aims at the “fighting”. Improving the combat capability of the police is to build public security troop with “quick response”. To improve the combat capability of the police, the relevant departments shall focus on the following aspects:

### **A. Sound Combat Command System**

First, flat logistics command mode shall be implemented to minimize the command level and smooth command relation and it aims to realize “point to point” command in a state of emergency, guarantee short-distance dispatch, fast response and proper disposal. Secondly, it should strengthen the construction of

actual combat command center, integrate 110 emergency response system, emergency disposal, overall plan and coordination of emergent police affairs and other functions as one, build an “four in one” efficient platform with alarm receipt, video surveillance information judgment and command & dispatch, give full play to the functions of mobile police stations, mobile public security checkpoints and other innovative police affairs carrier and actively promote the use of some simple but useful “little system” and “little tools” in accordance with the requirements of personnel authority, information authority and duty authority so as to have good performance in the treatment of emergencies with quick response and mobile ability; it helps to realize the quick receipt of alarm, quick dispatch, quick action and quick disposal; it also make efforts to achieve “on-the-spot capture and case cracking”.

B. Improve the inter-departmental and cross-regional linkage mechanism among various types of police

The public security organs shall have the overall situation in mind and draw on the successful experience in the policing mode of “a police with multiple capabilities to conduct comprehensive law enforcement, linkage between multiple police types to cooperate in combat” from the public security organs in other provinces. According to the normalization, sharing, linkage and win-win principles, the public security organs should actively build the inter-departmental and cross-regional linkage mechanism among different police types with the features of “multi-police cooperation, joint attack, the overall linkage and group battle”, form the work pattern of “large public security” and “big criminal investigation”, “big traffic”, etc., and jointly undertake the tasks of early warning, prevention, contradiction resolution, fighting against criminals, stability maintenance and emergency treatment, etc. through extensive, large-scale, deep and multi-angle police cooperation. They should adhere to the joint conference system, strengthen cooperation among different police types, departments and regions, carry out special activities, make emergency plans and action plans for emergencies and various cases that may occur, clearly define the responsibilities of various police types, departments and regions and conduct regular drills to fight against emergencies, so as to guarantee that each policeman can perform their duties, cooperate with each other, make concerted efforts to manage and give full play to the overall efficiency.

C. Ensure that law enforcement conform to professional norms

The public security organs shall give full play to the leading, regulation, guarantee and disciplinary functions of rule of law, resolve social conflicts, prevent and crack down on crimes and regulate public order in accordance with law. The public security organs and the people’s police should enhance the awareness of the rule of law, improve law enforcement capability and improve quality and credibility of law enforcement through the promotion of law enforcement professional norms. They should improve the system of law enforcement and investigation; they should strengthen safety supervision of law enforcement and establish and improve the responsibility list system in law enforcement, the accountability system for prevention and correction of misjudged cases and lifelong accountability system for unjust and misjudged cases; they should improve and perfect the measurement standards for administrative law enforcement,

restrict discretion, strictly prevent power rent-seeking and the occurrence of corruption of power. They should strengthen law enforcement information construction by standardizing law enforcement activities through information technology, strengthening supervision and improving the quality and efficiency of law enforcement; they should strengthen public law enforcement relying on information technology, ensure law enforcement activities in conformity with laws and actively accept social supervision.

With the “prevention and control net” of the three-dimensional prevention and control system in public order and the core “fighting capability” in the police combat, I believe that modern policing mechanism can develop further and steadily in the deepening reform through focusing on the two major links of “prevention” and “fighting” in the police affairs.

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# On the Two Models of Modern Police Education And Their Impact on China

Shi Zheng, Zhu Hong

**Abstract:** The modern police system was initiated in the Western Europe in the 19th century. Police education and training models of respective features were developed one after another in the UK, the USA, France, Germany, Austria, Italy and Japan where modern police systems had been established earlier than other countries. The police systems in such countries can be briefly classified into two models: the continental model and the Anglo-Saxon model. The development of police education in the pioneering countries of Japan, and countries in Europe and North America inspired China in the initiation and development of the modern police education, and to a certain degree, facilitated the development and modernization of policing in China, though distinctive stigma of the era was also stamped on it.

**Keywords:** Police Education, Models, Modern Times, China, Impact

The two characters of 警 and 察 had been used in the ancient Chinese language, which were used separately at that time. The use of the two characters can be found in such ancient history books as Zhou Li (Ceremonies in Zhou Dynasty), Zuo Zhuan (The spring and Autumn Annals), Hou Han Shu (History of the Later Han Dynasty), the Analects of Confucius, the Book of Mencius, before the use of the two characters together in other ancient history books, such as the Commentary on the History of Han Dynasty<sup>[1]</sup>, and a record of a ministry of guarding and inspection which was “responsible for the trial of law suits, guarding and inspection[1]”. However, the equivalent Chinese characters of the English word of police were borrowed from Japanese Language. In the 1870s, Kawaji Toshiyoshi and others who were sent to Europe

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[1] See also XIE Huimin, DANG Yan, Supplement to the Etymology of the Chinese Characters of 警察(police)[J], Journal of CPPSU, volume 2 1997, p39. Some contemporary literature on police mistook the notes by YAN Shigu as the main text, so that there is groundless rumor that the term of 警察(police) is first used in the History of the Han Dynasty

by the Japanese government to observe and study the modern police system, translated the French word of police into Chinese characters警察 in Japanese as they introduced the modern police system into the country, and the term was borrowed into China together with the modern police system more than 20 years later.

Similar with the word of police, the modern police system and its education in China, which began quite late than other countries, had been under the extensive and intensive influence from Japan and other countries in Europe and the North America since its birth. That’s why it is helpful to understand the modern police education in China by studying the development history of modern police education in such countries and the basic models.

### **The Modernization of the police authorities in Europe and North America and Their Education**

The modern police system was first established in Europe. After the French revolution the abolished feudalism in the country, according to a resolution of the National Constituent Assembly, a police administration system was established by the bourgeois republic. A general police authority was established under the central government, and an enormous police organization covering the urban and rural areas was set up, when Napoleon Bonaparte became First Consul of the Republic in 1801. In 1829, the Metropolitan Police Force was established in London according to the first Metropolitan Police Act proposed by Sir Robert Peel, the then Home Secretary of the UK, before the practice was gradually promoted to the local shires and counties in the Great Britain. After that, the countries of the USA, Germany, Austria, Italy and Japan followed the models of the UK or France and established their own modern police system one after another. The police authorities in the above mentioned countries got independent gradually from the military forces, administrative authorities or judicial authorities in such countries, formed into the peacekeeping forces of multi-functions of defense, administration and criminal justice with big numbers of officers.

For the new professional police officers who were responsible for the maintenance of public order, it is essential for them to have some knowledge and skills necessary for the performance of their duties, which could only be acquired through appropriate education and training. The twelve principles put forward by Sir Robert Peel before he established the Metropolitan Police in London included some principles of training before performing policing duties. After the primary professionalization, the functional capabilities of the police in the prevention and investigation of crimes, and the maintenance of public order were gradually recognized by the public. However, from the perspectives of the modern police authorities in the different countries who were in the exploration period of their history, the police education and training in the 19th century was generally at a low level, and only very few members of the public took policemen as

some professional people. The so called training for the new recruits was only some military drill, and the police officers relied on the policing practice in the acquisition of most of the knowledge and skills that they needed. Just as a proverb of the police community in the UK at that era went that the practice is the best teacher. In the eyes of the members of the policing community and the members of the public at that time, a policeman was recognized as a so called excellent policeman if he was capable of understanding a book of police laws, properly wearing the police uniform, physically competent, and use of weapons. The comparatively low standards for the recruitment of policeman and low level education and training directly influenced the general quality of the police. At that time, ordinary members of the public would not join the police. And Sir Robert Peel himself had declared publicly: “Gentlemen, for instance, those military officers above the rank of Second Lieutenant....such a humble job is not an appropriate for them.” In the USA, incompetent policemen were insultingly known as flat-footed men who cannot run well. These preconceived ideas made the police an inferior vocation in the mind of the public, which obstructed the excellent talents from joining and staying in the police. In the late 19th and early 20th century, increasingly escalated economic and social contradictions made policing a more demanding vocation. The public strongly called on that more competent and efficient police forces be established, while the rapidly developed science and technology, and the popularization of education made it possible promote the professionalization of the police.

Driven by the example set by the USA, the trend of police professionalization swept across different countries one after another, which was characterized by the enhancement of specialization of internal division of responsibilities, improvement of recruitment standards, education and training. On the basis of mutual learning and borrowing the respective best practices, according to the development of the police authorities and the practical needs in their respective countries, the UK, the USA, France, Germany, Austria, Italy and Japan developed and reinforced the police education and training model with respective characteristics, and introduced the latest achievements in the science and technology, as well as education, into this field. They made some innovative efforts in the admission test, development of disciplines, set-up of courses, teaching style and administration, and accumulated rich experiences. All of these were beneficial to the modernization of the police authorities and their education in the second mover countries, such as China and other countries.

### **The Two Models of Modern Police Education**

Due to the differences in the historical origins, political and legal systems, ethnical traditions and policing concept, the modern police systems in different countries demonstrated various characteristics, which can also be observed in their respective police education practice. Based on the basic characteristics

of the police education in different countries<sup>[2]</sup>, and the theory of classification of the modern police systems in the community of police study, all the police systems can be briefly classified into two basic models of the continental model and the Anglo-Saxon model.

The police system of the continental model originated in France. It was named so because they were in the European countries with continental or civil law system and was introduced into Germany, Austria, Italy and Japan, etc. The police system of the continental model adopted the centralized structure with unified national organization, and the central police authority has the power to command, and supervise the local police agencies, and has the power of personnel administration in the commission, deposition and transference. The central police authority also prepares budget for the police agencies all over the country, the police education is in the unified management by the central authority, and the national treasury bears the expenses on the police education. Under the administration of the centralized system, the police education is a relatively integral system while the central police authority and the local ones take their respective responsibilities, there is cohesion between the education of police commanders and the education of police constables, the training of new recruits and the training of active police officers are developed simultaneously, the cultivation objectives, teaching contents and forms match each other. Nevertheless, the disadvantage in such a system is the somewhat ignorance of the enthusiasm and innovation of the local police authorities. Under this model of police system, the primary functions of the police authorities lay in the maintenance of political domination by the autocratic or highly centralized authority as they had massive and complicated responsibilities, and lots of powers, and they emphasized on the use of coercive measures. That's why the central authorities in these countries paid much attention to the nature of the police forces in respective countries as highly militarized armed forces. They preferred to recruit retired military officers from the military forces as new police officers, and they also paid much attention to the development and cultivation of such qualities of military competence, obedience to orders and disciplines, but did not stress on the development of the spirit of service. Furthermore, as a supplement to the police forces, there exist also the strong gendarmeries which belong to the military systems, which further

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[2] See also XIE Huimin, DANG Yan, Supplement to the Etymology of the Chinese Characters of 警察(police)[J], Journal of CPPSU, volume 2 1997, p39. Some contemporary literature on police mistook the notes by YAN Shigu as the main text, so that there is groundless rumor that the term of 警察(police) is first used in the History of the Han Dynasty

The classification of the modern police systems in the western countries, was first proposed by R.B. Fosdick, an American scholar, in his book European police systems. According to the basic functions of the police, he classified the police systems in the main European countries into the Continental Model, represented by France, and the Anglo-Saxon Model, represented by the UK. After that, the expansion on the study of the classification of modern police systems in the western countries has been based on this. For instance, British scholar Mayby proposed a classification of four models: Anglo, American, Continental, Colony; American scholar Hunter argued for a classification of three models: centralized, decentralized and mixed; QIU Huajun, a scholar from Taiwan, his classification is of two models: continental and Anglo-Saxon, etc. Qiu's idea represents the Asian theory on the classification of police systems in the world, which influenced the research of the classification of police systems in the mainland of China. See also Police Science in the UK and the USA, compiled by WANG Dawei, Beijing: Publishing House of the CPPSU, 1995: 99-106; Introduction of the World Police, compiled by MA Yaxiong, Beijing: Publishing House of the CPPSU, 2003:1-2.

aggravate the military nature of the police education. Apart from the maintenance of public order, general administration has also been the responsibility, and the execution of laws and decrees is a significant part of their performance of duties. The reflection of this in the police education was that the much importance was attached to training and work placement, especially to the inculcation of legal knowledge, but in a certain degree, importance was also attached to the development of curriculum system and majors. In this sense, such countries as Germany, Austria and Japan can typically represent the continental model of police education.

The Anglo-Saxon model of police system originated in the Great Britain, which was transplanted to the USA, Canada, etc., as the legal systems in these countries are of common law system. The decentralized organizational structure was adopted in the Anglo-Saxon model of police system, in which there is no unified police organization in the nation and the central and the local governments are independent from each other in the aspects of personnel and financial affairs. The central governments take approaches of guidance, coordination and cooperation in the relation with the local governments, but rarely directly command them. In this model of organizational system, usually there is no nationally unified police education, and the police education is mainly the responsibilities of the local authorities. The respect on the power of administration of the local police has brought distinct local features to the police education, but it is also very common that everyone goes his own way. On the one hand, this resulted in the lack of regular planning and uniform standards in the police education, and it seemed that such police education was not standard and systematic enough. On the other hand, for the different police agencies, this model of police system was propitious to the development of police education according to the local circumstances, so that the police education matched the local practical needs while audacious innovation and breakthrough could be made. Under this model of police system, the primary functions of the police agencies are the protection of the individual citizens and local communities, and the provision of service to them. There are many restrictions to the police powers and the police are required to respect the rights and interests of the citizens to the best of one's ability, and try their best not to use coercive measures. Therefore, the objective of the police education is to develop civil servants, and the police education is against the militarization of police officers, but in preference to select excellent young people from the civilians and provides training on the performance of police duties. Under this model of police education, special significance is attached to the training of business skills, and the acquisition of practical experience. Though there may be part of military training in the police education, its primary aim is the development of strong physical competence, good presence and manners. The business of the police is mainly in the maintenance of public order, the protection of the safety of the citizens' life and property, prevention of crimes, etc. while fire service, administration of health care and construction are not responsibilities of the police. To some extent, this resulted in the reduction of the content of police education. As far as the features of modern police education are concerned, the USA, whose police education is of more distinct feature of autonomy, can be the most typical country of the Anglo-Saxon model of police education.

Surely, the classification of the above two models of police systems is just a brief account. As affected by different subjective and objective factors, the police education in different countries has their respective characteristics in the development objectives, management, educational key factors, and the disciplinary development. After the WWI, as influenced by the changes in the political systems in respective countries, the popularization of education, and the professionalization of policing in the world, several adjustments and reform in the police education were made in different countries, for instance, Such as the police education authorities in the countries of Anglo-Saxon model at the central level was established, and such a trend of stressing on the local features in the countries of the continental model also emerged. The substantial application of science and technologies into the police education, together with the increasing advancement of the education of the new members of the police authorities, forced the content and the forms of police education to escalate to a higher level. All of these provided more and more objects of reference for the modern police education in China which was in the period of exploration.

What’s more, the two typical examples of the two models of police systems, the UK and France, although they are the first two countries in which the modern police systems were established, they themselves did not attach importance to the police education, thus the Chinese who went to the two countries to observe the police systems and police education were not quite impressed. As a matter of fact, in the years of more than a century after the establishment of modern police systems in the two countries, the police education in them had been at the low level of pre-post training of professional skills, as they couldn’t provide any higher level education or training. As early as the year of 1839, preparatory police training course was provided by the Metropolitan Police Force in London, but what the prep policemen could get was just three-month military education at there, “they did not acquire any other knowledge, except for the absolute obedience of orders. They were incapable of performing the general duties in the streets, or feel hard to deal with them”. It is strange that this kind of practice of over-emphasis on the training of manners of the policemen continued for 90 years, and it was not improved until the establishment of the police school of the Metropolitan Police Force in the year of 1934. The police education in France was not well developed either, and the Paris Police Probation School which was established in the year of 1883 was the only institution of police education in the 1930s, Shizhen Lee, a Chinese policing researcher who went to France for observation did not think highly of the school, and remarked that “facilities are too simple”, and when there were foreign visitors, “though instructors gave the order to stand at attention, most cadets could not do that properly”. Until the establishment of the advanced police college for sergeants in Saint Cyr, Lyon, there was a special police educational institution for the development of sergeants, intermediate and senior police officers in France. Compared with France, the countries of Japan, Germany, Austria, and the USA, though their police education started later, made more noticeable achievements in different aspects, which became the object of learning and following of China.

## **The Impact of the Two Models of Modern Police Education Systems**

### **A. The Impact of the Continental Model of Police Education: From the Transplantation of Japanese Model to the Introduction of European Experience**

The modern police system was established in Japan after the model of police system in the continental model in France and Germany, and there are two levels of police education: the central and the local. At the central level, there is only one police educational institution, which is mainly responsible for the education of police commanders. As early as in the year of 1884, Yamagata Aritomo, the then minister of Internal Affairs, for reason of “the domestic governance depends on the excellence of police officers”, proposed to establish police training school for police commanders. The police training school engaged Wilhelm Holhn, a German, as the chief instructor and police advisor of the government, who taught the practice of German police laws, physical training, and fire service, etc. Furthermore, he also provided courses of criminal code, procedural criminal code, police law, administration law on the health care, etc. The creation of the police training school made Japan one of the first countries in the world who paid attention to and launched police education for police commanders. The local police educational institutions are mainly responsible for the education for policemen, including pre-post training for new patrol officers, and the training courses and lectures for the improvement of knowledges and skills related to patrolling for patrol officers. The first police education institution in Japan for policemen was launched in July, 1879 by the Tokyo Police Department. After that, such institutions in different names of police training school or patrol officer training school were established in various prefectures and counties. The main characteristics of the modern police education in Japan are as following:

1. Much importance was attached to the police education, and the launch of police education institutions began almost simultaneously with the establishment of police authorities;
2. Much emphasis was put on the learning and borrowing of foreign practice. Japan has been continuously learning advanced knowledge and experience of policing from the western developed countries through overseas observation, engagement of foreign instructors, and dispatch of students to other countries.
3. Under the impact of countries of the continental model of police system, such as Germany, at the early stage, most policemen and police commanders were recruited from members of the military force, and the military style in the police education was also quite evident. Many practices of the modern police education in Japan were transplanted to China before soon.

As influenced by Japan, at the beginning of the launch of modern police authorities in China in the late Qing Dynasty, much attention was paid to the police education. In 1901, the central government of the Qing Dynasty engaged Naniwa Kawashima, a Japanese, as the supervisor when it established the first police

education institution, the Capital Policing School. Under the full control by Naniwa Kawashima, the school employed lots of Japanese instructors and the teaching and administration was basically a transplantation of the Japanese practice, even the words of command and manners were totally of Japanese style. In 1902, when policing schools were launched in Baoding and Tianjin by Shikai YUAN, the then president, several Japanese were also engaged as chief instructor or instructors. Beijing, the then capital of the country, and Zhili Province, sent lots of police officials to Japan to observe the development of police authorities and police education, and vigorously organized overseas study groups to Japan. This positive attitude resulted in the trend of engagement of Japanese instructors, sending of students to Japan for police study, and visit to Japan for observation in different places in China. These students who studied in Japan or visitors to Japan, after their experiencing or observing the police education in Japan, submitted reports to the competent authorities and stressed on the significance of police education, or translated and compiled the Japanese teaching material on policing into books and brought them back to China. Also lots of them directly devoted themselves into police education institutions at different levels, and made lots of contribution to the local police education. Furthermore, such provinces as Gansu, Heilongjiang, Shaanxi which temporarily could not afford to engage Japanese instructors or send students or officials to other countries, sent officials to Beijing and Tianjin to study, or requested to transfer the graduates of police schools in the two places, or purchased textbooks of police study, and they absorbed the content of the police education in Japan indirectly. With the active learning of the experience in the modern police education in Japan, the modern police education in China, which was still at the primary stage, made some achievements in the forms and content. The charter on the provincial schools for patrol officer which was published in 1908 verified the guideline that every province should establish a police education institution for police commanders in the provincial capital and one in each prefecture and county for policemen, which briefly outlined the embryo of the national police education system.

Since the founding of the Republic of China, with the increasing knowledge of the western countries among Chinese, the continental model of police education, which emphasized on the centralization, whose overall quality was higher, attracted more and more attention, pursuit and admiration from related persons. The modern police education in China started to get out of the simplex imitation of the Japanese model and the eager for quick success and instant benefits, then the sight for learning was directed to Europe.

Germany was one of the first countries which attached importance to police education. It was said that on 28th April, 1854, the Prussian King inspected the Berlin Police and the police training school, and praise them greatly. In the next year, he himself compiled a textbook of police study in the question-and-answer format, and conferred to the police community. There were lots of various police education institutions for police commanders in Germany, such as police commanders' school, criminal police school, police sports school, traffic police technology school, etc. which aimed at the provision of comprehensive supports for the development of the integrated quality of police commanders. In the aspect of the education of policemen, the first priority was the emphasis on the cultivation of the awareness of disciplines, and it

was committed to the development of good habits of the cadets, such as obedience of disciplines, order, punctuality, soft-hearted attitude, and cleanness. Austria was well known for the excellent facilities, careful organization, planning of teaching activities, and the integrity of courses for police education. Especially the Vienna Police School, ranked at the top among all the countries in the full training facilities, which made it the object of observation and imitation by different countries. The high quality police education in Germany and Austria deeply impressed the Chinese visitors at that time. On the other hand, the development of forensic and technologies in Germany and Austria, which promote the criminal investigation, simultaneously impacted on the police education. After the beginning of the 20th century, fingerprints identification centers were established one after another by police agencies in the two countries. With the increasingly well-developed fingerprint identification technology and its extensive application, some courses related with forensic and technologies, and criminal investigation, were also introduced into curriculum systems.

In February 1917, the Ministry of Internal Affairs of the Beijing government followed the European model in the establishment of the Beijing Advanced Police Commanders' School [9]. At its early years, the school only provided the three-year general program. Later, it followed the European practice and provided four special technical programs of electrics, architecture, police dogs, and fingerprints. Under the influence of the countries of Germany, Italy, and Austria, the advanced police commanders' school mainly admitted graduates of such colleges of law and politics, police and army, and its curriculum system also followed the practical principles of the police education of the continental model of police system in Europe, which stressed on the general study of Liberal Arts and Martial Arts, and laid equal stress on the theories and the practice. What's more, in order to meet the need of public order management and the development of the profession, the then Beijing government drew on the experience of Europe in the specialization of policing business, launched and developed the special units of fire service, railway police, maritime police and mineral police, etc. and started relative police education and training. Compared with the chaotic situation in the late Qing Dynasty when the local governments all went their own ways, the control over police education by the then Beijing government was much strengthened. On the one hand, the central government prevailed over all dissenting views and decisively took the overall power of police education for police commanders, so that the education and training of police managerial talents was centralized in the central police education authority. On the other hand, the Ministry of Internal Affairs endowed the local police authorities with the power of the education of policemen, it simultaneously standardized the recruitment and training of policeman at the local level through the publication of a series laws and government decrees of the regulation on the recruitment of patrol officers, guidance on the recruitment of patrol officers, and the guidance on the training of patrol officers, etc. which facilitated the popularization of the education for policemen. The introduction of the continental model of police education in Europe consisted of the basic framework of police education in the period of the Republic of China. The introduction of forensic science and technologies, together with the development of special police education, in a certain degree, promoted

the awareness of internal division of responsibilities in the police and enhanced the level of specialization in these aspects.

#### B. The Anglo-Saxon Model of Police Education: the impact of the police professionalization in the USA

Just as China was enthusiastically learning from the continental model of police education in Germany and Austria in Europe and Japan in Asia, the American police rapidly got to the top among the countries in the world, and lifted the wave of police professionalization movement. As influenced by the UK, at its early stage, the USA did not pay much attention to the education and training of police officers. In most cities, policemen were recruited casually, and there was no vocational training for them. In order to solve the problem of low competence of police officers, some people of vision among the management of some local police agencies in the USA began to stress on and promote the standardization and regularization of police education. August Vollmer, who is famous as the "father of modern law enforcement", is the first to adopt a strict standard which included intellectual, physical and psychological tests in the recruitment of new police officers when he was the police chief of Berkeley City, California, and he launched the first police training school in the history of American police in the year of 1908. Furthermore, early before that, August Vollmer put forward a quite far-sighted idea that police officers should receive higher education. When his police department recruited several college students as amateur police officers, he, at the same time, encouraged his police officers to study at University of California at Berkeley, and established a criminal justice program at UC Berkeley in 1916[10]. Since then, many universities offered criminal justice programs one after another, and even began to award relative degrees. After the entry of the 20th century, the technologies of Polygraph, automobile, and in-car radio, etc. were applied in the policing practice in the country, together with the development of criminology, this country formed a style of its own in the technologies and professionalization of police education.

In the 1930s, the first Chinese students, Yukun FENG, Xiuhao YU, etc. who studied in the USA returned to China one after another, and worked in the police authorities or police education institutions. They spared no efforts in the promotion of the concept of police professionalization of their mentor, August Vollmer. They even took advantage of their positions in the police and vigorously transplanted the model of Berkeley Police which was started by August Vollmer. Not only did they introduce the most advanced forensic technologies at that time, such as polygraph, into the teaching in the police school and the policing practice, which posed much impact on the enhancement of the teaching of forensic science at that time, but also introduced the concept of the development of specialist talents which emphasized on the division of specialties into the higher police education institutions, and started their attempt in the establishment of relative academic departments as teaching units. After the burst of Anti-Japanese War, the Sino-America relationship got increasingly closer, the impact of the police professionalization which originated in the USA also got even more extensive. Under such influence, the Nanking government massively introduced the advanced managerial experience from the western countries, increased investment, strengthened the

education and training of policing personnel of various categories and levels, published a series of laws, decrees and regulations, established police education institutions respectively at the central and the local levels. Thus a police education system that matched the then police organizational structure was formed. The internal division of responsibilities in the police authorities got more and more special and specific, the police education for criminal police, foreign affairs police, judicial police, fire fighter, VIP protection police, tax police, salt affairs police, mineral police, fishery police, forestry police, railway police, traffic police, highway police, aviation police, political affairs police and health care police, was also launched one after another. Therefore, during the period of the Republic of China, with the general persistence of the features of continental model of police education, some parts of the features of the Anglo-Saxon model of police education was added to the modern police education in China. Except that the science and technologies and professionalism in the police education were enhanced, the sudden rise of the Zhejiang Provincial Police Commanders' School in the early 1930s was also a successful attempt of the launch of police education at the local level.

In summary, after it experienced the simplex imitation and blind copy at its early stage, the modern police education in China gradually went on a path of learning of diverse models, which made it a combination of the features of the two models of the continental and Anglo-Saxon police education. The learning from and borrowing of the experience of the pioneering countries, objectively helped China which was under a not-so-well circumstance with the police education minimize the path of winding course, and keep up with the trend in the era in a relatively short time. Nevertheless, when we affirm the courage and determination to humbly seek for advice by the modern police education in China, at the same time, we should also notice the shortage of innovation when the whole country was dominated by the eagerness for quick success and instant benefits. The persons who were engaged in the police education and research usually ignored the practical circumstances in China, the practical circumstances of the police, and the cognitive ability of the students when they took delight in talking about what they had seen in the study overseas and visits and observation. They even seldom talk without mentioning Japan, Europe and the USA. Just like the ridicule in a novel of *This Life of Mine*: “another kind of persons are those young fellows, what they talk about is foreign, such as how the Japanese patrol officers do their jobs, what you are going to experience after you violate the police disciplines, as if all of us were foreigners. There is something good in talking this way, that is to say, they can just have a loose tongue and talk rubbish, and we can just listen to them while napping. Who knows what Japan and France are like? Anyway, you have to believe what they say. It's true that I can also make up some stories about the USA and tell all of the students. But it's a just pity that I am not an instructor. Nobody knows if this group of young fellows really know something about the foreign countries. What I am sure is that they know nothing about our business in China [11].” This phenomenon with distinct stigma of the era is one of the historical limitations of the modern police education in China, and it almost continued through the modern police education in China from the beginning to the end.

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# Discipline, Subject, Method: Research Summary on Domestic Police Outward Training and Its Existing Problems

Liu Min, Yang Kaihua

**Abstract:** As the outward training is gradually accepted into the public security education training course system, it becomes no longer strange in the police courses of psychology, sports and actual combat training. However, considering the research achievements of domestic police training, its theoretical research is far behind the practice research, and its concept, subject background, research methods do not appear to have reached a consensus. Therefore, this article combed the domestic police training documents, and summarized its development background, feasibility analysis, value, key points and methods and put forward the academic difficulties.

**Keywords:** Police outward training, Discipline, Subject

## Introduction

The outward bound training coming from survival training during the World War II has become a way of educational method for 20 years. It plays an important role in the training of skill, psychology, personality and management and is widely favored.

The outward bound training is divided into three stages by some Chinese scholars. The first stage (1997-2003) mainly summarized its overview, including the research of its origin, concepts, content and function. The second phase (2004-2005) mainly discuss an effective approach of outward bound training as the quality education from the aspects of curriculum reform and quality education in colleges and universities. The third stage(2006-2011) mainly from the perspective of sports science explore the definition of outward bound training courses, values, goals, content, assessment, and ground equipment and safety<sup>[1]</sup>.

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[1] Wang haibo ,Chen haibo, Liningning, Review on our outward training[J],Journal of Sports Adult Education,2012.8

In recent years, as a result of the police group are under investigation task pressure, stress and psychological pressure disturbances, the police physical research department of the public security colleges and universities take the lead in establishing police outward training group, and draw lessons from expansion training’s idea and its mode in order to develop police outward bound training suited to the characteristics of the police training’s subjects and content<sup>[2]</sup>. Development in recent 10 years, however, there are limited articles about the police outward bound training and some existing problems

### Related Literature

The data which is excluded by repetitive and relevant contents in this paper is adopted by the top three thesis database, Police outward bound training & the public security as a theme for retrieval, induction and collation (deadline is July 25, 2015), and the conclusion are as follows (figure 1):

Year	Journal of general public security	Authority journals of the public security	Journal of no- public security	Total
2006	1	0	1	2
2007	1	1	0	2
2008	5	0	0	5
2009	3	2	0	5
2010	1	1	1	3
2011	2	2	1	5
2012	2	0	1	3
2013	1	0	1	2
2014	0	0	3	3
2015	1	0	0	1
Total	17	6	8	31

**Figure 1: literature on Chinese police outward bound training (unit: article)**

In 2006-2007, police outward training along with police actual combat training had entered gradually into the vision of scholars. In 2008-2011, police outward training problems get greater positive attention, police scholars and combat drillmasters explained its origin, value, function and significance from the aspects of curriculum, psychological training and psychological health of police, team spirit and sport teaching. The total 19 papers published during the period. Since 2012 the research on police training was

[2] Li Huisheng, Niu Jin, On the new attempt of outward training in public security police construction [J], the public security education, 2007, 1

more scientific and targeted, and was discussed mainly from the aspects of development of police training methods and their ability training. In 31 journal articles summarized, 17 are the general public security journal article, 6 are police authority journal articles, and others are non-police journal articles.

## Main Content

### 1. Outward training and its development

The 16 articles have a description with the origin of outward training. Outward Bound Training meaning indicates a boat to sea constantly challenge difficulties, this is because the Germans Hahn founded a school during World War II for which increase seaman's willpower can be regarded as the prototype of the concept of outward bound training. After the war ended, people kept the original training program, taking the training content, method and team cooperation spirit, individual psychological quality and personality quality all together. As a consequence, the connotation of outward bound training be extended, and the training object also extended to the soldiers, teachers and students, such as industrial and commercial personnel<sup>[3]</sup>.

There are 8 papers talking about the development of outward bound training at home and abroad. The birthplace of outward training is Britain, it had experienced four stages which respectively was 40's establishment, 50's expanding, 60's significant development, 70's steady rise, and 80's nationality<sup>[4]</sup>. In the 1960s, expanding training was introduced in the United States and gained recognition. In 1984, Harvard professor (David Kolb) put forward the new concept of "experiential learning mode". In the 1970s, training schools were successively set up in Singapore, Hong Kong, and Japan of Asian areas. However, Chinese outward training didn't appear until the 1990s<sup>[5]</sup>. In 1994, Liu Li launched the first domestic professional experiential institution and named expanding training school in Beijing<sup>[6]</sup>. Then subsequently, expand training immediately serve the enterprise team culture construction and the quality of employees development<sup>[7]</sup>. And it which played a role of school education and students' psychological development was accepted by schools. According the data, there have more than thousands outward bound training institutions or company with a certain scale<sup>[8]</sup>.

[3] Li Zhongjun, Research on the outward training of our colleges and universities [J], the Sports Cultural Guide, 2008.7

[4] Lu Xiong, Discussion on the outward training [J], 2000 (8) : 35 and 36

[5] Zan Lin, Police actual combat outward training [J], journal of yunnan police officer academy, 2008.7

[6] Ma Hongming, Application of the concept of training in police college physical teaching and research [J], the contemporary sports science and technology, 2014 (4), 19

[7] Xiao Changlu, Niu Jin, discussed in police colleges and universities in the teaching of police physical training [J], journal of Beijing people's police college, 2006 (9), 5

[8] Zhao Fengguo, Application research on the outward training in the public security colleges [J], journal of xinjiang police college, 2013 (3), 33

## 2. Domestic outward training and its development

The 10 papers refer to policy support and its situation of the domestic police outward training. This kind of study found that the development of domestic police outward training should be regarded as a teaching adjustment in public security education in order to solve practical problems of public security work and to meet the demand of in-service police training.

On the one hand is to solve problems for the purpose of policing training mode changing. Under the background of the ministry of public security carrying out all kinds of training modes from 2003 to 2006, all over the public security organs gradually have been seeking a model of combing fight and training as well as training in rotation and practice in turns. For that reason, the Beijing police academy had the first idea of the construction of police outward training in 2003, and in 2005 established the project team which not only help the trainees establishing team and constructive ideas but also guide the policing work and improve their leadership and executive force and cohesion. In the year of 2008, the fine course construction was perfected gradually marked it going into the all-round development stage<sup>[9]</sup>.

On the other hand is that the changes of police mental health oriented advocated. Since 2005, the issue of police's mental health has on the agenda, and in the same year the related documents issued and the related agencies formed. With the outward training equipment began to progress, the police outward training became the main course in the police psychological training<sup>[10]</sup>. In February 2006, the ministry of public security issued the document calling forward the psychological quality assessment being a necessary addition to national civil servant recruitment<sup>[11]</sup>. The same year the public security police psychological training first class opened in Dalian which means the outward training was formally introduced into the police psychological and behavioral training, successively more and more the police training bases were set up all over the country. In October 2009, the document issued by the ministry of public security pointed out that strengthen vocational skills and actual combat training, strengthen the police's mental health training, and improve their abilities of environmental adaptation and emotional control.

## 3. Viability of outward training introduction into the police education teaching

The 6 articles think it is available for the public security colleges to implement the outward training from the aspects of the current social order situations, demands of policing development, enriching the teaching of physical education or police skills, as well as the advantages of public security colleges. Discussions above are based on two points of view: one think that the outward training equates with police

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[9] Zhu Haiming, Promoting the construction of police training curriculums and showing the features of police science development [J], Journal of Beijing institute of the people's police, 2010, 2

[10] Wang Xuebo, Zhang Guangyu, On principle and mode of outward training in police psychological training [J], Journal of Jilin public security college, 2009, 6

[11] On the people's police training school in Dongguan, the police training application in the teaching practice and thinking [J], the public security education, 2011, 10

tactical training<sup>[12]</sup>; another believe it is an organic whole between the outward training and traditional sports teaching<sup>[13]</sup>. Essentially, two standpoints admitted the outward training itself has a connotation of tactical training and sport teaching. This kind analysis of feasibility from practice, to some extent, contributes to clarify these concepts of police outward training, police tactics, police sports and their categories.

#### **4. Role of police outward training course setting and its value**

There are 11 papers in total of 31 papers which makes a point from the perspective of the public security teaching and individual growth that the role and value of carrying out the outward training in the public security colleges. These opinions we discussed about the profit of individual's growth is penetrating in the psychological category. Firstly stimulate the imagination and creativity; Secondly increase the willpower of people; Thirdly cultivate team spirit; Fourthly build up the sense of confidence for sake of attitude adjustment; Fifthly enhance an consciousness of protection; And sixthly improve abilities of observation and management, coordination and organization skills. The paper whose name is application and its research on the ideas of the outward training in the energy training teaching in the police academy believes that the application of the outward training in public security education teaching can stimulate physical teaching, the performance and effect of police physical education significantly increased<sup>[14]</sup>

#### **5. Key points, contents and method of police outward training**

The 16 papers talk about the police outward training's contents, methods, characteristics, teaching mode, etc.

##### **5.1. Contents**

There are different standards on the course content, the form of training, curriculum categories of police training. According to the appeal points of different subjects, it can be divided into name solitaire, the human dominoes, captain recommendation; Trust back, diving survival, life and death duel, hostage Rescue, power grid; An island ferry, the blind phalanx, jigsaw puzzle, act blindly, etc.<sup>[15]</sup>. Depending on the practice field it is divided into indoor activity and outdoor activity, the development of professional field movement<sup>[16]</sup>. According to the development of police and tasks it can be divided into team building,

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[12] Xiao Changlu, Niu Jin, discussed in police colleges and universities in the teaching of police physical training [J], journal of Beijing people's police college, 2006 (9), 5

[13] ZiFengQin, Study on the outward training into policing skill training course [J], Journal of Chifeng institute (natural science edition), 2010 (2)

[14] GengZhiwei, On the outward training in police physical training [J], Journal of Changsha railway institute, 2006, 4

[15] Li Huisheng, Niu Jin, On the new attempt of outward training in public security police construction [J], the public security education, 2007, 1

[16] Liu Weiqing, Development the policing actual courses through the concept of the outward training [J], the police actual combat training, 2011(2)

the purpose of physical and mental challenges, interpersonal communication, environmental adaptation, thinking innovation, command coordination<sup>[17]</sup>.According to the different development techniques of police it is divided into ice skills, motivational skills, interpretation techniques<sup>[18]</sup>.According to the advice of police training form it is divided into general training content of elective courses, special police psychological development course, physical stamina and tactics related training course<sup>[19]</sup>.

#### 5.2. Course models

Generally speaking, the police outward training also follows the mode of the general outward training. There are some stages on preparation, training, and review in the overall framework of activity<sup>[20]</sup>. Although the views of articles involved are not the same, the importance of shared review link is emphasized uniformly. All opinions are the concentrated reflection of experiential teaching methods.

#### 5.3. Course design principle

All 4 papers put forward the concept, design principles and methods of the police outward training teaching. One of these articles points out that the concept of the police outward training teaching should follow humanism, behaviorism and constructivism because training which is seeking behavior change and the process of construction is a kind of experiential learning. Although this view is not very serious, but grasping the rule of the teaching of the police training. In general, all including the step-by-step principle, ethical principle, within our capabilities principle, optimization principle<sup>[21]</sup> are the design principle for the police outward training course, however, these principles are no different than other training courses.

#### 5.4. Training characteristic

The police outward training is a kind of experiential learning program for "concept of trial and learning". It lies not in the physical quality development institute, but in the development of students' psychological quality, promote students' mental health and social adaptability. Obviously those summaries on the characteristics of police outward training are lack of science rigorousness logically and the layer of facts is not perfect. The fundamental cause of facts lies in far from grasping the nature of the police outward training, and all the discussion has yet to rise to the level of ontology.

### 6. Problems and countermeasures

A total of 12 articles formulate the problems existing and its countermeasures in the police outward

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[17] Zhu haiming, Promoting the construction of police training curriculums show the features of police science development [J], journal of Beijing people's police college, 2010 (2)

[18] ZanLin, Police actual combat training [J], journal of Yunnan police officer academy, 2008 (2)

[19] Zhao Fengguo, Application research on the outward training in the public security colleges [J], journal of xinjiang police college, 2013 (3), 33

[20] Wang Xuebo, expand training in police psychological training principle and mode study [J], journal of guizhou police vocational college, 2009 (3)

[21] Dong Chengwei, Methods of the outward training into police professional education course [J], journal of Yunnan police officer academy, 2008 (6)

training. Problems mainly include: course equipment(teacher, time, venue, equipment, materials);course content(curriculum design and teaching plan arrangement, organization, the evaluation of training scientific results); actual combat training of police(long-term, difficult to maintain, lack of targeted training, extensive management, security).On the one hand are main countermeasures to reinforce the existing of people, goods, and the construction of the campus environment<sup>[22]</sup>(such as police training knowledge training, personnel training, base construction, etc.);On the other hand, to strengthen the exploration of police training course design and teaching means of complementary (such as changing the existing teaching course, pay attention to solve the time control of subject and practice density, etc.<sup>[23]</sup>).It is worth noting that "to expand the training into police skills course of study" are referred to the perfection of the police training needs the support of other related science theory system, to some extent, admitted to support the development of police training subject background and the related concept of chaos and free, the present situation of the academic community is weak or even missing.

## Existing problems

### 1.Inconsistency of the concept of police training and theory of diversity

Due to the outward training has been introduced into public security education for only a short time, few articles put forward the concepts of police training. Zhu Haiming believes that the police outward training, which is based on the public security business, police physical training, police tactics and driving, police command, psychology, management and other essential abilities policemen should be qualified, make the aspects of police's idea, consciousness, character, psychological quality improved through teaching system and plays an important role in training police professional ability and cultivating their quality education<sup>[24]</sup>. The paper thinking on the police training in teaching practice points out that its concept is a new disciplines of experiential teaching based on a kind of such as psychology, public security, education, public security management. Zanlin think that the concept is referring to combine the parts of police actual combat training and concepts with the method of experiential education, and make the trainees and team improved in the process of the communication, cooperation and flexibility in the police actual combat training<sup>[25]</sup>.We see that three of concepts are quiet different in the aspects of the connotation and extension

[22] Dong Chengwei, Methods of the outward training into police professional education course [J], journal of Yunnan police officer academy, 2008 (6)

[23] Ma Hongming, Application of the concept of outward training in police college physical teaching [J], the contemporary sports science and technology, 2014 (19)

[24] Zhu haiming, Promoting the construction of police training curriculums show the features of police science development [J], journal of Beijing people's police college, 2010 (2)

[25] ZanLin, Police actual combat training [J], journal of Yunnan police officer academy, 2008 (2)

of their own. It could lead to confusion in the conception of police outward training and is not instructive in science. This dilemma is due to the concept and theoretical system of outward training actually is not unified. There are various understandings of outward bound training in academy, namely a comprehensive activity, a kind of experiential training, a sort of practice, a way of training<sup>[26]</sup>. The scholars from the public security seem to accept that the police outward training is a way of experiential training, which belongs to genus according to the definition of genus plus specific difference, however the discussions about the specific difference of the police outward training are in dispute. Some think it is a combination of the public security-related business and different disciplines. Some people hold that it is a cross-disciplinary subject. Someone accepts it is based on experience and actual combat training of police. These concepts above make the extensionality of the concept generalized, turning into a mess of various kinds of disciplines and courses.

The study in the theoretical source of police outward training is few. Some scholars pointed out that most are in the theoretical basis of law, philosophy, psychology, pedagogy, behavioral science and sociology<sup>[27]</sup>; some scholars think that it stems from a series of psychological theory, such as Thorman's behavior determinants, Klewin's group dynamics, Maslow's theory of peak experience<sup>[28]</sup>, and so on. Also other scholars think that the "hard/give up" psychological models and "experience, understanding, control, beyond" psychological regular pattern<sup>[29]</sup> have effects on it. These models and patterns are theoretical origin-not just for outward training but for police outward training, this suggests that the development of police outward training is far from an independent branch. To further speaking, it is a long road to develop police outward training because it is very young and its core concepts and theoretical paradigm are almost blank.

## **2. Related category's differences and multidisciplinary confusion**

The teaching and training of police actual combat, police sports, police psychological are often been introduced into police outward training, to some extent this makes these categories confused. At present, there are a few kinds of such views about ownership of police outward training.

Firstly, police outward training is an innovative method of public security colleges sports, this incorporates it within the scope of police sports research. Secondly, police outward training which is under the background of in-service policemen with the model of combining fight and training, is targeted at the police law enforcement and the actual behavior, and this is included in the category of police

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[26] Jiang Ming, the existing problems on the concept of our domestic outward training[J], the public security education, 2013(1)

[27] ZanLin, Police actual combat training [J], journal of Yunnan police officer academy, 2008(7)

[28] Wang Xuebo, Zhang Guangyu, On principle and mode of outward training in police psychological training [J], Journal of Jilin Public Security College, 2009, 6

[29] Chen Xin, Begin training and enrich police culture [J], Beijing People's Police College, 2008 (1)

tactics. Thirdly, the police outward training, which is to improve the level of trainee's mental and social adaptation ability by psychological training, is actually discussed in the field of police psychology.

However, some scholars pointed out that there are considerable differences between the police outward training and the police psychological training. The former emphasizes the outdoor, and the latter think it is not limited to outdoor but to have training through a variety of equipment, software or constructing the simulated situation<sup>[30]</sup>. The previous ideas can be concluded that police outward training have some changes: the service objects are from public security college students to in-service policemen; the main body of training is from the athletics teachers of public security college to the actual police combat drillmasters; the course belonging is from pure athletic teaching gradually to the police combat tactics and the police psychological training. Therefore, the police outward training is a need of the public security work and construction of public security team. But it is important to change the facts that the practical teaching rather than the theoretical research. When we borrowed from multiple disciplines in their theories, contents, perspectives and methods, we should not just stay in a very superficial lever and way, but to treat the police outward training as an important part of a ripe discipline building in a future. To summary, it is important to ponder deeply that the question of what is it and what is belonging to, which are the original problems of the police outward training as an own independent knowledge community like we hope.

### **3.Methods of scientific training**

Study researches of police outward training are mostly in the method of observation since 2006 it began to enter the field of vision of scholars of public security. Due to their weaker theoretical level and constrained research method, authors who are mostly in police training teachers and instructors cannot be anything but summary its application value and existing question, generally having to go through 4 stages of observation, induction, summary and reflection.

Since three articles were gradually in positivistic sense in 2014, research methods such as literature method, questionnaire survey method had gradually gone into our eyes, but still lack of mathematical statistics and scientific method of qualitative research. The above analysis shows that the current domestic research on police training is lacking in scientific logic and embodying value and it is at a relatively low level although most have freed from the comments of the article and gradually are close to academic papers. Along with our deep research on police outward training as well as inter-discipline integration, we need to look for a scientific way of police outward training, namely on the one hand from basic theory to know "what is the issue of police training"; On the other hand from empirical data on the "why" and "how" problem, not only by subjective speculation and experience of the author.

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[30] RenYantao, Thinking on the outward training in police psychological training [J], Journal of Jilin public security college, 2012.6

## Conclusion

In nearly a decade, police outward training has gained the richer experience in actual combat than in practice theory. Hence, firstly we should be stick to explore its basic theories and hope expects can resonates and build a responding relationship with each others on the question of it subjects, nature, characteristics. Secondly we need carry out some deep empirical analysis and explore the unique value and function of police training from the aspects of mental health, class cohesion, as well as influencing the moral education content based on the outward training experience of other comprehensive universities. Thirdly it is necessary to have a comparative study to play a positive reference for the development of the domestic police training between Chinese and foreign theory of police outward training and its training mechanism.

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# Exploratory Factor Analysis of Police Professional Quality

Liu Shuo, Yuan Yuan

**Abstract:** To a great extent, the effects of criminal investigation conducted by criminal police determine if criminal judicial activities are of success. It is a common view that criminal police should have good professional qualities. Therefore, this paper employed factor analysis to conduct a relatively systematic empirical research on the professional quality of criminal police and its structure, with the purpose of providing grounds for their training, selection and management. It was shown in the findings that the professional quality of police can be summarised as seven modules. In terms of significance, they include investigation thinking system, investigation information system, investigation behavioural competency system, law enforcement concept system, self adjustment and control system, keenness and alertness as well as autonomy and courage. The system is orientated and dominated by its concept system (i.e. morality, dedication etc.), driven by vocational personality (i.e. autonomy and courage, keenness and alertness etc.), supported by self adjustment and control system (i.e. self consciousness, pressure relief etc.), and guaranteed by behavioural competency system (i.e. thinking, behaviour, information).

**Keywords:** criminal police, education and training of professional quality, exploratory factor analysis.

## Introduction

Criminal investigation activity of criminal police is one of the hottest issues for the public. With the continuous elevation of criminal activities in the modern society, the public propose an increased demand for the social security. Criminal justice is regarded as the bottom line of social justice, and criminal investigation is the basic component of this system; especially in the countries implementing investigation selfish departmentalism, the effects of criminal investigation determine if criminal judicial activities are of success to a great extent. It can be seen that the criminal police undertake Herculean task and dedicate a lot

to their work, which therefore call for their good professional qualities. However, there is rarely systematic empirical research on the professional quality of criminal police and its structure by now, as well as how to conduct their psychological training and selection. Therefore, this study was conducted and sought to address the issues mentioned above.

## Objectives

### **The objectives of this research are as follows.**

Empirical research methods were employed to explore the structure of the professional quality of criminal police.

Investigate the difference in different groups’ perception of the professional quality of criminal police and its structure.

Offer theoretical and empirical research support for developing the criterion of criminal police selection and training.

Offer theoretical and empirical evidence for the educational reform of the professional quality of criminal police.

### **Methodology**

Define the Professional Quality of Criminal Police and Its Structure

Based upon the research results of public security science and police psychology, the professional quality of criminal police was defined in this study as the stable professional qualities that criminal police should possess in investigative activities.

The professional quality of criminal police refers to the components of criminal police professional quality and their interrelation. This structure is determined by the tasks and investigative activities of criminal police.

### **Procedure**

Aims

Through literature review and interview, ‘professional quality of criminal police questionnaire’ was developed; the indicators of criminal police professional quality were determined by testing, and the professional quality of criminal police was also discussed.

Participants

Research participants were from different groups related to the police, including on-the-job criminal

police, investigation major students (pre-service criminal police), leaders of public security organs, investigation major teachers, criminal techniques personnel and criminal techniques major students etc. The number of valid subjects was 636.

**Table 1. Subjects Distribution**

Sources of Subjects	Investigation Major	Techniques Major	Others	Total
From Institutions	213	75	35	323
From Practice	152	118	43	313
Total	365	193	78	636

Test on site

Through group testing, subjects were required to complete answers in twenty minutes. SPSS FOR WINDOWS(10.0) was used in the computer to process and analyse the data.

## Results

### Applicability of Factor Analysis

In order to obtain a stable correlation matrix estimate, N in raw data matrix should be larger, as smaller sample can make the estimate of correlation coefficient instable and more fluctuated. The sample of raw data in this study was 636,  $N \geq 500$ , which is considered to be 'good' based on experience.

The percentage of 44 traits listed on the questionnaire was tested using Bartlett's Test of Sphericity, and the results were: Bartlett's value=10489.617,  $P=0.000 < 0.01$  (significance level); this indicated that overall correlation matrix was not unit matrix; therefore, factor analysis can be employed.

In the meanwhile, the result of Kaiser-Meyer-Olkin (KMO) was 0.939; it also proved that using factor analysis was appropriate in this test.

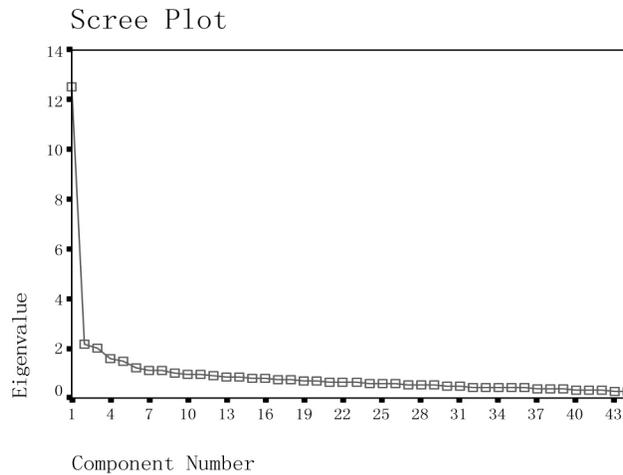
**Table 2. Bartlett's Test of Sphericity**

Bartlett's Test of Sphericity	Approx. Chi-Square
	1405.45
df	946
Sig	.000

**Determine Factors**

It can be seen in the Scree Plot (Chart 1) that the grade line slope is comparatively flat starting from the seventh factor, therefore comparing seven factors was appropriate.

**Chart 1. Scree Plot of Factor Analysis**



The communalities of half variables was more than 0.5 (Table 5), and the communalities of most of variables was no less than 0.4, which indicated that 7-factor model basically would be able to represent data properly.

Based upon the results of Table 5, principle component analysis and Varimax factor rotation of the data tested were conducted, and the accumulated variance contribution rate was 50.378% (Table 3). According to the factor loading value of traits in main factors, the traits were selected by rejecting those with smaller factor loading value (<0.316) including T12, T24, T32 (Table 4), as a result, the number of traits is reduced in the professional quality evaluation of excellent criminal police.

**Table 3. 7 Factors Total Explained Variance**

Factor	Eigenvalue	Explained Variance (%)	Accumulated Explained Variance (%)
F1	12.528	28.473	28.473
F2	2.168	4.927	33.399
F3	2.018	4.586	37.985
F4	1.611	3.611	41.646
F5	1.484	3.372	45.018
F6	1.227	2.788	47.807
F7	1.131	2.572	50.378

**Table 4. Total sample 7 Component Matrix**

Traits	Factor Loading						
	1	2	3	4	5	6	7
T36	.749						
T21	.735						
T26	.695						
T33	.540						
T38	.530						
T4	.516						
T29	.474						
T23	.404						
T43		.706					
T44		.692					
T31		.539					
T35		.501					
T34		.489					
T27		.421					
T28		.380					
T24		.312					
T7			.692				
T17			.544				
T9			.469				
T8			.428				
T12			.311				
T15				.650			
T16				.633			
T13				.390			
T1					.645		
T3					.617		
T6					.558		
T11					.516		
T2					.458		
T20					.431		
T14					.335		
T32					.316		
T39						.669	
T40						.609	
T37						.486	
T22						.457	
T42						.413	
T30						.403	
T5							.673
T10							.545
T18							.464
T25							.409
T41							.383
T19							.353

**Name Factors**

The purpose of factor analysis is not only to extract common factors, but also to understand each factor’s meaning, after determining the parameter estimation method and factor rotation method, it seems very important to use professional knowledge to make a reasonable and creative explanation. With respects to the results shown in Table 4, the explanation of seven factors are shown blow.

**Table 5. Total Sample’s Factor Analysis Explanation**

Factor Number	Factor Name	Traits	Factor Loading	Communalities		
1.	Law enforcement concept	T36 Enforce the law impartially	.749	.671		
		T21 Observe disciplines &Obey laws	.735	.630		
		T26 Integrity &Self-discipline	.695	.598		
		T33 Responsible	.540	.570		
		T38 Dedicated	.530	.602		
		T4 Love detection job	.516	.538		
		T29 Enterprise	.474	.528		
		T23 Hardworking &Determined	.404	.444		
		2.	Self adjustment &control system	T43 Impersonality & Reason	.706	.612
				T44 Adaptability	.692	.567
				T31 Emotional stability	.539	.446
				T35 Prudence	.501	.454
				T34 Pressure resistance	.489	.411
				T27 Patience & Tenacity	.421	.517
T28 Confidence	.380			.463		
		T23 Self-respect &Self-dignity	.312	.500		

Policing Reform & Social Governance				
3.	Autonomy & Courage	T7	.692	.526
		Open & Energetic		
		T17	.544	.411
		Courage & Take risks		
		T9	.469	.419
4.	Investigation information system	Independent thinking & Work capability		
		T8	.428	.423
		Willing of self-reflection & summarising experiences		
		T15	.650	.567
		Ability of constantly updating knowledge		
5.	Investigation thinking system	T16	.633	.525
		Awareness & Capability of obtaining criminal information		
		T13	.390	.371
		Capability of collecting & handling evidence		
		T1	.645	.467
6.	Keenness & alertness	Judgement		
		T3	.617	.486
		Meticulous observation ability		
		T6	.558	.507
		Resourcefulness		
		T11	.516	.429
		Ability of gaining insights into others' mind		
		T2	.458	.496
		Smart astute & Quick response		
		T20	.431	.460
6.	Keenness & alertness	Ability of comprehensively analyse cases		
		T14	.335	.386
		Abundant imagination		
		T39	.669	.607
		Foresight		
		T40	.609	.566
		Decisiveness		
		T37	.486	.389
		Flexible & Realistic		
T22	.457	.487		
6.	Keenness & alertness	Inspired & Accurate Intuition		
		T42	.413	.521
		Sceptical & Alert		
		T30	.403	.489
		Innovation spirit		

7.	Investigation behavioural competency system	T5 Self-protection awareness & ability	.673	.511
		T10 Strong legal consciousness	.545	.563
		T25 Interpersonal skills	.409	.540
		T18 Communication skills	.464	.590
		T41 Writing skills	.383	.401
		T19 Self-control ability	.353	.500

Traits with larger factor loading value in Factor 1 included ‘enforce the law impartially’, ‘observe disciplines and obey laws’, ‘integrity and self-discipline’, ‘responsible’, ‘dedicated’, ‘love detection job’, ‘enterprise’, and ‘hardworking and determined’ etc., which present the law enforcement concept that criminal police are required to abide in their work.

Traits with larger factor loading value in Factor 2 were ‘impersonality & reason’, ‘adaptability’, ‘emotional stability’, ‘prudence’, ‘pressure resistance’, ‘patience and tenacity’, ‘confidence’, and ‘self-respect and self-dignity’ etc., and these features are physiological self adjustment when the criminal police face all sorts of pressures, therefore, they were named as self adjustment and control system.

Traits with larger factor loading value in Factor 3 included ‘open and energetic’, ‘courage and take risks’, ‘independent thinking and work capability’, and ‘willing of self-reflection and summarising experiences’ etc., which demonstrate professional quality of criminal police’s initiative and independence, and were named as autonomy and courage.

Traits with larger factor loading value in Factor 4 included ‘ability of constantly updating knowledge’, ‘awareness and capability of obtaining criminal information’, and ‘capability of collecting and handling evidence’ etc., and they exhibit the information sensitivity of criminal police, namely investigation information system.

Traits with larger factor loading value in Factor 5 were ‘judgement’, ‘meticulous observation ability’, ‘resourcefulness’, ‘ability of gaining insights into others’ mind’, ‘smart astute and quick response’, ‘ability of comprehensively analyse cases’, and ‘abundant imagination’ etc.; they are related to the investigation thinking ability of criminal police, therefore, they were named as investigation thinking system.

Traits with larger factor loading value in Factor 6 include ‘foresight’, ‘decisiveness’, ‘flexible and realistic’, ‘inspired and accurate intuition’, ‘sceptical and alert’, and ‘innovation spirit’ etc, which are the occupational personalities of criminal police, and were named as keenness and alertness.

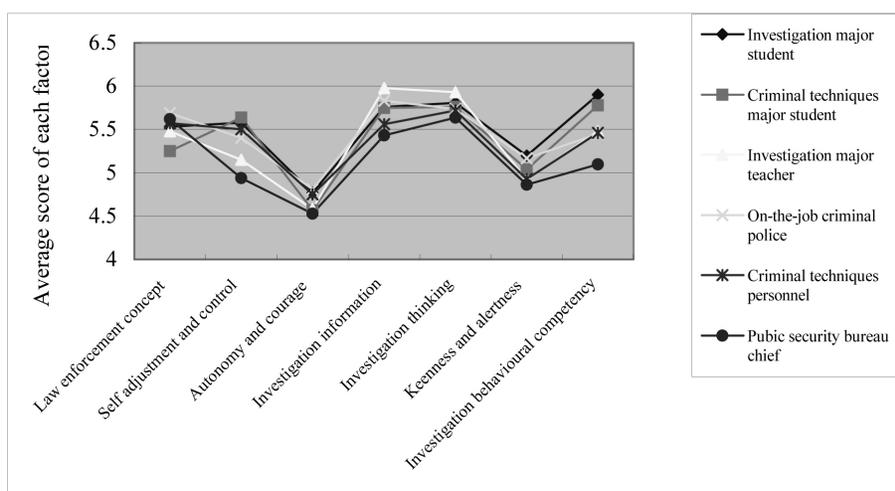
Traits with larger factor loading value in Factor 7 were ‘self-protection awareness and ability’, ‘strong legal consciousness’, ‘interpersonal skills’, ‘communication skills’, ‘writing skills’, and ‘self-control

ability'; they are mainly about the enforcing laws capabilities of criminal police in criminal investigation, therefore, they were named as investigation behavioural competency system.

### Difference in Different Groups' Perception of Criminal Police Professional Quality on Level of Factors

In order to reveal the implicit views on professional qualities of different groups of criminal police straightforwardly and visually, the score of different groups on each factor was specially displayed by the profile chart below (Chart 2). As it can be seen, the score trends of seven factors were basically the same among investigation major students, criminal techniques major students, investigation major teachers, on-the-job criminal police, criminal techniques personnel and public security bureau chiefs; the score of investigation thinking factor was the highest, for the quality of investigation thinking is the principal professional requirement for the excellent criminal police. Then the factors scoring from high to low in sequence were investigation information system, investigation behavioural competency system, law enforcement concept system, self adjustment and control system, keenness and alertness, and autonomy and courage with the lowest score. It can be found in the results of sorting seven factors by their significance to these groups, and the sort order of different groups was not exactly the same, which indicated that each group focused on the different professional quality. The score of each factor's significance was the highest to investigation major students, later followed by on-the-job criminal police, criminal techniques major students, investigation major teachers, criminal techniques personnel and public security bureau chiefs who were with the lowest score, which might indicate each group's answering bias.

**Chart 2. Each Factor Score of Different Groups**



Difference in Different Groups' Perception of Criminal Police Professional Quality on Level of Items

Besides the factor analysis, this study analysed 44 traits (psychological features) of seven modules as well.

**Table 6. Sort the Mean of Each Item to Different Groups**

Sort Order	Total N=636		Investigation major student N=213		Criminal echniques major student N=75		Investigation ajor teacher N=35		On-the-job criminal police N=152		Criminal echniques ersonnel N=118		Public security bureau chief N=43	
	T*	M*	T	M	T	M	T	M	T	M	T	M	T	M
1	1	6.22	5	6.39	5	6.52	10	6.40	1	6.30	3	6.40	33	6.00
2	3	6.21	10	6.28	1	6.44	13	6.34	20	6.30	33	6.15	20	5.9
3	20	6.17	1	6.18	3	6.19	20	6.31	3	6.25	1	6.14	13	5.95
4	5	6.13	20	6.17	32	6.15	3	6.29	33	6.23	20	6.12	1	5.93
5	10	6.07	3	6.17	34	6.09	1	6.17	10	6.03	5	5.93	23	5.88
6	33	6.06	13	6.09	10	6.08	16	5.97	13	6.02	13	5.91	3	5.88
7	13	6.03	33	5.98	20	5.99	5	5.94	4	5.89	32	5.85	2	5.86
8	32	5.86	34	5.96	28	5.93	33	5.89	11	5.88	36	5.83	4	5.86
9	34	5.83	32	5.93	33	5.92	11	5.89	5	5.86	9	5.81	10	5.84
10	36	5.76	25	5.87	13	5.91	36	5.77	36	5.82	10	5.74	5	5.78
11	9	5.75	28	5.85	44	5.88	32	5.77	34	5.81	34	5.74	36	5.65
12	11	5.75	36	5.81	9	5.76	23	5.74	9	5.80	28	5.69	29	5.65
13	28	5.72	11	5.80	19	5.75	2	5.74	2	5.78	44	5.69	6	5.65
14	2	5.71	44	5.76	15	5.73	9	5.69	16	5.73	29	5.68	32	5.63
15	44	5.60	9	5.75	2	5.67	6	5.66	28	5.71	21	5.63	38	5.58
16	29	5.56	2	5.72	11	5.64	15	5.63	12	5.70	11	5.63	40	5.49
17	16	5.55	19	5.71	31	5.63	14	5.60	32	5.69	23	5.58	9	5.49
18	23	5.55	41	5.68	16	5.62	21	5.54	29	5.64	2	5.58	11	5.41
19	15	5.54	40	5.62	43	5.53	28	5.54	40	5.63	15	5.54	12	5.40
20	4	5.54	43	5.61	40	5.49	4	5.54	23	5.63	27	5.52	21	5.37
21	40	5.52	15	5.59	36	5.48	34	5.43	6	5.51	35	5.47	34	5.33
22	21	5.49	16	5.59	25	5.47	40	5.40	21	5.51	43	5.43	27	5.23
23	19	5.48	29	5.56	42	5.47	12	5.31	15	5.47	19	5.38	16	5.19
24	41	5.43	4	5.54	41	5.47	26	5.26	44	5.47	6	5.38	15	5.16
25	27	5.43	23	5.54	18	5.41	19	5.23	27	5.45	41	5.36	39	5.05
26	6	5.42	27	5.51	24	5.41	18	5.20	38	5.41	4	5.29	44	5.02
27	25	5.40	18	5.49	35	5.37	27	5.11	26	5.39	40	5.27	31	5.00
28	31	5.38	21	5.46	29	5.35	29	5.11	31	5.39	31	5.26	28	4.98
29	43	5.34	31	5.46	21	5.32	44	5.11	41	5.39	25	5.26	19	4.95
30	12	5.29	42	5.41	27	5.25	31	5.09	19	5.31	12	5.25	26	4.93
31	26	5.25	6	5.35	37	5.24	25	5.09	39	5.26	26	5.25	42	4.84
32	18	5.22	24	5.31	6	5.20	30	5.06	35	5.19	16	5.24	41	4.84
33	42	5.20	37	5.26	8	5.19	39	5.03	30	5.16	24	5.20	43	4.81
34	35	5.20	26	5.25	26	5.15	43	5.00	24	5.15	38	5.16	14	4.77
35	24	5.20	8	5.22	23	5.11	41	5.00	42	5.14	8	5.14	25	4.65
36	38	5.15	35	5.16	4	5.07	35	4.97	25	5.10	18	5.11	24	4.63
37	37	5.06	12	5.15	30	4.88	38	4.94	37	5.08	30	5.07	37	4.60
38	8	5.05	14	5.13	12	4.83	24	4.94	18	5.05	39	4.99	30	6.00
39	30	5.04	38	5.10	14	4.83	42	6.40	43	5.03	42	4.97	22	5.98
40	39	5.03	30	5.08	39	4.75	8	6.34	14	4.93	37	4.86	18	5.95
41	14	4.99	39	4.98	38	4.57	37	6.31	8	4.87	14	4.81	35	5.93
42	22	4.67	22	4.88	22	4.44	22	6.29	22	4.76	22	4.39	8	5.88
43	7	4.09	7	4.24	7	4.08	7	6.17	7	4.05	7	4.07	7	5.88
44	17	3.46	17	3.51	17	2.99	17	5.97	17	3.64	17	3.47	17	5.86

\*T: Trait M: Mean

The mean of each trait (psychological feature) was mostly above 5, therefore it can be seen that most

of traits are very important to criminal police. The first ten traits were analysed in this study, which were shown in Table 7 below.

**Table 7. Sort the First 10 Traits (psychological features)**

Sort Order	Professional Quality	Factor Belonged
1	Meticulous observation ability	Investigation thinking system
2	Judgement	Investigation thinking system
3	Ability of comprehensively analyse cases	Investigation thinking system
4	Self-protection awareness & ability	Investigation behavioural competency system
5	Strong legal consciousness	Investigation behavioural competency system
6	Responsible	Law enforcement concept
7	Capability of collecting & handling evidence	Investigation information system
8	Thorough thinking	Investigation thinking system
9	Pressure resistance	Self adjustment & control system
10	Enforce the law impartially	Law enforcement concept

It can be seen in Table 7 that there were four traits that belong to one significant factor——investigation thinking system. ‘Self-protection awareness and ability’ was regarded as the most important trait of investigation behavioural competency system. The most important one of self adjustment and control system was ‘pressure resistance’. ‘Enforce the law impartially’ was the most significant in the factor of law enforcement concept.

The requirement characteristics of different groups on criminal police professional quality were showed in the table above, and most of traits ranking ahead were related to the ability aspects.

Investigation major students and criminal techniques major students put ‘Self-protection awareness and ability’ in the first place, and it was closely related to the increasing self-protection courses in the criminal police education lately. In the last few years, with the increase of violent crimes, the number of police particularly criminal police casualties in executing tasks has been increasing year by year, therefore, public security decision-making organs and police education sectors increased the criminal police training on the self-protection awareness and ability; the participants in the study are just the new generation of criminal police receiving this kind of formal education, as a result, self-protection awareness and ability become the professional qualities that pre-service criminal police particularly focus on developing. ‘Judgement’ was put in the first place by on-the-job criminal police, which is closely related to the routine work of criminal police. However, criminal techniques personnel regarded ‘meticulous observation ability’ as the important trait, which accords with their professional characteristics. Due to the understanding of underlining investigation procedure, investigation major teachers emphasised ‘strong legal consciousness’ more. The leaders of public security organs, from the perspective of leadership, took responsibility as the most important trait.

These traits that ranked the last ten from low to high in sequence were 'courage and take risks', 'open and energetic', 'inspired and accurate intuition', 'abundant imagination', 'foresight', 'innovation spirit', 'willing of self-reflection and summarising experiences', 'flexible and realistic', 'dedicated' and 'self-respect and self-dignity'. With regards to those traits, each group put 'open and energetic' and 'courage and take risks' in the last, which is different to the opinion that extraverted temperament contributes to engaging in criminal police profession. As for 'courage and take risks', through interviewing participants, their opinions were as followed. First of all, criminal police do not advocate using brawn rather than brain; secondly, their work is mainly trivial, and they rarely get into the dangerous circumstances, this trait therefore seemed not particularly important to an excellent criminal police.

## Discussion

### Applicability of Analysis Results

Four factors in this model were basically no difference to the research conception of literature review, which included law enforcement concept system, self adjustment and control system, investigation thinking system and investigation behavioural competency system.

In another three factors obtained through factor analysis, autonomy and courage as well as keenness and alertness can be regarded as professional personality of criminal police in theory. In addition, investigation information system was stand-alone, which indicated that in the modern investigation system, investigation information system is very crucial dimension and should draw attention, furthermore, this has been proved by the reality of current police investigation practice.

7-factor model only explained 50.378 % of total variance, 49.62% of variance was due to the unexplored special factors in factor exploratory model. There are many variables with different significance that have an impact on the professional quality of criminal police, this study therefore rejected related variables with comparatively less influence in the development and statistical processes of questionnaire, and these rejected variables were among special factors, as the result, they increased the speciality.

### Characteristics of criminal police

#### Comprehensiveness

The professional quality of criminal police covers extremely abundant contents. It involves in a lot of contents of intelligence and non-intelligence factors, which accorded with the prior researches. This therefore demonstrates the colourful spirit of criminal police.

#### Distinctiveness

Due to the professional characteristics of criminal police, its professional quality should possess its own characteristics distinguished to other groups', so as to accommodate the criminal police investigative

activities. It can be seen in the results of this study that both criminal police professional quality and its structure and the significance between them, all reflected the professional characteristics of criminal police with strong distinctiveness.

#### Structuredness

Criminal police professional quality has a stable structure, and this structure is scientifically reasonable and its components are mutually supportive to each other. The criminal police professional quality model presents the spiritual world that consists of seven modules, which is the criminal police personality system. These seven dimensions are relatively independent, and each has its own specific meaning, status and role. However, they are not isolated to one another, or simply summed up or mechanically combined together, but are an organic unity of relating to each other, interacting, inter-restricting and interpenetrating.

#### Layerness

Criminal police professional quality is a well-layered system, and the professional quality requirements for the different types and different working stages of criminal police are not the same. Even as far as the same type and the same working stage of criminal police group are concerned, there is not only a unified professional quality requirement. Different groups have different understanding of different factors and traits.

The results showed that the pre-service and on-the-job criminal police, teachers and students, criminal police and criminal techniques personnel, as well as criminal police and the leaders of public security organs, have various perception difference on the criminal police professional quality, which precisely demonstrated its layerness.

#### Developmental

As time advances, criminal police professional quality is constantly developing, and will gradually be endowed with new contents. It was found in this study that self adjustment and control system of criminal police is an important factor, and is a very significant content especially for the pre-service criminal police, which should not be underestimated for the on-the-job criminal police either. As for the aspect of work capability, through factor analysis, investigation information system was found to be a relatively distinctive factor, which precisely reflected the professional characteristics of criminal police; with hope of being an excellent criminal police, it is required to have good information collection and processing abilities. In a sense, acquiring leads, obtaining information and collecting evidences are the core work of criminal police, and it coincides with the requirements of gaining evidence and information consciousness that public security decision-making organs and theoretical study have advocated recently, therefore, the new development of investigation theory was also verified by psychology research in this study.

## Concussion

Nowadays, with the continuous elevation of criminal activities in the modern society, the public propose an increased demand for the social security; therefore, criminal investigation activity of criminal police becomes one of the hottest issues for the public. It is without doubts that the criminal police undertake Herculean task and dedicate a lot to their work, which therefore call for their good professional qualities. This paper conducted a relatively systematic empirical research on the professional quality of criminal police and its structure, with the purpose of providing grounds for their training, selection and management. Found in the results, the professional quality of criminal police consists of seven modules, in terms of significance, they include investigation thinking system, investigation information system, investigation behavioural competency system, law enforcement concept system, self adjustment and control system, keenness and alertness as well as autonomy and courage. The system is orientated and dominated by its concept system (i.e. morality, dedication etc.), driven by vocational personality (i.e. autonomy and courage, keenness and alertness etc.), supported by self adjustment and control system (i.e. self consciousness, pressure relief etc.), and guaranteed by behavioural competency system (i.e. thinking, behaviour, information). Although the study was conducted in China, it is applicable to the police all over the world.

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# The Importance of the China-EU Police Training and the Approaches of Training Qualities Improvement

Zha Jianan

**Abstract:** This essay discusses the importance of China-EU police training, delivered in the context of the identified increasing requirement for policing cooperation globally. It is considered that the introduction of relevant EU practices could serve to improve Chinese policing. The essay focuses on a study of the China-EU police training and cooperation project implemented currently by, a new concept “three training parties and four serving parties ” in which the whole training project needs are defined. In analyzing the relationships and functions of the participant parties and influencing factors it is finally concluded that with recommended areas for improvement the China-EU cooperation project should be continued.

**Keywords:** China-EU Police Training, Training Parties, Severing Parties, Training Needs, Training Quality

Attaching importance to police education and training has always been a good tradition of our work, and is also necessitated by the serious security challenges faced by the police. For a long time, the Chinese modern policing work has benefited from a solid training and education system. In this globalization era, as Confucius said, “When three are walking together, I am sure to find teachers among them.”, in addition to the regular and routine police training, we also need to have an international perspective, and in particular learn advanced policing concepts and techniques from the EU.

## The Importance of Police Cooperation and Training between China and the EU

Learning from Europe is an important feature in the development of modern civilization. Since the 19th century, with the European global colonial expansion, the political, economic, military, cultural

achievements resulted from the Renaissance and enlightenment were also brought to the world. It can be said that Europe is the birthplace of modern civilization. The European Union was formally established on November 1, 1993, and has become the largest economic entity in the world with 28 member countries and 24 official languages. Many developing countries are engaging in cooperation and learning exchanges with the European Union.

The modern policing system also originated from Europe. According to the degree of concentration of police organization and management model, European police systems can be divided into the mainland model (represented by France and Italy) which features a centralized police system; a decentralized model (represented by Switzerland and the Netherlands); and the middle model (represented by the UK and Germany) which features a type of police system between centralization and decentralization. By geography, the European police systems can be divided into five models, including Eastern Europe, Western Europe, Southern Europe, Northern and Central Europe model, among which the Western Europe model is the most typical one. The Eastern Europe model was strongly influenced by the Soviet model.

The modern policing pattern created by Europe has influenced the world. In particular, the “colonial policing model” characterized by a high degree of paramilitary and of colonial predatory nature, still has strong influence on the current police system in Commonwealth countries, the former French colonies in Africa, Spain, Portugal and in Latin America. Today, Europe still provides diverse and advanced policing models for our reference and learning.

China-EU police training is an important part of China’s efforts to strengthen international police cooperation. Today, with global integration, all countries in the world not only share interests, but also share safety and risk concerns. Cooperation, especially law enforcement cooperation has inevitably become a requirement. Combating transnational crimes, strengthening international law enforcement and police cooperation have become an important subject for law enforcement agencies in each country and region. It is Chinese police’s obligation to protect the life and property of Chinese people at home and abroad and protect the legitimate rights and interests of Chinese citizens. In such international background, it is therefore logical and necessary to strengthen friendly and professional exchange between the law enforcement agencies of China and European Union, conduct China-EU training cooperation projects, and learn advanced policing technologies and concepts.

### **Introduction of China-EU Police Training Project**

In recent years, China and the EU attached great importance to police cooperation and training, and have put it into action. On October 19, 2012, the Ministry of Public Security of PRC introduced the five year EU sponsored China-EU police training program. It commenced in the second half of 2012 and involved eight Chinese police colleges and universities selected by the MPS, conducting training

courses, organizing overseas official delegation visits, conducting workshops and seminars. Through such activities, the program provided training to Chinese police officers and police trainers, in improving police management, law enforcement standardization, the ability to maintain social order, and fighting against transnational organized crime. This was the first substantive police training cooperation project between EU and China, and also the research sample for this paper.

On November 21, 2013, China and the EU leaders jointly adopted the China-EU 2020 Strategic Agenda for Cooperation. This comprehensive agenda identified the common goals of strengthening cooperation in peace and security, prosperity, sustainable development, cultural exchanges and other areas, which will promote the further development of China-EU comprehensive strategic partnership in the next few years. In this document, paragraph 9 of Clause 1 ("peace and security") set out the initiative that the parties will: strengthen China-EU cooperation under the framework of the United Nations Convention against Transnational Organized Crime and the United Nations Convention against Corruption; collaborate on projects combating transnational crime, illegal migration, and cyber-crime, and hold special consultations on issues of anti-terrorism at an appropriate time. It also stated China and the EU should keep each other informed on criminal activities, organized crime, illicit trade in small arms, abduction, human smuggling, illegal migration, trafficking in human beings, money-laundering, counterfeiting, and drugs, as well as economic and financial cases, and take joint actions and that cooperation on police training should be strengthened. This “Agenda” provides powerful policy support and guidance for China-EU police training projects.

On September 17-18, 2014 the China-EU law enforcement cooperation and police training seminar attended by the MPS and representatives of eight police colleges and universities and EU police liaison officers, was held in Zhejiang Police College. Participants summarized the programs conducted, shared the experiences and exchanged views of common concerns about China-EU law enforcement cooperation, such as intellectual property protection, social security administration, police management, forensic and community policing and the fight against organized crime, narcotics, terrorism, etc.

Up until September 2014, the project has held 41 sessions, training a total of more than 1,000 Chinese police officers, and organized nearly 20 exchange delegations to Europe. The total number of contractor colleges and universities has increased to 10. As one of the contractors, since September 2013 Beijing Police College successfully organized six training sessions namely; Law Enforcement Standardization (September 2013), Immigration Border Control (November 2013), Criminal Intelligence Analysis (June 2014), Community Policing (September 2014), Assembly, Demonstrations and Riots Disposal (December 2014), and ID Document Production and Management (May 2015).<sup>12</sup> European instructors from the United Kingdom, Spain, the Czech Republic, Malta, Finland, France, have trained total 154 participants from 28 provinces, municipalities and autonomous regions, whose police rank varies from junior inspector (3rd class) to junior commissioner (3rd Class), and position level range from Staff to division chief.

## Critical Observation of the China-EU Police Training Program

The China-EU project plays a positive role in enhancing mutual understanding and trust. It's strategically and practically significant to promote China-EU law enforcement cooperation. The project is currently 50% complete, and has entered into the critical period of experience accumulating and continuous improvement. The successful points are summarised below:

i. Related concepts, measures and methods of law enforcement in the EU Member States have been introduced in large scale. The Chinese participants generally reflected that their horizons have been expanded and their critical thinking inspired. Many lectures are very useful as reference points in their police work.

ii. The communication platform between Chinese and the EU police has been built and the bilateral exchanges of police officers has been improved, In addition the channels of China-EU police cooperation has been strengthened, which significantly paves the way for deeper and wider cooperation in the field of international law enforcement in the future. Overseas training expenses have been reduced through conducting the training in China.

iii. Chinese police work systems and practices have also been demonstrated. It has been a good opportunity to demonstrate transparency in Chinese policing practices and for western peers and specialists to increase their understanding of Chinese policing.

iv. The contractor colleges have been tested throughout the project. Valuable experience has been accumulated on the capacity of foreign affairs organizations, performance evaluation, training and logistics management etc. The staff who have taken part in training programs reflect that they have been greatly inspired, particularly in the areas of training course design, assessment tracking, bilingual communicating.

The success of the programme has been reflected in the feedback statistics and evaluation results: 68% of the participants believe that the project is strongly helpful for their future work, 32% of participants believe it is helpful; 63% of the participants confirm that it is strongly favorable for the improvement of cooperation and exchanges, 37% of participants regard it's favorable ; as to the overall evaluation, 67% of the participants evaluated it as excellent, 33% of the participants evaluated it as good.

However, the feedback results also reflect some areas for development. For example, some courses were reflected not practical enough or too general or simple- not being able to resolve problems encountered in the work. In addition doubts were expressed whether the EU approaches are always applicable in Chinese policing practice; some lectures were considered did not fully meet the needs or expectations of Chinese counterparts and trainees and not sufficiently realistic to solve tangible problems in practice.

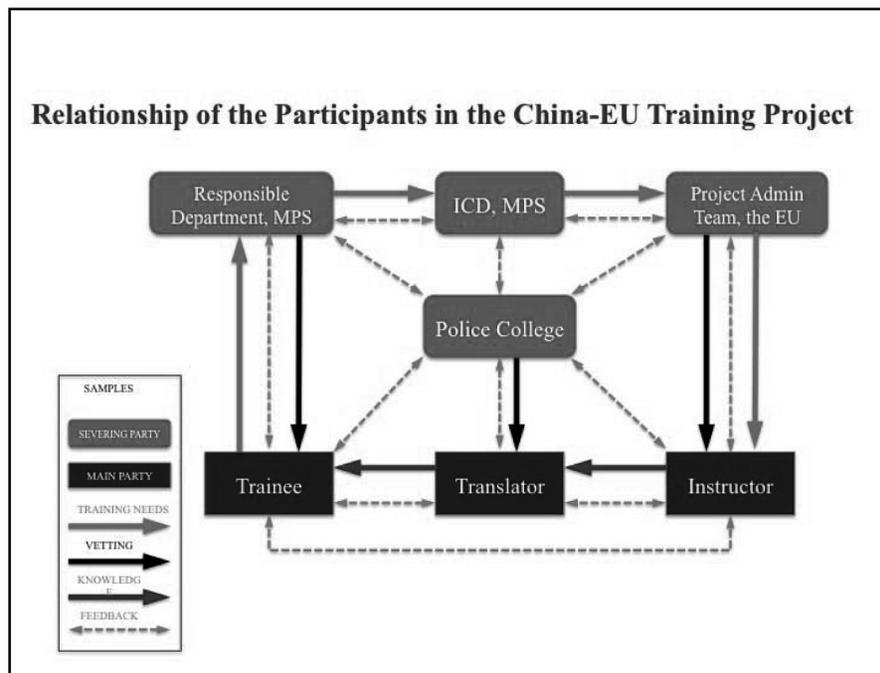
In conclusion, although the China-EU training program has made remarkable achievements, there is

still room for improvement in training methods, content and application.

## Two Essential Factors Influencing Qualities of China-EU Police Training Project

How to further improve the quality of the existing China-EU training program whilst keeping the current framework and model? Before exploring this question, the China-EU training program participants composition should be analyzed. The participants could be summarized as "three training parties, four service parties." The so-called three training parties are: a) trainee (knowledge recipient), b) interpreter/ translator (knowledge conversion side), c) instructor (knowledge output side). The four service parties are: a) China-EU Police Training Project Office (hereinafter referred to as " CEPTPO "), International Cooperation Department in the MPS(ICD), involved departments in the MPS, the contractor colleges and universities.

The chart below sets out the relationship among the parties as follows.



Based on the chart, to ensure and further improvement of the whole training quality, we need to attach importance to the following two aspects.

### i. Attaching importance to the vetting of the three training parties

Trainees, translators, EU instructors are separately vetted and quality-controlled by the related department in the MPS, operating college or university and CEPTPO. Vetted trainees should be senior

officers and specialists with good English listening and speaking ability. Vetted instructors should be specialists with some understanding of Chinese police (or required to do some preparation), tutoring and language skills; Translators, also vetted, should be professional to guarantee that knowledge and information transference between instructors and trainees is conducted in an accurate and efficient way.

**ii. Before start of the project, the training needs of knowledge recipient (Chinese trainees) should be collected, determined and reflected correctly to the knowledge output side (EU instructors)**

Training materials adapted to meet the trainees' needs, is one of the essential elements to improve the quality of training. Only by fully understanding the training needs of Chinese counterparts, EU instructors could be able to develop fully targeted plans to carry out training task completely. Therefore, before a program starts, the training needs of Chinese trainees should be conveyed accurately and comprehensively to the training instructors by the CEPTPO.

So, in real circumstances, how are the training needs extracted and delivered? Firstly, training needs must be refined and specified. For example, before starting a training program related to fingerprints developing technology, training needs such as "how to develop fingerprints" would be too vague and wide for what is normally a five day training session. Some technical problems encountered in real cases should be raised like "procedure and methods of fingerprint developing on the skin, wax-polished furniture surface etc." The more detailed the training needs are identified, the more effective training programs would be delivered.

Therefore, through a prospective analysis and grassroots collection methods, the responsible department of the MPS may list common problems and difficulties in relevant fields, then summarize and refine them into concrete training needs; and then propose those documents to the CEPTPO via the ICD of the MPS. The China-EU project team can eventually select appropriate instructors from the appropriate EU police agencies in accordance with these refined training needs, combined with China's national conditions, and other characteristics of Chinese policing mechanisms. Finally, the instructors should carefully analyze these training needs, and formulate targeted training plans for the program.

In summary, the China-EU training program can be fully guaranteed by the optimization of these two aspects of work to achieve the intended purpose, and then the value of the project can fully be realized. The above mentioned training and service parties should have identified roles in the project, and work together for strengthening communication and coordination and jointly improve the quality and effectiveness of training programs.

## **The Role Requirements of Each Participants**

As to the "three training parties and four service parties", how do these participants separately

conduct their roles in the China-EU training project?

### **i. Trainees**

Firstly, trainees can not simply just learn for learning, on the contrast, they should learn with a active attitude for solving real problems. Only when the knowledge and skills from the China-EU police training course are effectively combined with Chinese policing practice, can the real value be successfully reached. The fact that some experiences work well in the EU's police system does not mean it will equally feasible in China. Most of instructors are almost blind to Chinese policing practice and conditions, so it is up to the trainees themselves to transfer and transplant the new knowledge into a Chinese context.

For example, In "demonstrations, riots disposal training program" operated in Beijing Police College in December 2014, when it came to the using of non-lethal weapons, the EU course instructors believed that taser guns would not cause serious casualties in real situations, and demonstrated its safety through a training video in which Czech riot police officers shot each other using taser guns in order to experience the consequences. They also claimed that using Taser guns would not cause sudden death, even if the target was shot in the part of heart, however, such kind of non-lethal weapons is still rarely used in China due to apparent lack of legality and professionalism. Considering the recent controversial case "Qing'an train station shooting" event, trainees, who mostly come from the frontline as team leaders, should study the feasibility of using Taser guns and other non-lethal weapons for dealing with such kind of cases, and produce a standard conduct code to guide grassroots police officers using non-lethal weapons at tactical level. Only in study and learning like this, can the benefits of the China-EU be fully complemented and proved.

Secondly, all the participants should be disciplined and demonstrate good diplomatic etiquette, maintaining a professional image of Chinese police for EU instructors.

### **ii. EU instructors**

Firstly, EU instructors should make a detailed training plan in advance, including preparing fresh and updated training materials, increasing the amount of practical learning/exercises and reducing the amount of theory. They should also , spend more time learning some background information of China and Chinese police practices before departure.

Secondly, training materials should be well organized and sent to the contractor college in time for further preparation including translation and printing. The best training materials would be edited in accordance with the actual curriculum, with recommendation of some reference information or bibliography, attached for trainees' further reading and study.

Thirdly, a variety of teaching methods should be adopted to improve the quality of training and learning. These should consider the cross cultural and bilingual training environment, but be creative and lively and in addition to traditional presentation and discussion methods include quality visual-

aids, role play, case study simulation and gaming. Each of these methods has different advantages and disadvantages however instructors should make an effort to find the best solution to deliver their message in an interesting manner.

### **iii. Translator**

Firstly, a comprehensive training materials translation should be conducted for each course. At a minimum all the presentations should be bilingually edited and conducted in the class.

Secondly, translators should be encouraged to question the instructors if there are any doubts or questions about the materials and work closely with the EU instructors on arrival to ensure the information is delivered accurately.

Thirdly, the translating work should be conducted in a smart and swift manner during the session. Qualified translators should be capable of being flexible to manage and balance the time and rhythm tactically.

### **iv. International Cooperation Department**

Firstly, the ICD should; further strengthen the implementation of the planning and guidance for the contractor universities and colleges; improve communication and co-ordination with other engaged departments of the MPS for better understanding of their training needs; and coordinate the EU counterparts to contribute more targeted training.

Secondly, the ICD should make a stronger effort to promote inter-school cooperation, set good examples to encourage them to share the advanced management skills and experiences and build an effective platform of police training and exchanges.

### **v. Responsible department in the MPS**

Firstly, the responsible department is usually the highest authority in charge of related policing fields, therefore they have an obligation to collect, analysis, specify and conclude training needs, and accurately convey them to the EU through the ICD. During the training session, they are also responsible for tracking the course, examining whether it meets the training needs so that they can make necessary adjustments for future training sessions on the subject.

Secondly, it is important to introduce a standard procedure to select the right trainee. Senior officers and experts who have professionalism and administrative skills and related operational experience should be encouraged to participate in the training, especially those who have good English language.

Thirdly, the engaged departments should make an effort to promote the use of the new knowledge and learning into practice. Officials should be dispatched to the course for full-time monitoring, leading trainees in each session to analyze and sort out the learning results, and submit a report to the MPS.

#### **vi. Contractor universities and colleges**

Firstly - building a specialized translation team through careful selection of English teaching staff who demonstrate good academic performance and developing a China-EU policing training translation expert pool are necessary for each operating colleges and university to ensure the training quality of the project. In Beijing Police College, a training translation group is founded in each session. It is composed of two professional senior English teachers in charge of curriculum translation, and two junior English teachers as teaching assistants.

Secondly, a set of agreed administrative commitments should be fully implemented. These are

(i) academic support should be fully guaranteed by providing well organized teaching facilities.

(ii) logistic support should be well organized. This should include; transportation, accommodation, the administration of receiving and sending participants, arranging cleansanitary rooms, good food, provision of wireless internet services, coffee breaks in classroom, and availability of free sports and fitness facilities.

(iii) administration should be fully guaranteed by appointing a monitor from the trainees, who is responsible for the organization and discipline issues within the college administrative team, encouraging and guiding trainees to improve their learning level by creating more opportunities and activities for further communication and exchanges.

Thirdly, the administrators and staff involved should be continually trained, aiming to improve their management capacity. China-EU police training project is not only a training program, but also a foreign affairs activity. Raising their qualification is highly recommended through such channels and methods including attending academic management course and paying for regularly organized visits.

#### **vii. China-EU Police Training Project Office**

Firstly, annual training plans should be issued to engaged parties as soon as possible. This is crucial for contractor colleges and universities to make a more relevant plan to run the programs.

Secondly, providing guidance to assist selected EU instructors to edit training materials and plan courses properly. Some suggestions from Chinese counterparts might be a useful reference to select appropriate EU instructors. An element of censorship and guidance in materials and curriculum is often necessary to ensure a satisfactory training session.

Thirdly, guiding and assisting the contractor universities and colleges to implement China-EU training standardization, such as; providing recommendations regarding the preparation of training materials; curriculum drafting and also teaching facilities standardization. An innovative way to deepen the learning experience could be to design and decorate a classroom in European style, assisting students to better understand the smaller scale EU operating environment. Making such efforts, would help to produce a fresh and deep impression in the trainees mind, which may benefit the learning experience.

## Conclusion

China-EU training project should be strengthened and encouraged to develop. It is in accordance with the Chinese Police Training strategic policy and follows the shift towards global policing cooperation. The significance and success of the project to date, has been demonstrated through the evaluation and results. China and the EU are encouraged to continue to invest in improvements in respect of the quality of training and relevance to Chinese requirements and in the vetting and selection of standard of trainees, translators and instructors. The International Cooperation Department and relevant department of the MPS, the contractor colleges and universities, the China-EU Police Training Project Office should perfect their own roles and maintain effective communication and liaison, making efforts jointly to improve the efficiency and quality of China-EU police training project and to ensure the new learning is shared and where relevant built in to field operations. Policing – and through this the public in both China and the EU can benefit from this innovative exchange and improvement programme.

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# The Police Law Education Training and Countermeasures

Li Xintong

**Abstract:** The fourth plenary session of the 18th CCCP established the strategy which is comprehensive advancement of ruling the country by law. It stresses that law-based administration should be promoted by using the legal thinking and in a legal way. The public security organ is the public security administrative law enforcement organ, and bears the function of the criminal justice at the same time. The public security organ’s responsibility is significant in the promotion of ruling the country by law. Since the 18th National Congress of the Communist Party of China, Xi Jinping, General Secretary of China, has given instructions and raised request on public security work for many times. He emphasized that the public security organ is the sword of the party and the people. The unfair law enforcement and judicial corruption should be resolutely opposed. We should try to make the people feel fairness and justice in each judicial cases. As a result, the police law education training work is particularly important. Whether the police law education training work is good or bad determines the role played by the police in the process of governing the country according to the law. This article discusses the current situation and countermeasures of the police law education training in our country by comparing police law education training in China and foreign countries.

**Keywords:** police concept, police law education training, current situation and the countermeasures

The fourth plenary session of the 18th CCCP proposes the comprehensive advancement of ruling the country by law, and the overall goal of building socialism legal system as well as socialism legal country with Chinese

## **The current situation of the police law education training in our country**

### **(1) The teaching system and teaching content of the law education in the police academy lack of scientific reasoning**

Scientific teaching system and content have not been completely set up and formed. The law education in the police academy lacks of unified and complete teaching system. The teaching content has great randomness and blindness. Sometimes the teaching contents are established according to the needs of law enforcement situation, which belongs to the emergency teaching mode. The teaching contents are established and formed without serious research. When a lot of police colleges and universities conduct law training for police officers from different levels and different police classifications, they only open many seminars such as criminal law, criminal procedure law, special lectures on law closely related to the police law enforcement regardless of different police classifications and levels. And the civil law is not involved. Such law training often results that the law knowledge of the training police is single and short of systematization. After training, the police cannot systematically master the required law knowledge in accordance with their own police classifications and levels.

### **(2) The in-service police law education training cannot catch up with the new situation in the law enforcement**

New situations and problems emerge one after another in the public security law enforcement work. Difficult problems in the public security law enforcement often appear. But the teaching contents of the law training are the notes or course wares prepared and written a few years ago. The teaching contents in the law education training can't keep up with the development and changes of the situation in public security law enforcement. After training, the police always feel that they don't get any new harvest, and practical problems have not been solved.

### **(3) The period of training is too short to implement a complete training of law education**

At present, there are many kinds of police training, but most are professional business training which lasts extremely short, say 3-5 days, and they are divided according to different police classifications. The teaching content of law cannot be considered. Because the training time is short and the curriculum content is rich, the necessary law teaching content of different police classifications can't be arranged. We can only symbolically open one or two special lectures on law related to the police classification of this training. Launching legal seminars, such as training classes for people who take office for the first time, training classes for the police promotion from superintendent to supervisor. Since the course categories and teaching contents are large, we can symbolically arrange some special lectures on law in the law education training.

**(4) Training is out of step with actual combat. Firstly, the training content is mainly about the public basic knowledge**

The number of professional content about each police classification and each line is not large. Besides, the pertinence is not strong. Secondly, with regard to the training methods, the centralism teaching form in a big class is adopted, and the directionality of a particular target people is not strong; Thirdly, the training method emphasizes on theory but the practice. The actual combat training method is not much, which cannot attract the students’ interest.

**(5) Teaching the police in accordance with their aptitude is not enough**

Because the differences in the quality of police are big, it is difficult to achieve the expected training effect in a short time. With regard to the target people of training, it usually focuses on the business training of the young police and the backbones, the training contents targeting at the old police officers are few.

**(6) The number and quality of instructor team is small and weak**

Firstly, the number of instructors is small, and the number of those that can undertake law training is smaller. Most occasions, some personnel from the law practice department are invited to give the lecture. Secondly, the instructors’ quality is uneven due to the long-term lacking of professional training. The teaching contents, methods and means can't keep pace with the times; Thirdly, part-time instructors don't have time and energy to delve into teaching work after completing their own work. Lacking of corresponding political and economic treatment causes their weak work motivation and enthusiasm.

**The current situation of the police law education training in the foreign countries**

Police around the world classify the police law education training based on different criteria. The police law education training in the European and American countries such as Germany and the United States, as well as Asian countries such as Japan and South Korea are generally divided into academic education and in-service training.

**(1) The current situation of the police law education training in the European and American countries**

The police law education training in the European and American countries are represented by Germany and the United States. Among them, the police law education and training in Germany is divided into academic education and in-service education. Academic education is divided into primary, intermediate and advanced. Academic education enables the police to master the law knowledge which is consistent with his duties. For the junior officers, In-service education mainly focuses on the learning and popularization of new laws and regulations, as well as the renewal of knowledge. For the intermediate officers, it focuses on

special training of the contents related to the law. For senior police officers, it emphasizes on both research and teaching. The United States adopted the integration policy, which combines the police education training and employment promotion. First of all, the vocational education should be set up in the public security organ, and the police academy should be responsible for such an education. With regard to the law education training, the police academy regularly conducts some training for the in-service police officers on the popularization and advancement of the new law. At the same time, teachers from the police academy will arrange some time to get practice in the public security organ in order to enrich their teaching contents. Secondly, the major of criminal justice, which is responsible for the academic education of the police, should be set up in the university. This is the high-level continuing education, which cultivates the practical professionals.

## **(2) The current situation of the police law education training in Asia**

Take Japan and South Korea as examples, the police law education and training system in Japan is more perfect, which belongs to the pure vocational education. It attaches great importance to the cultivation of the law quality, which are reflected in the two aspects such as basic training and promotion training. The police law education training in South Korea is mainly undertaken by the police university, police comprehensive university and the central police university directly under the police agency, as well as the police training center directly under the local police agency.

## **The countermeasures of the police law education training**

### **(1) To realize the big shift of education training ideas**

Currently, there are a lot of problems affecting and restricting the education training work. Traced back to the root of the problem, the fundamental reason lies in that the idea of the leaders at all levels have not be shifted. They have not truly put the education training work in the basic, leading and the overall position. If the idea is not renewed, and if the problem that “with regard to the education training work, speaking is important , doing is less important ,and busily taking actions is not important” is not solved, enhancing the education training work is only a empty word. Renewing the idea is the first step of perfecting the teaching and training work. The old idea that "education training is a soft task, and it is dispensable" should be resolutely removed. The new idea that "the future of the public security career depends on education, and it is the responsibility of all police to revitalize the police education ”, as well as "without the first-class police team, there is no first-class public security work; without the first-class education training, there is no first-class police team" should be firmly established. The education training work should be included into the important agenda of the party committee of the public security organs at all levels. As a major project including “developing the police by politics, strictly governing the

police, governing the police according to the law, and intensifying the police by science”, it should be paid persistent attention. All in all, making great efforts to innovate the ideas of all police, especially those of the “head”, will lay a solid ideological foundation to improve and strengthen the education training work and will break all kinds of problems which affect and restrict the work with unprecedented efforts.

**(2) The field research and in-depth research on the law education of the police training**

According to different police classifications, different levels, and the law enforcement abilities or qualities required by the police from different positions, we should make the teaching outlines and teaching plans about the law education targeting at different police classifications, different levels, different posts and different leadership positions. In the teaching outlines and training plans, it should clearly show which kinds of professional law knowledge should be required in the police’s law enforcement abilities or qualities according to different police classifications, different levels, different posts and different leadership positions. In doing so, it is convenient to implement and carry out the law education training.

**(3) The implementation of the law professional training contents which are close to the actual combat and the practice of public security law enforcement is the fundamental measure to improve the quality of training**

Quality is the lifeline of the training work of the in-service police. For a long time, the number of the theoretical teaching contents is big in the training of people's police, but those that are close to the real needs of police actual combat training and practice training is small. The two aspects including teaching and learning in the police training are both liable to purely complete the training task to different degrees. Furthermore, the existing training content is old, lagging, and narrow in scope and short of pertinence. Teachers lack of practical experience, and lack of in-depth research on new problems and new situations in public security law enforcement. The teaching contents delivered by them cannot be integrated with the actual public security enforcement. This is the main reason why the teaching quality is not high. If we truly want to “learn what we will do, and add what we are short of”, it is significant that the teachers should be organized to do some certain research in the grass roots before the training. And they should compile some teaching outlines and lecture notes for training which are close to the actual combat, and add some time and content of the actual combat in the training. With regard to the in-service police training, we should change the old idea on the teaching content that paying attention to the process but the effects, and paying attention to the theory but the practice. From the reality of the police law enforcement, we should also focus on the training of actual combat and practical training. Only in doing so can the training qualities are better improved.

**(4) Adopting the teaching methods, which are suitable for the reality of in-service police training, is the key to achieve good training effects**

If we cannot teach in-service police in accordance with their aptitudes and go on using the inculcating model, it is inevitable that training will be less attractive. Students lose interest in learning and cope with tests in a passive attitude. So the training effects will be all too clear. Using the teaching methods such as law seminars close to the public security law enforcement practice, analysis of typical cases, experience summary and discussion of typical cases can well improve the in-service training police's study enthusiasm, making in-service training police learn easily, understand easily, and master easily. Only do we have bold innovations on the training methods and pay attention to teaching police from different police classifications, different levels, different positions, different leadership positions according to their aptitudes, can the learning interest and participation police be stimulated and the desired effect be achieved.

**(5) Reforming the evaluation mode of students' law training**

The evaluation mode of students' law training simply depending on the written test should be changed. Instead, many kinds of evaluation modes such as written test, oral examination, practical operation skills, case analysis and report, as well as case debate should be combined. Questions in the written test and oral examination should put special emphasis on the evaluation of necessary law knowledge, the analysis of law basic knowledge and the ability to solve the law problems. The questions such as noun explanation, gap filling and short answer questions, which need to be learned by rote, should be canceled in the examination. Instead, the following types of examination questions, such as analysis, true or false questions by comprehension, argumentation, choice questions and case analysis should be used.

**(6) To implement law professional knowledge training according to different police classification and levels**

The public security organ is an important part of law enforcement agency in our country. The difference between the public security organ and other law enforcement agency is that its enforcement authority has dual nature, namely the public security organ has not only the public security administrative law enforcement right, it also has the public security criminal jurisdiction right. According to the internal division of law enforcement in the public security organ, these two administrative law enforcement rights are implemented and completed by different law enforcement units and police from corresponding security forces. Each business unit and police from the corresponding police classification need to have professional knowledge of law. All business work of all police classifications are all law enforcement work. Whether the public security organs can enforce the law in a strict, fair and civilized way, whether they can establish a rational, fair and civilized idea on the law enforcement, are closely related to the implementation of the idea that "setting up the police for the public and enforcing the law for the people", and closely related to the setting up of the socialism police legal idea as well. Therefore, the law education should be carried

out according to different police classifications, different levels, different posts, and different leadership positions. Only in this way can we meet the needs of the new public security law enforcement work.

**(7) To promote the big improvement on the education training mode**

We should positively innovate the training mode and change the training methods focused on instruction. We should also change the problems in actual combat training into the subject in the training, change the difficulty in the work into the focus of the class. In doing so, we can truly improve the pertinence and effectiveness of the education training. As far as I'm concerned, three ways should be promoted: The first one is the full implementation of the training mode such as "being on duty in turn ,as well as combing fight and training together" .According to the reality of local place and police classification, we should adjust measures to local conditions in the actual combat in order to promote the effective implementation of the training mode such as "being on duty in turn ,as well as combing fight and training together" . The training content focuses on strengthening practical and operational skills, which mainly includes the individual skills, group tactics, organization and command on the eve of war, team consciousness, basic physical stamina, a solemn appearance, etc. The main form is "classroom learning, training and actual combat". One third of the time is used for classroom learning , one third of the time is used for simulation training, and one third of the time is used to participate in actual combat and being the emergency power in the county and city which can take part in tasks such as being on duty , making preparation, going on patrol and handling emergencies. Intensive training and optimizing the allocation of police force should be combined, and intensive training should also combine with creating a modern policing operation mechanism. Secondly, it should concentrate on actual combat simulation training which is close to the reality and meet the needs of actual combat. To concentrate on actual combat simulation training, we should focus on the police in the front line at the grass-roots level, solidly carry out the special training of using weapons in accordance with the law, and guide the police to accurately grasp the relevant legal basis and applicable condition. We should also concentrate on the use of single police equipment and basic operation of guns, pistols application shooting within a close distance, handling with emergency situations, such as fighting by using knives and axes, as well as the stress response and mental endurance training in order to improve the ability of defeating the enemy and winning victory. Thirdly, we should actively carry out post training and self-learning. Many training methods such as scene simulation, case teaching, simulated field and rating of case files are used to improve the law enforcement quality and ability of the police. We should strengthen the practical work in the public security education training network college in Hu Bei province, enrich and perfect the course wares of the course as well as the data base, enhance the examination and evaluation of the network college, make good use of the network college to the greatest extent, and continuously improve the level of education training.

Strengthening and improving the police's law education training is the efficient way to improve and enhance the police's law enforcement in a scientific way. It is also an efficient way to standardize police's law enforcement in a scientific way. Only by letting the police know the law by heart can the rule

of law become the way of life of the police. The belief of the law can be internalized in their minds and externalized in their actions. And the police can become the socialism law workers who are loyal to the law. They can truly adhere to the policy of “people first and law enforcement for the people”, and they can also be more close to the standard of “trying to make people feel fairness and justice in each judicial case”.

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# On the Exploration and Deepening Study of the Standardized Law Enforcement Training for the Police in the Capital of China

Liu Ruzan

**Abstract:** In recent years, Beijing Municipal Public Security Bureau have put forward a variety of methods to enhance the effectiveness of law enforcement training, through legislative affairs forum, series of manuals of "investigation on your own", specialized law enforcement training and police sergeant law enforcement qualification examination system etc., which have laid a solid foundation of law enforcement team. Faced with the general requirements of comprehensive rule of law, profound changes in the law enforcement environment, and practical problems currently existing in the Capital Police, it is the priority to further clarify the concept, expand the coverage and innovate the models of law enforcement training, improve the joint mechanism of training and promotion . Only by increasingly strengthening law enforcement training, can levels and credibility of law enforcement be effectively improved.

**Keywords:** rule by law; police officer; law enforcement training; practical exploration; deepening reflection

"Decisions of the CPC Central Committee on major issues concerning comprehensively promoting the rule of law " approved by the Fourth Plenary Session of the Eleventh Central Committee, illustrates that "we must improve the system of administration of justice and the mechanism of judicial power operation, standardize judicial practices, strengthen the supervision of judicial activities, so as to let the public feel fairness and justice in each judicial case." This is a new significant task proposed by the Party Central Committee in the new situation of comprehensive reform, for deepening development of the judicial system. At present stage, the reform is entering a crucial period and deep water area, therefore in the current

complicated and changing international context; it is unprecedented heavy task with conflict risks and challenges to safeguard national stability to ensure healthy economic development. Beijing, the capital of China, not only merges and focuses a variety of nationwide contradictions and problems, but also is confronted with regional complicated factors. The capital police are the escorts of Beijing's economic and social development, and the level of law enforcement determines the stability of society and the credibility of the judiciary. It has far-reaching significance to further strengthen law enforcement training and improve the legal literacy of the police.

### **The reviewing and practice of standardization training of police law enforcement**

The term "standardization of law enforcement" derived from police, refers to a systematic project in the frame of laws and rules which are constructed programmatically with standardization, to achieve the aim of a fair, civilized, strict and efficient law enforcement. In September 2008, the Ministry of public security of China carried out the construction of law enforcement standardization nationwide, which stressed "administrating by law, standardizing law enforcement" and made remarkable effects. Compared with the requirements to judiciary of the central authorities, and with the profound changes in law enforcement environment in a new historical condition, it still shoulder heavy responsibilities of further strengthening the construction of law enforcement standardization, and has become the internal demand of deepening the law enforcement training in the public security organs at all levels.

#### **(1) New requirements of law enforcement training by profound changes of law enforcement environment.**

China is in a specific historical stage of social development, in which a increasing variety of uncertainties are affecting the social stability, some deep-rooted problems and contradictions are being intensified, administrative disputes and social conflicts are presenting multiple trends. Legal literacy of the public continues to improve, so their willingness to resolve the disputes through legal channels no doubt brings higher demands for the enhancement of law enforcement capacities. Taking administrative reconsideration cases as example, it has an increase of 13.5% in 2013 compared with the last year. In this environment, it becomes imperative to strengthen the law enforcement training so as to achieve high level of law enforcement.

#### **(2) A new opportunity for law enforcement training with the general requirements of comprehensive the rule of law.**

"Decisions of the CPC Central Committee on major issues concerning comprehensively promoting the rule of law" approved by the Fourth Plenary Session of the Eleventh Central Committee, proposed new

requirements and tasks for deepening the reform of the judicial system. A law executor with high quality is the premise and foundation to improve the judicial credibility, which is the bottom line of to protect social justice. Therefore, higher requirements for law executors have to be put forward to promote the rule of law comprehensively. And law enforcement training is in urgent need of improvement.

In political and law conference of the party central committee in January 2014, Xi Jinping, the General Secretary of PCC, proposed "building a sound education and training system of in-service police officers to improve police skills, to ensure better political and legal work ". In January 2015, Xi stressed that it was imperative to put politics and law to the overall economic and social development plan, to make politics and law play their roles of protecting national security and social stability, and create a new situation in the spirit of reform and legal view. MengJianzhu, in political and law conference of the party central committee, stressed that politics and law should take the initiative to adapt to the new changes, adhere to the leading role of rule of law to improve the ability and level of law enforcement authorities for serving overall interests. Judged from the spirit of the conference, the main theme is rule of law, and the mainline of training is to adapt thinking and behaving of rule of law from the very beginning to the end. Standardizing law enforcement training system should be consistently improved, so should be the police law enforcement level and abilities to perform their duties.

### **(3) A solid foundation for further deepening of law enforcement training having been constructed by earlier stage of training.**

In November 2001, Party committee of the Ministry of Public Security issued the " police training regulations" which demonstrated that police training had stepped on a preliminary way of systematization; In 2004, the Ministry of public security decided to carry out large-scale police training based on the essential skills, knowledge and physical abilities which all police should have; From 2009 to 2010, for the promotion of legalization, scientism and standardization of police training, Party committee of the Ministry of public security issued "Guidance on strengthening and improving public security training", and at the same time developed "2010--2012 training plan for national public security organs "; "2011 National Law Enforcement training program" was handed out by the Ministry of Public Security in 2011, and the programs were deployed from April to carry out law-enforcement training in public security organs nationwide, which pushed law enforcement training to a new stage. Meanwhile, the country had not only embarked on multi-level, multi-topic, multi-style police law enforcement training, but also improved training mode, as well as carried out actual combat training, the new model on-line guidance, testified in court, and so on, which constantly enhanced the leadership at all levels and the abilities of thinking for the majority of police and capabilities to apply the rule of law. In 2015, The newly revised "policemen training regulations" detailed the provisions in the main responsible units, organizations and forms of law enforcement training, which will further promote the vigorous development of law enforcement training. In the process of nationwide Law enforcement training, the Beijing Municipal Public Security Bureau has always adhered to "listen to the voice of the public as the starting point, solve the problems of self-examination as a focal point, and enhance the quality as the key point". The level of law enforcement training is increasingly promoted, which has laid the Capital Police a solid foundation of law enforcement personnel.

## **The main problem likely occurred at this stage in law enforcement**

The extend of law enforcement for police covers not only criminal investigation, pre-trial, punishment execution, but also the administrative aspects of the household registration, ID card application, transportation, fire protection, management of public places and special industry, etc., which are relating to the stable development of large countries, and to the basic necessities of public lives, with a wide range of concern and focus. Since Beijing has its special status and position, its law enforcement requirements have higher expectation. In December 2013, the Beijing Municipal Bureau marked "promoting the rule of law in Beijing, constructing police legality" as the goal, based on the practice of the Capital Police, and initiated "overall rectification activities of a injustice of law enforcement and discontents among the public", and on January 15, 2014, the formal implementation was begun to be implemented. Although the activities won widespread praise, some problems likely happened in the public security organs were found out, which also provided references for targeted and effective law enforcement training. Through data analysis, the main problems likely occurred at this stage in ordinary law enforcement are:

### **(1) Lower quality of handling cases.**

There are errors mainly reflected from the preliminary investigation led to opaque facts of basic cases, and unclear and insufficient evidence during handling administrative cases and so on. In the process of trial-centered litigation reform and diversification of social supervision, while the people's awareness of safeguarding their own rights is growing, these problems are more likely to lead to loads of cases unable to be prosecuted, fruitless preliminary police work, and social incredibility of law enforcement questioned by the public.

### **(2) Lower efficiency of operations.**

They are mainly shown as not-in-time investigation and evidence collection in the consequence of the loss of the best forensics time, failure to take compulsory measures which should have been done by law, not timely inspection and authentication, overdue administrative cases which are not solved in the time limit prescribed by law etc. These problems reflect the lack of awareness of professionalism, responsibility and aim, which on the one hand, causing the public discontent, affecting the image of law enforcement agencies, on the other hand, likely affecting directly qualitative, collecting evidence and post litigation of cases, and inducing more complex cases or difficult-to-sue cases.

### **(3) Procedure violation of law enforcement.**

"Substantiality overweighing process" is the key problem which the public security organs of Beijing give the priority to correct. Whereas viewing the practice of law enforcement, there are still some of the cases for the existence of the nonperformance of informing, notification, delivery and other legal

procedures, not filing cases to the public in accordance with the relevant provisions etc. Analyzing from assault and injury cases selected from administrative management department of Beijing PSB since 2013, the procedures for handling cases appeared the highest proportion of problems. At this stage, we should continue to strengthen the strict procedures to ensure justice of substantiality and process, to develop the public to believe and respect the authority of law enforcement, and eventually become the faith from hearts.

#### **(4) Non-action of law enforcement.**

Case investigation and compulsory measures are the responsibilities and powers of the public security organs granted by law. In the circumstances of improvement of social supervision and growing awareness of the public safeguarding their own rights, the problems, such as non-actions to the public reports to police, to the to-be-filed cases, to the to be investigated cases, and to the to-be-detained suspects, all may not only affect their senses of safety, satisfaction and credibility of law enforcement, but also breed corruptions in law enforcement.

It is could be concluded from the above analysis that, the requirements of law enforcement training are to not only improve skills, strategy, level of law enforcement, more importantly, the concept of the rule of law, the application of legality thinking and the adherence of law enforcement throughout the rule of law, so as to let the public feel fairness and justice in each judicial case, and each law enforcement action withstand the test of law and history.

### **The practical experiences of carrying out law enforcement of Beijing PSB**

The overall enhancement of law enforcement literacy cannot be completed in a day, so the actual strategic planning has to be drew conforming to the capital police, in the meantime to make dynamic adjustment, utilize internal and external resources, integrate a variety of measures and so on. For law enforcement training of Beijing PSB at this stage, according training level there are 3 levels, which are: first level training coordinated by Beijing PSB, guiding the sub bureau carrying out second and third level of training, and coordinating law enforcement training of various categories of police. According to training method, there are self-learning by network, collective teaching, qualification examinations etc.; According to scores of training, we have been gradually exploring training linked with promotion and mobility, and ultimately the formation of educating and training system. Considered the length of this article, only four main training ways of Beijing PSB level will be briefly described.

#### **(1) Carrying out legal forum to foster legality thinking.**

Since July 22, 2013, in the organization of the Political Department of Beijing PSB, legal forum has been initiated weekly, by teaching law and enhance legal consciousness of all the police, thinking of

the rule of law culture, to enhance capabilities of law enforcement of the team. The legal forum comprises two levels: level one from Beijing PSB, and level two from sub bureau and its lower unit teams. in the level one, one case or one kind of key problem will be commented in 30 minutes each week; in the level two, one actual case or contingency, will be introduced not less than once in a month. In January 2015, the Political Department of Beijing PSB through the in-depth research, introduced opinions to strengthen and improve legal forum, which adjust two courses each week. The new legal forum clearly defines the scope of the police of learning the forum according to the course content, and solidifies the mechanism of the curing quarterly collective lesson preparation and year-end assessment and acceptance, so that legal forum becomes more targeted and effective, as an effective means to cultivate legality thinking of police.

**(2) the issuance of the law enforcement manual to enhance capacities of the whole police.**

Beijing PSB took the lead to issue series of manuals of "investigators on your own" in China, which help grassroots police to be able to complete the whole process of law enforcement by following the manuals. Entire manuals were on the basis of theft cases in Fangshan District from 2011 and in September 2013 the political department organized Fangshan District Public Security Branch Bureau, Shijingshan branch, Daxing Branch, Mentougou branch to research the ordinary types of cases, later adding to financial and narcotics control case investigation. Eventually there are 30 volumes of manuals, including 22 kinds of cases handling processes, one volume information collection, 7 volumes of operation processes of cases' platform. At present, this set of manuals in the form of electronic are sent to all police officers. The manuals have played a positive role not only for the police to standardize the law enforcement, but also to make a certain influence in the country.

**(3) Specialized law enforcement training to pad short board.**

Based on problem-oriented and law enforcement practice, on the one hand Beijing PSB made research on problems occurred frequently from public complaints, on the other hand on the serious problems found from rectification activity of "injustice of law enforcement, and discontent among the public" carried out by the Beijing PSB in 2014. A team were allocated to groom problems in the area of law enforcement analyze the causes, develop effective measures and carry out preparations for training. As the center of trainees, mainline of case and scenario teaching, model of practical cases, the training invited experts from public security, prosecution, courts to give interactive lectures, and provided multi-dimensional and multi-angle analysis of law enforcement skills, police enforcement padded short board. The significant effect has been achieved for padding short board of police training. By tracking trainees afterwards, no complaints were received from them.

**(4) Trail implementation of examination mechanism for " Law enforcement qualification for police sergeant", to build up access threshold for backbone of law enforcement.**

Police sergeant system began in 2005, and sergeants were not require to pass any qualification

examination except basic level law enforcement qualification examination of the Ministry of public security before December 2014,. On December 13, 14 2014, Beijing PSB initiated the sergeant police law enforcement qualification examination, in which nearly 3000 sergeants took the exam with pass rate of 95%. Beijing's trail implementation of examination mechanism for " Law enforcement qualification for police sergeant", as the first experiment in the country, fit the spirit of "people's police training doctrine" implemented since the January 1, 2015, and explored convergence system of "education and appointment". examination mechanism for " Law enforcement qualification for police sergeant" mainly comprises three parts, which are training, examination, and qualification affirmation for all sergeants, and moreover, the examination is combined with the appointment afterwards.

## **Deepening study of the law enforcement training for Beijing police at the present stage**

### **(1) To further strengthen the concept of law enforcement training.**

The concept is to prerequisite for advancing rules of behavior .Law enforcement training should adopt diversified mode, take various measures to strengthen the building of law enforcement training concept; take the initiative to adapt the requirements of comprehensively promoting the rule of law, and building a socialist country ruled by law; and actively guide the police to firmly establish ideas of strictly performing their duties according to law, respect and safeguard human rights, adhere to the conscience of law enforcement and occupation ethics; pay attention to the concept of the rule of law and the rule of thinking of leading cadres, to ensure their role of model and guidance; to educate and guide the police to firmly establish the consciousness that the limits of legal authority should not be broken, and the bottom line cannot be exceeded; consciously resist the erosion and interference of various factors, power relationships, sympathy, interest, etc.; exercise duties in strict accordance with the statutory authority to ensure that the capital police would be planted inside the heart of the rule of law, and practice outside, so as to effectively build ideological foundation of strict, standardized, fair and civilized law enforcement. In the process of law enforcement training planning, organization, implementation, the following basic principles should be followed:

I. The concept of serving for overall situation around the central task. The capital law enforcement training should always focus on the "two securities", "four constructions" and "four first" to implement on schedule. With deepening study of the law enforcement training, the training should enhance the ability to implement the rule of law and the way of thinking, and to strengthen the consciousness and sense of responsibility of Beijing police to comprehensively promote the rule of law.

II. The concept of integrated promoting and classified implementing. In the top-level design of law enforcement training, there are bureau- leveled integrated planning, but also second and third level of

sub bureau, which proceed with the formation of tertiary and synchronous training, thereby ensuring the combination of Leaders police training and ordinary police training, of intensive off-job training and self-dependent on-job training, so that it could covers all police throughout the whole year.

III. The concept of problem-oriented and case teaching. On the one hand, the training should give the priority to key problems found in the supervision and inspection and focus the pertinence, on the other hand, take the typical case as the mainline, highlighting case teaching, scenarios teaching, interactive teaching, and enhance its interest and effectiveness.

**(2) To further expand the coverage of law enforcement training. From the level of training, we should focus on 3 levels of training:**

I. Training of rule of law in all police. The training of this level could be carried out through regular video broadcasting, case briefing etc. For example, legislative affairs forum of the Beijing PSB has achieved initial result. While the law enforcement qualification examinations has combined with sergeant law enforcement qualification, police promotion, it could be also encouraged to participate in the examination for the qualification as a lawyer, particularly in important links of law enforcement, thereby encouraging the whole police learning, usage of law to enhance the rule of law in all the police literacy.

II. Law enforcement training for primary level. This training of this level includes all police sergeant (including investigators, legal staff). These groups are often on the forefront of law enforcement, so the focus should be put on applied training, which introduces specific problems of law enforcement, and highlights its practicability and operability.

III. Law enforcement training for leading cadres. It mainly includes the members of leading group in the front-line law enforcement units, such as captain of unit or team, leaders of local police station etc. This group is often the decision-makers and commanders in the front line, while the training should pay attention to legal thinking, and strengthen their strategic and macro thinking.

**(3) To further innovate law enforcement training models.**

The training should break through the original training mode, and to better achieve the effect of the training effectiveness and the actual needs of the actual combat, which is the eternal subject of the capital PSB education and training.

First is to promote micro curriculum training through police network. Micro curriculum is a new emergence in the field of education after the application of blog, micro blog, WeChat and other social software. Ideal mode of teaching is that learner can complete full load of study with flexibility and self-dependency for solving some of valuable heavy difficult points and key points, moreover with less time. It is especially important in the situation of increasingly heavy police tasks, since the "short pithy" micro lesson is in favor of self-improvement of police, and could also solve relationship of learning and working. The contents of police should comprehend are fragmentation, situation, reorganization and integration

(collectively referred to as "micro lesson"). Micro lessons are produced as video unit in which the complex teaching content can be integrated to the lesson and mobile service is accessible to open network education and lifelong education.

Second is to promote synchronized scenario training for the whole police. In the past, the process of training paid more attention to the promotion of individual main body of law enforcement legal literacy for police, multi-force, multi-level training to better enhance the ability of law enforcement is relatively small. The training needs to groom systematically the law enforcement process of the main kinds of police, especially in which kinds of law enforcement are required for implementation of different kind of police's cooperation. According to the practice in the law enforcement aspects, combined with the example of the problems occurred in the past, the training could set role-playing, case replaying, which let trainees feel immersive, consider transpositionally, reflect problems, so as to effectively solve the problems easily appeared in the scene joint law enforcement of multi-level, and to enhance the capabilities of overall linkage law enforcement.

#### **(4) To further enhance the quality of instructors of law enforcement training.**

Beijing PSB has always attached great importance to the training of instructors. Instructor base are regularly updated, and instructors are regularly selected, furthermore we will try to carry out the operation mechanism of combination of instructor experience and promotion, motivating healthy construction and development of instructor team

First is to strengthen the concept of cultivating police backbone as instructor. For the backbone of the police, the share awareness of their experience and skills should be strengthened, which promote their development of Beijing outstanding part-time instructors. Police backbone as instructor also improves the management and assessment mechanism to explore the practice of effective incentives to promote the construction of part-time and full-time instructor team.

Second is to establish and improve the assessment mechanism of part time authority instructor. The relevant leaders from various departments are appointed as part-time authority instructors in the training department, who bear the bureau-level professional training tasks, including backbone training, leadership training, high-level personnel cultivation, etc.

The third is to explore the practice mechanism of employment and evaluation of part-time instructors. It is being explored that part-time instructors could become full time one, and excellent instructors have opportunities of attendance in advanced studies, and guarantee of funds.

#### **(5) To further improve the system of training and promotion.**

At present, the police sergeant Qualification Examination of law enforcement has linked with the cadre and personnel system that one fails to pass the exam shall not be promoted. On the basis of this, the PSB will attempt to implement effective convergence of training and promotion gradually extending to all

kinds of police which is in favor of allocating the qualified officers with the good use of the thought of rule of law to the positions of grass-roots leadership, to comprehensively promote the standardization of the construction of the capital law enforcement team.

"People's police training doctrine" implemented since January 1, 2015 put forward to construct mechanism of training and promotion, educating people and usage of the people. Convergence of education and usage is the development trend of education and training in the next period of time. Based on existing experience, the next step will be to refine the training on the basis of regulations, Convergence of education and usage system with the characteristics in line with the Capital Police will be continued to explore. It mainly includes:

Firstly, the combination of training examination and appraise. Unified examination and test results are regarded as the main assessment indicators for civil servants annual appraise, promotion of positions and rank etc.

Secondly, the implementation of real name training and real name posts. For the core strength of the police, such as crime investigation, pre-trial, economic investigation, network security protection and criminal science and technology, the bureau established a sound working qualification training and examination system, the organized more targeted and professional training of the pre job, promotion qualification, to ensure all police in specified positions have qualifications, new recruits obtain the corresponding positions qualifications within a year.

Thirdly, reliance on training files to construct sound a convergence mechanism of education and usage. Training files have been improved through faithfully recording the police training experience and results, the establishment of long-term mechanism linked with the cadre and personnel system, concentrated training as well as self-dependent training, as the reference of promotion and allocation.

"The more public abide by the law, the more powerful the nation is; vice versa." Historical practices prove that the rule of law is the only way for the prosperity of a country. In modern society, the state of practice of the rule of law, to a large extent, is reflected in the administration of justice. Public security organs as an important judicial executor shoulders heavy responsibilities in the path of deepening the rule of law. Standardization of law enforcement training, should not only attach great importance on enhancing the ability of law enforcement, but also focus on shaping the faith of the rule of law , so that the rule of law become the fundamental belief which the public always defend.

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# Research on Construction of Anti-terrorism Curriculum System

Chen Fengyu

**Abstract:** To completely establish the anti-terrorism curriculum system and train professionals which can satisfy the needs of anti-terrorism situation is the realistic needs of anti-terrorism under the new situation. The anti-terrorism curriculum system is different from the traditional police education and training courses, and has the characteristics of systematic, comprehensive and irreplaceable. At present, the construction of anti-terrorism curriculum system is still at the initial stage, curriculums are not well organized, foundation is weak and the research ability is not strong, therefore, we should improve the understandings of curriculum system construction on anti-terrorism to establish related principle of course construction, and accelerate processes of establishment of the complete curriculum system on anti-terrorism.

**Keywords:** Anti-terrorism; Construction of curriculum system; Problems; Counter-measures

Currently, on the background that the international terrorist activities shows the trend of rebound in the world, the terrorist activities in China also show an increase in number and a trend of regional diffusion. China's first blue book on national security, Annual Report on China's National Security Study (2014) pointed out that, terrorism has become a threat to national security and social stability among numerous threats to national security. Under the new situation, the public security force as the main sector of anti-terrorism urgently requires more comprehensive professionals to enrich the team, and the construction of anti-terrorism curriculum system is the basic guarantee of training the back-up forces for the public security force. In the processes of establishing a perfect anti-terrorism curriculum system, we shall combine the construction closely with the practical needs and basic rules of education and training, and accelerate the training of professionals in the field of anti-terrorism so as to adapt to the new situation.

## **The necessity of construction of anti-terrorism curriculum**

Police colleges and universities as the main way to cultivate reserve power for the public security force, the setting and construction of the professional curriculum system should be carried out closely around the actual demands of the public security work. In recent years, the terrorism crime has increased, which make the construction of anti-terrorism curriculum gradually become the intrinsic demand of practical work on anti-terrorism.

### **D) Grim situation of terrorism crime at home and abroad, a comprehensive response to it requires professionals**

i. International terrorism shows a trend of globalization, and China plays an important role in coping with the situation and maintaining regional security, which requires anti-terrorism professionals

The current international terrorism shows a trend of the increasing in frequency and the extension of regions, except from some core regions, it also extends to other normal areas, and shows a trend of globalization. Countries in the Asia-pacific region took 4 seats of the eight countries which has the highest global terrorist threat index. <sup>1</sup> The development of international terrorism activities in central Asia region shows a trend of gradual extension, the increased frequency and intensity of activities shows an obvious sign of rebound, which brings certain effects on surrounding areas of China. China has been actively participating in the international anti-terrorism activities and properly adjusting the strategic measures on anti-terrorism to eradicate the root of international terrorism. Since “Shanghai Cooperation Organization” was founded in 2001, China has gradually signed resolutions, such as Shanghai Convention against Terrorism, Separatism and Extremism, Agreement Between the Member States of the Shanghai Cooperation Organization on Regional Anti-terrorism Agency, and the convention of SCO members on against terrorism, separatism and extremism from 2007 to 2009, and other international treaties, such as Agreement on the Procedure for Organizing and Conducting Joint Anti-terrorism Actions in the Territories of Member States of the Shanghai Cooperation Organization, Agreement Between the Member States of the Shanghai Cooperation Organization on ascertain and cut-off the penetration channel of personnel participating in terrorism, separatism and extremism activities, etc., which has provided a powerful support to maintain the regional security and stability. With the carrying out and going deep with the anti-terrorism activities in China, it requires more professionals who are familiar with anti-terrorism knowledge and can participate with international view.

ii. Grim domestic anti-terrorism situation, require a professional anti-terrorism team as the basic safeguard to prevent terrorism

Since Beijing “10.28”, Kunming “3.01” violence terrorism cases occurred, the terrorism activities gradually extend to China’s inner-land, coastal and border areas, and in some areas, the critical situation has still not changed and relatively concentrated at the same time, illegal immigration activities of terrorists increased, failure of crossing the border or illegal immigration followed by “wage jihad until death” brings big harm to social stability. Terrorism activities, which are temporarily organized by terrorists turns to be planned and organized in advance and carried out by gangs of terrorists. 2 Therefore, we have to do our long-term planning because terrorist activities and all kinds of terrorists will not perish in a short period. The feature of anti-terrorism shows itself long-term, complicated, pungent and huge task, so we should establish a professional team to adapt to the highly difficult anti- terrorism work as soon as possible.

## **II)Construction of the anti-terrorism curriculum system lays a basic foundation to cultivating the reserve forces for anti-terrorism**

i. Anti-terrorism activities are highly professional, requires professionals being trained comprehensively and systematically

Anti-terrorism activities are long-term, complicated, pungent and arduous, establishment of a high-quality professional and specialized police force is the important guarantee to carrying out anti-terrorism activities, maintaining national security and social stability. Anti-terrorism activities are highly professional, require strong intellectual skills and comprehensive ability. It mainly shows that: 1. compared with other general criminal cases, there are higher requirements for the coping, disposal and prevention of terrorism cases; 2. requires the strategies coping with the international cooperation on anti-terrorism shall be made based on the situation of specific area or region, the height and position is different from other international cooperation. All the above mentioned shows that anti-terrorism activities are highly difficult and with high strength, which explains why we need high-quality and professional anti-terrorism team, and the purpose of establishment of anti-terrorism curriculum system is to cultivate comprehensive and systematic anti-terrorism professionals to fit that demand.

ii. Anti-terrorism curriculum system is the guidelines of cultivating the anti-terrorism forces

Terrorism differs with other general criminal cases, the abruptness and social harmfulness is much higher than other general cases. We learnt some experiences from Kunming’s “3.01” violence terrorism cases and also found out some problems and shortcomings: 1. related anti-terrorism agencies have not been fully aware of anti-terrorism; 2. citizens are lack of the consciousness of preventing terrorist activities; 3. intelligence work on anti-terrorism remains to be strengthened; 4. qualities and skills of anti-terrorism forces are needed to be further strengthened. Improving the comprehensive abilities of anti-terrorism force, the coping, disposition and prevention of terrorism requires cultivating and training a professional anti-terrorism force. A set of scientific, feasible and effective anti-terrorism curriculum system could provide guidelines to training of existing anti-terrorism forces and cultivating future reserve forces.

### **III) Anti-terrorism curriculum system is irreplaceable**

#### **i. Anti-terrorism curriculum cannot be included in other public security courses**

From the perspective of practical anti-terrorism activities, anti-terrorism curriculum system shall include the basic theories of terrorism and anti-terrorism, disposition and investigation of terrorism cases, the prevention of terrorism and countermeasures and other relative contents. There is not any second-level discipline of public security subjects which contain all curriculum of anti-terrorism. For instance, from the perspective of the basic theoretical knowledge of terrorism and anti-terrorism, it contains basic contents, classifications, methods, causations of terrorism as well as the basic knowledge on anti-terrorism, the knowledge of domestic security is partially involved but anti-terrorism curriculum is still self-contained and independent, it is unique.

#### **ii. Anti-terrorism curriculum is systemic and comprehensive**

The core of anti-terrorism curriculum system are set up and established on the needs of anti-terrorism activities. Anti-terrorist activities relatively focus on the comprehensive quality of professionals, professionals are required to hold basic theories of anti-terrorism, master the commonly used language, emergency handling methods and anti- terrorism tactical skills, and other core abilities as well as innovation spirit. Based on this, the construction of anti-terrorism curriculum must also highlight the actual combat abilities, it is the target. Therefore, the settings of anti-terrorism curriculum system are served for core remnants of anti-terrorism activities, courses in this system are correlative and complementary, and the curriculum is systemic and comprehensive.

#### **iii. The construction of anti-terrorism curriculum system is the improvement to the first-level discipline of public security subjects**

In March 2011, science of public security and public security technology has been added into the first-level discipline by china's Ministry of Education and Academic Degrees Committee of the State Council. The construction of anti-terrorism curriculum system course which is a subject under and is affiliated with science of public security will definitely improve the academic system of science of public security, and provides the effective way to upgrade and enhance the theoretical level and skills of anti-terrorism forces'.

### **IV) The legislation of anti-terrorism and construction of anti-terrorism curriculum system are mutually promoted**

The amendment to Criminal Law of the People's Republic of China has made the important supplement and modification to anti-terrorism related issues, on February 26 this year, the 13th meeting of the 12th session of the standing committee of the National People's Congress made a group reviewing on the 2nd draft of Anti-terrorism Law, which shows that the anti-terrorism law is about to carry out. The processes of laws provide potential requirements of the construction of the anti-terrorism curriculum system. The improvement of the curriculum system is also the ways and channels for interpreting and

application of anti-terrorism laws, as well as providing theoretical basements for the further supplements of anti-terrorism law system.

### **The current situation of the construction of anti-terrorism curriculum system as well as existing problems**

Not only one or two police colleges or universities in China offer the anti-terrorism curriculum, however, it is rare that an offer of comprehensive and systematical curriculum on anti-terrorism among those colleges or universities, the curriculum remains lack of unified standard.

#### **I)Curriculum offered on different ways**

Currently, the anti-terrorism is still not listed as a subject under the Undergraduate Specialty Catalogue of Higher Institutions (2012) issued by ministry of education, a small number of police colleges and universities has set the anti-terrorism direction on the basis of professional education, or set the anti-terrorism direction under the major of public security information, courses include introduction to terrorism, research on terrorism organization, international cooperation against terrorism, anti-terrorism intelligence, investigation on anti-terrorism cases, terrorism involved safety risk assessment, network crime investigation and evidence collection, disposition tactics of terrorism and command, etc. 3; or set the anti-terrorism direction under the major of investigation, in addition to the courses of investigation, courses involving anti-terrorism, anti-explosion security technology, Narcotics control technology, anti-terrorism tactics, etc. 4 In addition, some colleges and universities does not set a direction but opened the course on anti-terrorism, such as anti-terrorism countermeasures, investigation of terrorist crime cases. Undoubtedly, the opening-up and establishment of those courses has laid a solid foundation for the construction of anti-terrorism curriculum system, but the settings of system are not completely formatted and still far away from the practical remands of anti-terrorism activities.

#### **II)The curriculum system is not well organized, the scope and content of curriculum is not unified**

Anti-terrorism curriculum system has not yet fully formed. 1. The scope and content of curriculum is not clear and the settings of curriculum need to be improved. From the perspective of of anti-terrorism practices, the scope and content of curriculum system on anti-terrorism should include the basic theory of terrorism, the disposition and investigation of terrorism case, countermeasure and prevention of terrorism, etc. But for reason that the curriculum on anti-terrorism is set under other majors or different colleges and universities hold different understandings to anti-terrorism, courses on anti-terrorism and contents of those courses are different; 2. That the scope, content and name of courses of the system are not unified brings disadvantages to the development and research of curriculum. For example, in terms of basic knowledge

on terrorism, it has names of “an introduction to terrorism”, “anti-terrorism”, “an introduction to anti-terrorism”, and it also differs in content, some courses focus on the basic knowledge of terrorism or terrorism organizations, some focus on basic principles of laws or rules, etc. All these problems influence the research and development of curriculum system on anti-terrorism.

### **III)Lack of the support of basic research**

Researches on theory and practice of anti-terrorism are immature. The theoretical researches on anti-terrorism are mainly based on international politics and ethnic religion, and mainly from the macro-perspective; but researches based on the public security science are rarely found, much less on specific strategy or countermeasures to terrorism. In the study of the practice of anti-terrorism, in addition to some key areas, the amounts of terrorist cases are far from the general case, dispositions and prevention of terrorism, propaganda of anti- terrorism still need to be improved, which caused the lack of support on construction of anti-terrorism curriculum system. Therefore, in the process of construction and improvement of anti-terrorism curriculum system, theoretical and practical researches are urgently needed to develop.

## **Analysis of disadvantages on the construction of anti-terrorism curriculum system**

### **D)Lack of unified understanding of anti-terrorism curriculum system**

Anti-terrorism related courses not only exist in recent years. After the occurrence of “9.11”, some colleges and universities have set up courses guided by keywords "terrorist", such as “investigation on terrorism case”, but comprehensive and systematic construction of anti-terrorism curriculum system has not received a consistent understanding. Anti-terrorism curriculum does have some certain crosses with other public security subjects, but those crosses are not simply duplicated, the characteristic of anti-terrorism made itself different. It has not simply used some universal law combining with the particularity of terrorism to resolve the problem; it has its own characteristics. For example, in terms of way conducting terrorism crime, it can be assassination, hijack, also explosion. Those crimes looks like general criminal cases and could be covered under general criminal cases, if using general laws and principles of general criminal cases to combat and prevent terrorism crime cases will make it hard to achieve good results. Additionally, with the development of terrorism, the ways of crime are also changing. In the case of a society is relatively stable, the terrorism crime usually occurred in the way of “an alone wolf”, which means the organization is not strong, but in some areas the crimes shows the ways of clear target, well organized. Those changes are not same with the changes of general criminal cases and it has its own characteristics. Therefore, curriculum system on anti-terrorism has its own system and integrity.

**II)The content of anti-terrorism curriculum is classified and complicated, which limit the development of theoretical research**

There are many factors may cause the limitation of theoretical and practical researches on anti-terrorism, and the confidentiality and complexity of the content of anti-terrorism curriculum is always a reason which is inevitable. Theory comes from practice, with the summary of practice; the theoretical research will not be complete. Anti- terrorism theoretical research falls in a dilemma because of secret-related practice of anti- terrorism: on one hand, it is hard to collect data statistics and finish the practical research, which made many researchers stop step forward; On the other hand, the participants involved in anti-terrorism do not have a better environment and conditions for further theoretical research and exploration. In addition, the complexity of anti-terrorism is one of the factors that restrict the development of research of anti-terrorism curriculum system. From the macro view, terrorism involves international relations, national security, ethnic, religious and social problems, the research methods remains exploring; In terms of specific measures and strategies, it involves many means of crime and still constantly updating, there are many ways to dispose, combat and prevent those crimes, which has increased the difficulty of research and brings inevitable difficulties to theoretical research of anti-terrorism as well as the construction of curriculum system on anti-terrorism.

**III)Professional researchers are not enough, made it is difficult to support the research and development of anti-terrorism curriculum system**

i. Anti-terrorism curriculum system requires high-quality researchers

To establish and develop the anti-terrorism curriculum system, it requires enough researchers. Anti-terrorism researchers should possess the following qualities: 1. be familiar with the practical work, because the basic goal of the construction of curriculum system is cultivating professionals, based on the practice of anti-terrorism so as to train targeted professionals who could meet the demands of anti-terrorism activities; 2. Researcher should have certain theoretical ability and deep understandings of theory of education. The construction of curriculum system should not only do the research on curriculum itself, but need to consider the integrity and comprehensiveness of the system, as well as the education target and education results involving in the construction, etc.

ii. Personnel that could engage in professional research on anti-terrorism is not adequate

There is only few personnel engaged in the work of anti-terrorism in practice and personnel who has the condition to do further in-depth study is rare. In theoretical circles, researchers doing terrorism research from the view of politics and international relations do not fully understand the practical work of anti-terrorism, researchers doing terrorism research from the perspective of public security are mainly from police colleges and universities, professional specialized in the research on terrorism is rare. Therefore, the construction and improvement of anti-terrorism curriculum system needs more talents who are familiar with the practical anti-terrorism work and also has knowledge of relevant theories and ability of research.

## **Thinking and suggestions on construction and improvement of anti-terrorism curriculum system**

Construction of anti-terrorism curriculum system is imperative, in views of the current situation of the construction of curriculum system on anti-terrorism and its causation, I provide out my suggestions as follows:

### **I) Understand the anti-terrorism work deeply, unify the understanding of curriculum system on anti-terrorism**

The construction of anti-terrorism curriculum system aims to cultivate high-quality professionals for the practice of anti-terrorism, and to maintain the national security better.

#### **i. Establishment and construction of anti-terrorism curriculum system should arouse more attention**

A systematic study of anti-terrorism curriculum is directly related to professionals' awareness of anti-terrorism work as well as the training of all kinds of professional skills. Reasons include: 1. terrorism crime conducted with a strong ideology, the systematic study is helpful to form a stable anti-terrorism view, and at the same time it is the foundation to train professionals engaged in anti-terrorism with awareness; 2. the basic knowledge of terrorism, the origin and manifestation of terrorism is complicated, a systematic study is the only path to develop the professional knowledge and skills; 3. a systematic training on anti-terrorism professional skills is conducive to better judge, find, dispose and prevent terrorism activities.

#### **ii. Properly understand the relationship between practice sector and theory research sector.**

Contradictions between practice sector and theory research sector are made by confidentiality and complexity of anti-terrorism work, and on the other hand, it caused by the misunderstanding of the anti-terrorism work on the one hand is the does not reach the designated position. In fact, the theoretical research and practical work are complementary to each other, and will promote the development of both sides together. Academic are always open, theory achievement should serve all. In the field of anti-terrorism, theoretical research serves the actual demand of the anti-terrorism work. As the researchers, they should abide by the relevant provisions of the anti-terrorism work, all theoretical research should make anti-terrorism work as the first rule, and shall raise awareness of confidentiality and follow the regulations of confidentiality. In the practice sector, it should also provide basic and actual research material to researchers, which will make the anti-terrorism theoretical research effectively implemented. Anti-terrorism is a complex and overall work, only each sector play its strength and work together, it will be done well. If practice sector and theory research sector establishes a good cooperation and communication mechanism, fully make use of each other's strengths, the practical work can obtain support from the theoretical research

sector for decision-making, theoretical researchers can be also a high-quality supplementary back-up of practice work and reach a win-win situation, both sides can strengthen the ability of anti-terrorism work.

## **II)The construction of anti-terrorism curriculum system shall follow relevant principles**

Construction of anti-terrorism curriculum system shall follow the principle of anti-terrorism work, and shall also follow the principles and methods of education.

### **i. Adhere to the principle of confidentiality**

The confidentiality of anti-terrorism curriculum is an important factor restrict the research on anti-terrorism curriculum, but the research of anti-terrorism, researchers shall be adhere to the principle of confidentiality, the two are not contradictory. The confidentiality of anti-terrorism is well-known and has the significant meaning. Researchers should also have the same confidential awareness and abide by the regulation of confidentiality.

### **ii. Adhere to link theory with practice**

Theory research includes macro research and fundamental research, also includes practical applied research. Macro research and fundamental research provides the theoretical basis for prediction of trend, decision-making, applied research provides practical and feasible methods for practice. But no matter what research it is, research on anti-terrorism shall be cored around the practice of anti-terrorism activities. The significance of anti-terrorism research is service for anti-terrorism practices. The Category and content of anti-terrorism research determines itself cannot be separated from practice, so does the construction of anti-terrorism curriculum.

### **iii. Adhere to the rule of construction of curriculum system**

Curriculum system is the embodiment of guiding ideology of training and cultivating, is the planning scheme shows how school educates and trains students. Curriculum system determines how students learn and acquire knowledge, and it includes specific curriculum view, curriculum objectives, curriculum content, structure of curriculum and curriculum activities. The construction of anti-terrorism curriculum system should be in accordance with the rule and characteristics of curriculum system. Find out the demand of practical anti-terrorism work and which knowledge and skills that requires students to hold, so as to arrange content and learning process of curriculum based on this. And anti-terrorism work requires solving problems appeared in the process of anti-terrorism, so the anti-terrorism research should also be focused on countermeasures of these problems. Anti-terrorism curriculum system should be set the practical requirements as the center, and construct and improve itself according to the rule of curriculum system as well as rules of education and learning.

## **III)The construction of the anti-terrorism curriculum system should pay attention to The following**

### **i. pay attention to the research on basic knowledge of anti-terrorism**

Firstly, some basic concepts of terrorism, such as the definition of terrorism, the definition

of terrorism organizations and the definition of terrorism activities, has not yet come into a unified understanding. The reason is, on one hand, relevant laws and regulations are imperfect, on the other hand, there is a greater difference between domestic and international theory research. However, the knowledge of basic theory is the main line which throughout the entire anti-terrorism curriculum system and it requires more attention to research. Secondly, the causation, history, the characteristics of change of terrorism is the foundation to cultivate the awareness of anti-terrorism work, therefore should pay attention to strengthen the related theory study of them. Terrorism has its complicated historical origin, research and study related knowledge is helpful to understand reasons of terrorism, cultivate the anti-terrorism intelligence awareness, and to effectively judge, dispose and prevent terrorism crimes.

ii. Set-up of curriculum system should focus on practical application, and cultivating consciousness of innovation

Terrorism activities have been changing continually, the terrorists take different ways conducting crime according to different environmental conditions, therefore the means to cope with terrorism also need innovation. The set-up of anti-terrorism curriculum should be not only closely set up around the anti-terrorism practice, but need to cultivate more consciousnesses and abilities of innovation to train professionals adapting to the change of terrorism activities, and positively dealing and preventing terrorism. For example, the spread of terrorist ideology, terrorism organizations are no longer focus on training of terrorists in some areas like in the past, but instead of use internet. Then it brings more problems: how to discovery, find, define and prevent those terrorism activities, how to determine the suspected terrorists, and how to cope with this, etc. In this case, the innovative consciousness of the anti-terrorism professionals is the sword to solve the problems.

iii. Combined with the advanced international anti-terrorism idea

The root of terrorism cannot deviate from religion, ethnic, economic, social and other factors, to well solve the problem of terrorism crime, it cannot simply rely on the combating and preventing by public security force, and it is a long-term and overall work. Some good anti-terrorism ideas should also be worth to be set up in anti-terrorism courses to better achieve the goal of cultivating professional talents of anti-terrorism. For example, Cao Xuefei pointed out in "International High-end Forum on Anti-terrorism Measures and Emergency Management" that, in the aspect of anti-terrorism policing model, the current international anti-terrorism policing mode can be divided into high-pressure anti-terrorism policing mode and the corresponding daily anti-terrorism policing mode. High-pressure anti-terrorism policing mode has more powerful technical and equipment support and brings certain deterrent effect for terrorists, but at the same time some empirical research results show that it is likely to alienate the distance between the police and the public. Therefore, anti-terrorism shall be matched with the positive measures of prevention so as to make the anti-terrorism police comprehensive measures more sensible. 5 "Advice from others may help one overcome one's shortcomings", similar ideas shall be paid more attention, which is beneficial to developing the construction and research on anti-terrorism course curriculum.

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# The Compendium of the Public Security Administrative Law Teaching under the Background of the Rule of Law in China

Chen Jie

**Abstract:** The construction of rule of law in China has put forward higher requirements on the cultivation of public security personnel. The teaching objectives of the public security administrative law should focus on helping students to establish idea of lawfully administrative, of reasonable administration and of guaranteeing civil rights. However, it makes teaching into a dilemma for the fragmentation and decentralization of the knowledge of the public security administrative law. Students' cognitive biases also get teaching into trouble. Therefore, while selecting teaching content concisely, teachers should also pay attention to improving students' legal theory. The application of empathy instructional design can also help to achieve the teaching objectives.

**Keywords:** Rule by Law in China; Public Security Administrative Law; Teaching Objectives; Empathic Instructional Design

In the Fourth Session of the Eighteenth Central Committee Communist Party, China reiterated the importance of the rule of law and made a clear deployment, which specified how to govern the country by law. The rule of law in China requires "the establishment of a unified, authoritative and efficient administrative system in accordance with the law"<sup>[1]</sup>. Government administration by law would make a great contribution to the object. Among all the state organs, the public security organ is in an important position. Therefore, the public security organ according to law is very important for the realization of the rule of law. Among all courses offered in public security colleges, public security administrative law would cultivate students' ideas of ruling by law and help them put which into practice.

## **The Instructional Objectives of the Public Security Administrative Law**

The public security administrative law course is only offered in the public security colleges. In terms of subject classification, it belongs to the category of law. Specifically, it is the department of administrative law. However, it also has a close relationship with the public security science. On the one hand, the basic concepts, principles and theories of public security administrative law come from administrative law. On the other hand, the public security administrative law is targeted. Its contents is only related to the public security business. In China, in addition to the administrative functions, the public security organs are also responsible for the judicial investigation. The fact that is the executive authority makes public security administrative law education very important. The public security administrative law holds the basic position in whole subjects. After graduation, most students will go to the public security organs to work. As a Chinese policeman, one should study the basic theory of public security administrative law. Under the background of the rule of law in China and taking the training objectives of police academies into account, the teaching objectives of public security administrative law should include the following aspects:

### **i. To Cultivate Students' Ideas of Administration According to Law**

China had put forward the grand goal of building a socialist country ruled by law since the 15th National Congress of the Communist Party at 1997, and reiterated the importance of it in the 4th session of the eighteenth central committee communist party. As mentioned before, the public security organ plays an important role in all the state organs. In the course of public security administrative law, teacher teaches the laws, administrative regulations, regulations and local regulations related to public security administration, which will help future police to learn the knowledge of law and establish the consciousness of abiding by law. This is of great significance for the implementation of the rule of law. Significantly, law not only refers to the substantive law, but also includes the procedural law. Due to the influence of the traditional legal culture, our administrative organs often pay too much attention to the substantive law and thus neglect the procedure in the process of law enforcement. So did the public security organs. Modern administrative law theory is attached great importance to program. “Justice not only should be achieved, but also in the visible way”<sup>[2]</sup>. Substantive law can be defined as ‘what it is’, procedural law can be defined as ‘how to do it.’<sup>[3]</sup>” Besides, legal proceedings can control the executive power in the process of law enforcement. Just like defective product is produced in the arbitrary operation, destruction of legal proceedings must get illegal results. Therefore, teachers must teach students that procedural law is as important as the substantive law.

### **ii. Cultivating Students' Thinking of Reasonable Administration**

Although we emphasize the rule of law, the function of law is often limited during the process of police's enforcement. On the one hand, because the Confucian thought has occupied a dominant position in the history of China, the Chinese make a point of common sense and reason. "In the Confucian ideology, moral personality and the commonsense is subject, which is against the national order"<sup>[4]</sup>. Common sense and reason affects people's behavior, and it has the function of resolving disputes. Therefore, in order to obtain the better social effect, the police must consider the problem of rationality when he enforces the law. In China's rural areas, reason is more important than the law. On the other hand, rationality can effectively control the discretion of the police. For example, in one cases of illegal possession of control apparatus, the police can either warn against or detain the offender. Police must inform the offender reasons for justifying his behavior. Reasonableness is as important as legitimacy. Cultivating students thinking of reasonable administrations thus one of the teaching objectives.

### **iii. Cultivating Students' Awareness of Protecting Civil Rights**

The spirit of the rule of law should not only be reflected in the government to comply with the law, but should be reflected in the government's respect for democracy, freedom and human rights. "In contemporary China, the value of the rule of law is to protect civil rights."<sup>[5]</sup> Therefore, the teaching of public security administrative law should not be stopped in the legal laws and regulations, but also the core idea and value of administrative law that to protect civil right should be taught. The duty of the people's police is to maintain social order and public safety, which is arduous and dangerous. The police can be equipped while he performs the task. This is permitted by constitute and law. On the one hand, the use of arms helps police fight criminals, however, on the other hand, abuse of arms will infringe upon civil rights. In addition, in the process of law enforcement, police abuse of the power of administrative punishment, administrative enforcement measures, and administrative permission. These are all against civil rights. There is a certain tension between the police task and the protection of civil rights." The expansion of the police power may be reduced to the right of citizenship; the right of citizens may be restricted to the police"<sup>[6]</sup>. Between the two there would be a balance, but for the construction of the rule of law in China, we should focus on how to control the public security authority. "The police should realize the starting point and destination of his power. Citizen right is the basis of police power. Without civil rights, the police power will be worthless"<sup>[7]</sup>. "Law enforcement for the people" is the socialist ideology of the rule of law, which contains the meaning of protecting civil rights. So it is of course one of teaching objectives to cultivate students' awareness of protecting civil rights.

## **Difficulties and Problems in the Teaching**

### **i. Fragmented and Decentralized Knowledge Makes it Difficult for the Students to Master**

The nature of public security administrative law is administrative law, which plays an important role in the legal system. Administrative law, criminal law and civil law are important laws. It was generally believed that to master the administrative law is difficult by students, because of its complex legal subjects and legal documents. “Administrative law does not have a unified administrative code, and a wide variety of legislative bodies have worked out complex legal norms. There is often a conflict between the provisions of the law. For example, lower-level legal provisions often conflict with the high-level”<sup>[8]</sup>. Because of thirty years of reform and opening-up policy, the market economy has been rapid developed, and emerging industries continue to appear, out of supervision and management of market economy, government agencies continue to increase, which results in the complexity of the subject of administrative law. The administrative bodies are not only involved in the governments, but also the government departments. The administrative laws and regulations can be formulated by the central authority and the local authority. The legislature and the executive authorities all could formulate the administrative laws and regulations. Except the laws and administrative regulations, local regulations and administrative rules and regulations, there are also a lot of administrative regulations and normative documents formulated and promulgated by all levels of the administrative subject. As a result, of the administrative legal knowledge system, the public security administrative law is also the case. From the aspects of subject of public security administration, there are many public security agencies public security organ. However, not all of these agencies have independent law enforcement qualifications. Some agencies could have the qualifications when they do enforcement of certain types and magnitude. Once beyond the types and magnitude, they get disqualified. In practical work of public security, some public security administrative bodies could delegate their administrative power to other state organs, or organizations and individuals, which is the administrative entrustment. It shall entrust or not depending on the provisions of laws, regulations and rules. Other administrative organs often request the public security organs to help them. This is so-called police assistance, which makes the situation more complicated. In the course of study, students are faced with messy, dispersed and even conflict provisions of law. These provisions include the laws formulated and promulgated by the supreme legislative body, the administrative regulations of the state council, the rules of the ministry of public security and local laws and regulations formulated by local governments. Furthermore, the public security administrative organs with no legislative qualification will also issue a large number of administrative regulations and normative documents. This is also the knowledge that students must master. Such a tedious for the teaching of public security administrative law is a challenge. It may make students boring in the learning process, which

therefore affects the teaching negatively.

### **ii. Variability of the Public Security Law Enforcement Practice Brings Difficulties to Teaching**

The purpose of the public security colleges is to train the applied public security personnel. Therefore, the design and arrangement of the course of public security administrative law should be closely related to the public security work. However, variability of the public security law enforcement practice brings difficulties to teaching. The change of public security law is reflected in two dimensions of time and space. The time dimension of the multi-variability is related to the background of the transition period of our country. National and social systems and arrangements are in urgent need of reform. The system and regulations of public security organs are thus in constant modification and change. This uninterrupted update will make the teaching content of public security administrative law lag behind the practice. This problem exists not only in the teaching of public security administrative law. It's the same with the administrative law and even the whole discipline of law in general colleges. "The contents of the study of the students in law science major are centered on the core of the law, but these contents limited to the teaching material..... are too old and need to be updated"<sup>[9]</sup>. From the space dimension, the specific provisions of the public security organs in handling cases vary a lot, the difference is large. Since 2008 the ministry of public security has carried out law enforcement standardized construction, and there are two documents of ministry of public security, Stage Objectives and Effectiveness Criteria of Standardization Construction of Public Security Organs and Provisions of the Public Security Organ for the Procedure of Administrative Proceedings. However, because of the vast territory of China, the specific circumstances of each place are different. Local public security organs have their own regulations, which differ greatly from each other<sup>[10]</sup>. How to deal with these differences is also a problem in the teaching of public security administrative law.

### **iii. The Potential Conflict between the Public Security Administrative Law's Concept of Power Control and the Role Cognition of the Students**

The core idea of public security administrative law is to control the power of state organ, which is very important in teaching. But the cognition of role of students will hinder their acceptance of this core concept. "Role cognition refers to the process of determining the corresponding social response pattern in psychology. During the process, individuals deal with information of their role of social norms and role evaluation in accordance with their unique social and cultural types<sup>[11]</sup>". After graduation, the students will be the police, who exercising public power. They don't want their own power to be controlled. So, there is a potential conflict between the public security administrative law's concept of power control and the role cognition of the students. In the learning process, students tend to think of themselves as police. For example, in order to make the students understand and master the meaning of "principle of proportionality" that means the spirit of the protection of civil rights, I introduced the "Lanzhou Jiang Yunchun case"<sup>[12]</sup> in

teaching content. The focus of the case is whether the police should shoot. Shot or not reflect the attitude of the police. On the one hand, the public security organ needs to perform the duty of maintaining social order and public safety. On the other hand, the public security organs also have the obligation to respect human rights and not to infringe upon the life of citizens at will. In the case, the Lanzhou police fulfilled the previous job but ignored the latter. The teaching object of introducing this case is to let students reflect on whether the law enforcement of the public security organs is appropriate, and then think about how to resolve the crisis. But the teaching practice shows that most students support polices’ shooting in the course of the discussion. Human identity and social role will affect the way of thinking. There are two different value orientations in the view of the shot and not. One is to maintain social order and public safety; one is to protect civil rights. How to persuade biased students in the premise of incommensurability of value is also a problem.

## **Tactics of Realizing the Teaching Objectives**

### **i. Cutting out the Superfluous and Reasonable Arrangement of Teaching Content**

For complex public security administrative law, it is important to select appropriate teaching materials and teaching contents. There are many versions of the public security administrative law textbook, and most of them are written in the administrative law textbook. Therefore, the system of these book is very complicated, that generally includes four parts: the basic theory of public security administrative law, the public security administrative subject theory, the public security administrative process theory and public security administrative relief theory. The students who have selected the course of the public security administrative law in public security colleges are from very extensive majors, in addition to the law major, as well as public security, criminal science and technology, economic crime investigation and traffic safety engineering and other professional. However, in ordinary colleges and universities students who have selected the course of the administrative law are only from law major. These two types of students are very different for the professional difference. On the one hand, the teaching hours of the public security administrative law is less than the administrative law. On the other hand, the students’ basic knowledge of law in ordinary colleges and universities is better than the students in the public security colleges. Thus, there will be a problem when the public security administrative law textbook written in the administrative law textbook.

In fact, the public security college students do not need to learn the background knowledge of the administrative law as a law students in general colleges and universities. The teaching content should be selected to highlight the characteristics and the practice of the public security service. For example, in the teaching of the principle of proportionality, the teacher does not need to explain its origin, development and

the academic point of view. It is also not necessary to explain how the principle to be applied in the United Kingdom, the United States, France or Germany. The task of teacher is only to clarify its meaning and make the students understand its relevance to public security business. Because of the theory is more abstract, it would be better for teacher to choose a practical case to explain it. In the teaching of administrative subject, the teaching content should be excluded from the subjects in the administrative law. Teachers only need to focus on the administrative body of the public security business, such as the public security organs, public security organs of internal organs and agencies. In teaching of administrative laws, regulations and rules, teachers should avoid the content of the legislative bodies and the various legislative departments in all levels in general administrative law, the teaching energy should gathered in the public security business scope. These practices show that: first, only to abandon the pursuit of the integrity of the knowledge, the teacher could present a wide range of public security administrative law knowledge to the students clearly. Second, the selection of teaching content should be determined in accordance with the characteristics of the students' major. These will help teachers to achieve the goal of teaching.

## **ii. While Imparting Knowledge of Legal Provisions, Pay Attention to the Cultivation of Students' Legal Theory**

“Law is the art of practice. Legal education should not only focus on legal provisions but also the modern legal concept, legal spirit, legal thinking, legal reasoning and so on. This will improve the understanding of students' application of law from the strategic height of the social development, human progress, the harmony of people and the nature”<sup>[13]</sup>. Because of the variability in the public security law enforcement practice, teachers should not only impart knowledge of the legal provisions, but also pay attention to the cultivation of students' legal theory. Then, teachers could teach the students to use legal theory to control a wide range of public security administrative law and normative documents. “As of 2010, China has formulated 237 laws. According to the classification of the Legal Committee of the Standing Committee of the National People's Congress, these laws can be divided into seven branches: the constitution and the relative laws, administrative law, criminal law, civil and commercial law, economic law, social law and procedural law. In addition, there are more than 690 current effective administrative regulations, and more than 8600 local regulations”<sup>[14]</sup>. Thus, legal profession, including judges, lawyers and even law professors, could not master all of these laws. But even if in a legal dilemma that never experienced, the legal profession is also able to solve it faster and better than the ordinary people. The difference lies in that the legal profession masters the legal idea. They can proceed from the legal idea, then quickly locate the department law until find out the specific legal provisions. On one hand, because the law and regulations is the official public security administrative law origin, and it is also main basis of law enforcement of the public security organ and the police. Teachers should pay more attention to the importance of legal provisions, in the teaching process of public security administrative law. On the other hand, teachers should also make students realize the limitation of law. There is a profound legal idea behind

the legal provisions of the law. If the public security administrative law is a normative knowledge, then the law is a kind of knowledge beyond the norm. Because there are thousands of ways to express the legal idea, a legal provision is only one of these. These two kinds of knowledge are interrelated, and the latter decides the former. It could help students to deduce simplicity into complexity to master the legal idea. For example, "the protection of civil rights and the limitation of administrative power" is one of the core ideas of public security administrative law, a lot of public security administrative law is the embodiment of this idea. If the students understand the spirit of the law with the help of their teachers, they would be able to deal with complex law enforcement well.

### **iii. Application for Empathic Instructional Design**

In the teaching process of public security administrative law, teachers should not only pay attention to the cognitive factors of pure knowledge, but also pay attention to the students' emotional factors, ignore the latter factor often affect the teaching effect. For students' role cognition deviation, teachers should help them break through thinking barriers caused by the social character through empathy. Empathy is derived from the aesthetics, the original meaning is the aesthetic subject pour their own emotions into the aesthetic object, and then achieve the interaction between subject and object. Psychologists use it to refer to the same sense of empathy, that is, "when a person perceived to the other side of a certain mood, he himself can also experience the corresponding emotions"<sup>[15]</sup>. This is usually said "feel for others" and "place oneself in others' position". Despite the students are future police, their first identity are social citizens. This makes the empathy design possible in the teaching of public security administrative law. Teachers should try to arouse the consciousness of students' first identity while imparting the core concept of the public security administrative law, which is "protecting civil rights and controlling government power". For example in Lanzhou Jiang Yunchun case, teachers can make students consider Jiang Yunchun's situation, which will lead students to experience the anger and helplessness of a disabled person. Empathy is an essential psychological mechanism to achieve mutual understanding, but also the fundamental way to resolve the contradictions of human communication. When students connect their emotional experience with law enforcement object, they could start to reflect on whether their own law enforcement is reasonable or not. After the use of the teaching design, the students had to be removed from the original social role, this will eliminate emotions and psychology in the opposite, in conflict, or even rejection. The harmonious teaching atmosphere will be thus formed. These have laid the foundation for the students to accept the core ideas of the public security administrative law. Through the establishment of teaching objectives and improvement of teaching methods, the public security administrative law will make a unique contribution for the police training.

## Conclusion

With the continuous improvement of the construction of the rule of law, the legal system has been improved, and the legal awareness of citizens is increasing. These changes in the environment of the rule of law have put forward higher requirements for law enforcement of public security organs. The legal administration, reasonable administration and the protection of rights are the teaching objectives of public security administrative law and implementation of law enforcement for the people by public security organs and the police in the new era. As the cultivation of citizen's legal consciousness depends on the promotion and popularization of legal knowledge, the building of the legal public security team also needs the legal training and education for the police. Through the establishment of teaching objectives and improvement of teaching method, the public security administrative law will make a unique contribution to the cultivation of outstanding public security talents.

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# Analysis of Problems Existing in Legal Practice Teaching in Public Security Institutions and Its Solutions

Wang Songli, Tang Wensheng

**Abstract:** The absence of theoretical research, teaching material, teaching process, teaching mode and evaluation standard in China's legal practice teaching leads to the result that the students' practical consciousness and practice ability cannot meet the professional requirements. The main reasons for this phenomenon are: the administrative management hindered the development of the public security education; inaccurate guide assessing systems on schools, teachers and students; lack of positive interactions between public security institutions and practical department. The solutions of enhancing the public security law practicing education are: reforming the education system and building quality assurance system; clearing career trends and intensifying the training of ability; enhance practicing of teaching materials; improving the curriculum and teaching methods of practice orientation; establishing the institutional interaction between public security institutions and practical department and reform the evaluation system of the public security institutions, teachers and student , etc.

**Keywords:** public security institutions, the legal course, practice teaching

Practical teaching is a kind of teaching method which takes students' comprehensive application ability as the main target. It improve students' ability to find problems, research and solve problems<sup>[1]</sup> through the observation, experiment, operation, practice and other teaching links, to consolidate and deepen the theoretical knowledge related to professional training objectives, promoting the organic combination of theory and practice. The essence of public security education is vocational education<sup>[2]</sup>. Law is the basic basis of police law enforcement activities. The special nature of the police profession determines the training objective of the theory and practice of the practical needs of the law.

## **Problems existing in legal practice teaching in public security institutions.**

The target, idea, mode as well as the concrete system of our country's public security law education has already cannot adapt to requirements of public security personnel training. Public security law education lack in the field of consciousness and practice arrangement, mainly reflected in the following aspects:

### **1. Lack of theoretical research results in practical teaching**

Due to the traditional academic education mode and teaching idea, our public security institutions paying less attention to the practice while too much importance attached to the theory teaching. Practice teaching theory research is very weak. Currently, we have not made a systematical and profound study on how to implement the practical teaching, how to achieve the goal of teaching practice through courses and how to evaluate the results of these practical teaching.

### **2. Lack of supporting practical teaching materials**

Teaching material is an important factor in teaching. Because of the lack of unified public security law education guidance institutions, we have not yet formed a unified public security law textbook series that meet the requirements of the times and innovative. At present, we take the general teaching material of other legal professional colleges and universities, which does not have the characteristics of public security, and makes the teachers pay more attention to the teaching material system. These teaching materials does not incorporated positive cases about public security into the textbooks, so it cannot meet the needs of the current public security combat<sup>[3]</sup>.

### **3. Lack of normative practice teaching process**

The level of the course design, content design and the choice of teaching methods are the key to decide the students' learning effect after the teaching material. For a long time, China's public security law education, especially for school students, is still a kind of academic education. Teaching objectives and educational model is set up around the education and development<sup>[4]</sup>. Teacher-centered class is still the most important form of current legal education. Teaching content and curriculum design takes the knowledge transfer as the center. In the classroom teachers are the leader, while students memorize knowledge as their goal. We take the test result as the standard of evaluating student. The practice teaching in the whole teaching link only occupies a very small proportion. Moreover, the practical teaching content is scattered, the study way is voluntary and the teaching effect evaluation has no standard<sup>[5]</sup>.

### **4. Lack of curriculum assessment standards in practice teaching**

Assessment of public security institutions' students mainly includes curriculum assessment, assessment of physical training and assessment of public security job shadowing. Course assessment

points examination and appraisal and courses which have more training can be divided into theory and operation evaluation. Due to the impact of traditional values, we still take the written papers as legal lesson assessment, or so-called question bank simply piling up sets of questions. The result is that the evaluation results can not accurately reflect the true level of students, the teaching effect cannot be accurately tested, and exam-oriented action cannot be formed<sup>[6]</sup>. Our institution takes a written test form of closed exam, open exam, and test on computers, but there is no oral, practical or comprehensive training.

## **Reasons for lack of legal practice teaching in Public Security Institutions**

### **1. The administration mode of the institutions has hindered the development of public security education**

For a long time, the relatively closed running mode has hindered the development of public security education. The reality of this system in the public security institutions reflect in the public security organs appointing school leaders, approving enrollment plan, setting up the examination and approval, and even deciding curriculum, assessing teacher title. The administration mode of the institutions has caused the teachers' identity vaguely. Administrative-centered and the teaching and weak scientific research has hit the enthusiasm of the teachers<sup>[7]</sup>. Poor academic environment and few training and learning opportunities has hit the teacher's initiative.

### **2. Confusion of basic concept of public security law education**

For public security, law course is a professional basic course, which leads to the teaching guiding ideology of legal practice is not unified. Some people think that the training mode of local colleges and universities can be used for the practicing of law in public security institutions, such as case analysis, audit trial, practicing in a law firm, etc. Some argue that the law courses in public security institutions are professional basic courses. It is fine to provide basic legal knowledge, and need not to have legal practicing lessons. Others believe that as a professional basic course of law, if the practice was attached too much attention, it may become simulation rehearsal of court trial or bringing a lawsuit, and will far from the public security work<sup>[8]</sup>. Due to the confusion of fundamental idea of the public security law education, it inevitably leads to the loss of teaching practice, and even vacant.

### **3. Inaccurate guide assessing systems on schools, teachers and students**

In the direction of the public security law education, the standard of education evaluation is a very important guide. And the problem of the evaluation index of legal education is lack of practice. First of all, we should focus on evaluating by theory research indicators in the school evaluation system. Secondly, teachers' evaluation system and practice teaching are difficult to measure. Research results should be the

core of teachers' evaluation assessment and promotion system, such as the number of published papers and research level of the project. The effectiveness of classroom teaching and teaching guide practice is hardly investigated. Finally, in the student evaluation system, the traditional exam mode as a means of education measurement still is the main way to measure and evaluate the efficacy of the teacher's teaching in public security institutions and the important measure of student learning. This kind of exam mode mainly reflects the students' mastery of theoretical knowledge, but hardly reflects the students' practical ability. Under the current evaluation system, teaching practice can easily be overlooked.

#### **4. Lack of positive interactions between public security institutions and practical department**

There is no membership between the public security institutions and the local public security organs, even without cooperation experience or cooperative relations for a long time. Positive interactions are in shortage either from the perspective of the level of teachers, or from the student's level. When local public security organs encounter problems, they often solve with their own intuition, and rarely consider the views of Public Security institutions. The vast majority of teachers in public security institutions come from ordinary colleges and universities lacking of teachers' practical knowledge. Many public security institutions trying to introduce measures to remedy this deficiency, such as the testing and training in actual combat unit is defined as one of the conditions experienced teachers in job classification. Due to the lack of effective supervision and incentive mechanism, it's difficult for teachers to participate in specific cases and learn useful experience in actual combat which makes the attachment to exercise falling to a mere formality. The legislation between teaching and practice account for the separation between public security education of law and public security practice.

### **Reform path of legal practice teaching in public security institutions**

Strengthen the practice orientation of law education in public security institutions. Reflects the position and direction of practice oriented education, in-depth practice and solving practical problems in all aspects of teaching. Specific strategies and measures include:

#### **1. Reform of the school system and innovating training model**

At present, the administration mode of the institutions education cannot be completely abolished, so we should carry out a comprehensive reform from the concept, running mode to the school system, in order to the innovation and development of public security institutions. The key points of the innovation of the public security education are to reform the system of running a school, to establish and realize the legal status of the school and expand the autonomy of the institutions<sup>[9]</sup>. Establish a good incentive mechanism for teachers and personal growth. Deepen the reform of the system. Establish teaching and

research personnel library, Strengthen the competition consciousness, position consciousness, responsibility consciousness, so that the outstanding talents can easily retain and grow fast, changing the "professor don't teach, lecturer do not speak" phenomenon.

## **2. Clearing career trend and strengthening the ability training**

Public security education has a certain particularity. Whether it is education or vocational education, it must always be around the "professional". That is, the public security education must highlight the characteristics of public security, searching for the correspondence of the academic education and vocational education. The public security law education should be oriented to the public security practice, and the law enforcement needs to be the education oriented, training the application oriented public security law enforcement special personnel. Police legal education should combine normal education on science of law with current situation of police law enforcement , targeting to students theoretical legal education and legal practice<sup>[10]</sup>. "Systematically master the disciplines of law and specialties necessary basic theory, basic knowledge, to master the basic skills needed in major of law, methods and related knowledge, have engaged in the legal science specialized practical work and research work of the preliminary ability" is the goal of public security professional talent training<sup>[11]</sup>.

## **3. Strengthening the practice of public security law teaching materials**

To a great extent, the teaching material determines the teaching mode. In the teaching material, we should combine the legal knowledge and legal operation process, while combine the legal theory and operation ability, paying attention to the cultivation of practical ability. Law experts, teachers and public security organs should be encouraged to cooperate and work together to discuss the framework, outline and content of the teaching material. Optimize the structure of public security law curriculum, and a targeted individual corresponding law courses training materials should be wrote. One focuses on the legal knowledge learning, and the other focuses on the cultivation of practice ability, so that two can complement each other<sup>[12]</sup>.

## **4. Improving the practice orientation education in curriculum and teaching methods**

To improve public security law education practice, we must start from the teaching process itself. The legal education in public security institutions should not only be the all-round development education but also the vocational education<sup>[13]</sup>. Determine the teaching content and system according to the positioning design training program. On the curriculum of law courses, theory teaching and practice teaching should be divided into two sets of parallel teaching system. In teaching time allocation, increase the proportion hours of practice teaching, and training teaching methods should be well-designed. Police practice teaching of law should include two aspects: first, the practice of teaching, that is, the classroom case discussion, classroom simulation of the court, classroom debate, etc.; second is the practice teaching, including the holidays,

graduation practice, legal aid, legal advice, legal clinics, etc.

### **5. Establishing the institutional interaction between public security institutions and practical department of public security**

To improve the practice of public security law education, we must start with the institutional interaction between theory and practice, teaching and research. With high quality and strong practical ability to cultivate political business applied, compound talents, implement "integration of teaching, learning, practice, war", the training mode of public security institutions must establish communication system of the law education and practical department of public security practice, solving the problem of public security law education academic and tactics.

(1) Law teachers in public security institutions should go into the public security departments. Teachers are the backbone between the idea and practice, and the real significance of the educational materials and methods. To strengthen the practical orientation of legal education in public security colleges, we must expand the practical knowledge of teachers, improve teachers' practical ability, and implement the system of teachers' lower level. Public security departments need to establish expert consultation system, engaging law teachers of public security institutions into specific cases of research, such as the legal discipline system and the special researcher introduced by the Anhui Provincial Public Security Department.

(2) Legal experts of the public security departments go into the public security institutions. According to the needs of teaching and the public examination, choose high political quality and experienced police officers as "teaching officer" from practical public security department. After the expiry of the term, they return to the former unit and promote into an important position<sup>[14]</sup>. For example, our school hired 100 part-time instructors from the provincial public security policemen, including 16 part-time law instructors, and their actual subject course is very popular with the students, achieving a very good teaching effect.

(3) Establish long-term fixed practice training base. Public security institutions should build professional counterparts as off-campus training base for teachers to participate in professional practice and for students participate in professional internships. Public security institutions and the public security organs are the community of personnel training of the public security personnel, the public security colleges and universities rely on the establishment of teaching, training, and the integration of the training system. At the same time, these "expectant police" for the public security departments of the special work and emergency action to provide human support, to both exercise and promote the local public security organs of the purpose of the work<sup>[15]</sup>.

#### **6. Reforming the evaluation system index of teachers and student in the public security institutions.**

To strengthen the practice of public security law education, we must change the scale of education assessment in public security colleges, and change the evaluation index system for teachers and students. In the assessment of public security institutions, the education department should consider these "flexible

targets”, such as the feedback of the students and graduates to the teaching situation of the school, the evaluation of the public security organs of the police academy, the evaluation of the social ability and the social evaluation of the graduates<sup>[16]</sup>.

In the performance evaluation of teachers, especially in the promotion of teachers, practice teaching, especially guiding students to the actual practice in the actual training departments, should be taken as one of the evaluation indicators. In the evaluation system of students, we should check whether the students have the ability to acquire the knowledge of law in practice, the ability of independent analysis, solving practical problems and legal thinking innovation ability, the legal application ability and whether the legal awareness has been cultivated and so on. According to the training content, teaching method and training project, the specific assessment criteria can be defined, and the practical teaching results of students are evaluated by the method of credit and grade.

## Conclusion

In legal practice teaching, we should strive to explore the new teaching mode, which is in line with the requirements of reform, facing public security, training the students' practical ability and cultivate public security reserve cadres with a strong concept of the rule of law, higher legal literacy and the professional public security law enforcement ability.

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# Practical Analysis of Police Shooting

Li Fucheng

**Abstract:** From our practice, grassroots police generally do not know how to shoot, do not want to shoot, grassroots police face difficulty of using the gun, for the uncertainty of the results of the police shoot and the responsibility they may endure. In order to eliminate the psychological concerns of grassroots police, and to reduce some police officers' improper using of gun shooting, the police should follow scientific principle, statutory conditions and reasonable steps.

**Keywords:** Policeman Legal shoot Misuse of firearms

Police shooting is a "double-edged sword", on one hand, it can deter crime, and on the other hand, it can harm innocent people, human rights violations, triggering media speculation. On our police practice on our part, grassroots police are often reluctant to carry guns, unable to shoot, some police misuse of firearms phenomena sometimes occur. How to regulate the behavior of the police opened fire, it is an unsolved problem.

## The provisions on police shooting

### 1. Foreign police shot provisions

#### A. US police open fire provisions

Under US law, US citizens can own guns legally. There're about more than two hundred million of various firearms, the annual number of cases of shooting in USA was at the forefront of the world. In the US, police shot and shall comply with the following provisions: First, shot in order to protect their own lives or safety of the public or to prevent a more serious crime. Second, In addition to fire, there is no other way to remove a threat. Third, after shot, submit the report within the prescribed time. Fourth, illegal

shooting of police officers will be subject to disciplinary action, and even be held criminally responsible.

#### B. German police open fire regulations

German police shot should follow the principle of "the minimum use of force", as much as possible to use non-lethal weapon. Following requirements should be complied before shot: First, must identify themselves before shooting. Second, when suspects resisting arrest or police life is threatened, he can shoot, police shot the suspect aimed only non-lethal site. Third, when the suspect has no weapons, or had been surrendered, or he has hostages in his hand, the police can not shoot. Fourth, after the shot, a dedicated staff will inquire into the facts: verbal warning, fire reasons, and the target range and so on, these contents will be written in a report.

#### C. Brazilian police open fire regulations

Brazil is one of the highest incidences of shooting cases countries. Each year, about 3.9 million people died of shot in Brazil. Brazilian law allows citizens to own guns, but does not allow citizens to carry guns to the streets or to go public. Federal Police and state police usually carry firearms on duty; town police generally do not carry weapons. Brazilian police are now equipped with indigenously produced 0.4 inches caliber automatic pistol, automatic rifles or submachine gun will be carried during important task. Brazilian police are now developing laser pistol to uniforms suspects, but also to avoid causing the suspect shot dead on the spot." Brazilian Police Regulations" provides: when the criminals carry weapons for criminal activity, resisting arrest or try to self-defense, the police can shoot. It shows that the Brazilian police shooting conditions are quite loose.

#### D. Japanese police open fire regulations

Japan is the country to implement gun control, the law only allows Self-Defense Agency members, police, Coast Guard and other agencies of possession, use of firearms, the Japanese people are not allowed to hold, use of firearms. When open fire the Japanese police must comply with the following provisions: First, to avoid irritation criminals. Second, when the muzzle pointing criminals still not achieve a deterrent effect, the police can shoot to the sky and other safe direction. Third, before the shooting, police "I will shoot" warning should be made. Fourth, after the shot, the police officer is required to write a detailed report.<sup>[1]</sup>

## 2. Provisions of police open fire in our country

#### A. Hong Kong police open fire provisions

The provisions focused on carrying firearms conditions and shooting conditions:(1)Hong Kong police in deciding whether to develop some sort of firearms, will consider the following factors the following conditions will be considered when allocation firearms: First, whether or not suitable for Hong

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[1] <http://www.zzffx.gzzz/index.shtml>.

Kong's environment. Second, whether firearms are suit for the shape of General Police officer. Third, guns ease of training, control and use. Third, whether it is easy to train, control and use. Fourth, whether it has a high degree of accuracy. Fifth, whether it is easy to repair, spare parts supply is sufficient. Sixth, whether it is in line with international requirements.(2)Open fire conditions: First, in order to protect anyone, including policeman himself, lest lives be endangered or serious bodily injury. Second, there is reason to believe that a person has committed a serious violent crimes should be arrested or committed serious violent crimes suspects attempted to resist arrest. Third, to quell riot or insurrection. Fourth, after the office opened fire, the higher authorities immediately investigate the case. If the police shot improperly, it will be subject to appropriate disciplinary action.

#### B. Mainland of China police open fire provisions

"The people's Republic of China People's police use of police equipment and weapons regulations" prescribed one principle of police opened fire, fifteen kinds of situations can shoot, two kinds of can not shooting situations, two stop shooting situations. The principle is: policeman use police equipment and weapons to deter criminal acts should minimize casualties and property losses." Fifteen kinds of situations" focused on the crime of endangering public safety and other aspects of serious violent crime<sup>[2]</sup>. "No shot of two scenarios": the one is when the suspect is pregnant women, children, unless they use of firearms, explosive, toxic and other hazardous materials. The other is when the suspect in the mass people gathering place or a place had store large quantities of flammable, explosive, toxic, radioactive and other hazardous materials, unless if don't shoot to stop them, it will result in more dangerous consequences." Two stop shooting situations": the one is when the suspects stop criminal activities and obey police orders. The other is when the suspects lose the ability to continue to commit crimes. In order to better implement the "People's Republic of China People's Police use of police equipment and weapons regulations", Ministry of Public Security has issued a "policemen wearing firearms norms", and in May 1, 2015 it came into effect.

## Foreign countries' police shooting conditions

### 1. Whether the policeman can shoot or not due to surface suspect

In the US, the police can shoot according to a surface suspect. For example, Michigan police received a report, there is a Spanish holding a gun threat to others. When the police arrived on the scene, the Spaniard is still holding a gun, the police ask him to put down the gun, but he did not listen, but raised his gun. Thus, the police shot to kill him, later identified as the Spaniard holding a fake gun. Later, the findings

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[2] According to "People's Police Selected common regulations," the Chinese People's Public Security University Press, 2009, pp. 202-203.

of an internal police investigation and prosecutors say it's a "venial shot to death."<sup>[3]</sup>In the UK, the police can shoot according to a surface doubt. For example, in July 2005, London suffered terrorist bombings struck, and the London Underground police mistaken Brazilian man Menezes as "terrorists", and he was shot on the spot, causing the Brazilian government a strong protest, but police did not parties be punished. In Germany, police can not shoot with a surface doubt; otherwise, he may be sentenced. After "911", Frankfurt airport police suspected an Arab man as a terrorist, ordered its stand. Because this man did not understand German, has been to run the terminal, the airport police shot him on the spot. The court held that the police can not shoot simply because the man did not stop; the court held that the parties police negligence, and sentenced her to three years in prison. This decision of the court, this caused widespread controversy, most people think there is no improper, but the court held that human life should be respected, it means, when the parties could not be confirmed terrorists to kill him, do not meet the "minimum use of force principle", the court sentenced the policeman guilty. In 2010, before the "World Cup", the South African government proposes to implement a "zero tolerance" policy for criminals, the legislation empowering the police to shot and killed any suspects. Recently, a group of police in the search of suspects, a police officer found the boy Sligoart holding a pistol like pipe, and immediately shoot the boy. Subsequently, the police investigation revealed that the 3-year-old boy holds in his hand is a lollipop, Sligoart's tragic had caused a large public controversy in South Africa.<sup>[4]</sup>Thus, whether the policeman can shoot or not due to the surface doubt varies in different countries.

## **2. Whether the policeman can shot or not when he been attacked**

The laws of most countries allow police to shoot when he been attacked. Recently, a 15-year-old Melbourne boy holding a knife to threatened a policeman, and he was shoot and killed by the other three police officers at presence. The next day, deputy director of Victoria Police media statement namely parties support the police in self-defense. From local media reports, the focus of public concern Should not the police opened fire in self-defense, but the government how to strengthen the training of police, equipped with tasers and other non-lethal weapons, assaulting a police officer in order to avoid death. The next day, Victoria's deputy police chief police namely media to express his support for the self-defense behavior. From local media reports, the focus of public concern on how to enhance the training of police, equipped with tasers and other non-lethal weapons, rather than whether the police can open fire in self-defence. For example, the evening of 6 October 2008, Alexandros•Grigory Los Rop and about 30 juveniles in the center of Athens area threw stones at a police car. Police shot and killed him. In the street where Alexandros•Grigory Los Rop was killed, people lit candles, placed flowers, to protest against the police shooting of improper behavior. The Greek government filed a lawsuit against the police involved. Thus

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[3] <http://news.fsouhurd.com/20041115/n225196034.shtml>.

[4] <http://news.163.com/09/1112/02/5NSSMCGS0001121M.html>.

whether the police can shoot or not when he under attack, varies on the type of attack, nation, local public pressure.

### **3. Difficult to grasp the necessary limits of shot**

Legal requirements in most countries when police shot at no more than the necessary limits, but "the necessary limits" standard is actually difficult to grasp. Not only in different countries have different "extent necessary" standard, even in the same country, "the necessary limits" standard of judges and the policeman will be different. For example, November 11, 2007, in the Italian region of Tuscany, near the ancient city of Arezzo a1 motorway service area, a group of Lazio extreme fans attacked another small group of Juventus fans, and the fans Gabriel Seoul-Sandri was shot and killed by policeman Luciano Carlo Tel. The court found Carlo Spa Terra is manslaughter and sentenced her to six years in prison. In this case, police said the shot did not exceed the limits of necessity, but the judge said police negligence, it exceed more than the necessary limits.

## **Situation of mainland China police shooting**

### **1. Part of the policeman unable to shoot**

Due to the high destruction, foreign police use of firearms generally provides for a "minimum harm principle", requiring the use of firearms is "to reduce casualties principle", which requires police in the shooting must be done "Right" , "Accurate" and "Hit hard." "Right" refers shot can not hurt innocent people, can not shoot for a person who is not a suspect; "Accurate" means it hit the suspect, the police can not shot at the suspect's lethal site; "Hit hard" means that when police take the enemy only in one shot.

Because of high speed of bullet, the police is difficult to do it as "right", "Accurate", and "Hit hard." Lack of training, and people through a variety of channels to become police officers, there were lots of grassroots police who do not know how to use a gun. For example, a county police station in the eastern coastal there were less than a third man can shot, a police station, which has 12 policeman and only three people used guns. Due to the lack of shooting skills, some policemen do not know how to use a gun. In a police station in Yangzhou City, when the police were handling a mad cow situation, five police carrying two pistols, but no one dare to shoot at the mad cow, and finally the mad cow killed by the armed police.

### **2. Some policemen have "Gun Fears"**

Although we have provisions about the police shooting, but Grassroots police generally do not want to carry a gun, more than dare to shoot, some have "Fun Fears". In an eastern province, there were about 80,000 policemen in the province. From 2000 to 2005, the police there shot a total of six times, killing the three suspect, injuring one person. The police did not dare shoot caused mainly due to: First, there

is too much discretionary. Such as, "People's Republic of China People's Police use of police equipment and weapons regulations" stipulated in the "emergency" can be shoot, but in the "large quantities of flammable, explosive, toxic, radioactive and other hazardous materials" sites can not shoot, but what is meant by "emergency", what is meant by "substantial", different people have different views. So, the police are unable to track to "normalize" shoot. Since the police opened fire in an emergency situation, no choice of behavior, prior to the judge can not consult, nor seek instructions from their superiors, the police have the power in deciding whether to shoot in. Behind the power there were responsibilities that he should take. We can say that the larger the police shot discretionary space the more risks he endures. "Avoiding disadvantages" is human nature, motivation based on risk aversion, in police practice, grassroots police are often reluctant to shoot, scare to shot. Second, the consequences borne by the police opened fire. If the police opened fire can be widely recognized by the society, and successfully prevent crime, the police personally awards for meritorious service, the unit can also be praised by society; if the police shot the suspect caused unnecessary casualties or innocent people casualties, the policeman will be subject to criminal or administrative disciplinary measures. For example, April 25, 2005, a Nanjing policeman shot and wounded a fleeing drug traffickers, whether the policeman opened fire behavior is legal, police, prosecutors have a different understanding. The police investigated criminal responsibility, then the prosecution finds that the police shot illegal, the police therefore awards for meritorious service. In general, the police opened fire behavior can be controlled, but he could not control the shot result with the outside world a comment. Based on does not aim, but they try too psychological, grassroots police generally do not want to carry guns, but can not easily shot.

### **3. Grass-roots leaders have "Gun Fears"**

Police have strict internal accountability and responsibility down search mechanism, especially the "Five Prohibitions" strictly enforced, so that some grassroots leaders of the unit, as the police gun to the burden, fear of police gun adverse impact to the unit, do not lead to their necessary trouble. Some grassroots leaders do not encourage police gun, several police stations and other combat units unwilling revolver. 2005, Gaoyou City Public Security Bureau police station, only 30 police stations allotted five guns, other firearms, the police station to recover all PUC centralized custody. Not only did not allot firearms unit does not require a higher authority to allot firearms, firearms have been allotted to demand the return of the unit superior "assessed" guns. Grassroots leadership "afraid to use a gun," the idea is bound to have a negative impact on the behavior of police with guns. For example, Kunshan Municipal Public Security Bureau has dispatched a police station the police arrested more than 10 suspects, there are 6 guns, arresting officers to apply for only two, but no one is willing to gun the police, the director had to take two guns.

### **4. Grass-roots units have gun but not easy to use**

To prevent firearms accidents, a lot of grass-roots units to take "three iron-device" (gates, metal

cargo containers, locks, monitors), double double locks, storage measures bullets separation. Keep firearms in accordance with the above measures, in a normal working day, the police need to take a gun and a half hour. In the evenings or holidays, take the gun police take 2-3 hours. Sometimes due to firearms custody staff travel and other reasons, the police are unable to obtain firearms. Additionally, firearms recipients too cumbersome procedures, leading gun, the gun still need layers of reporting, approval, inspection, registration, many police troublesome, unwilling recipients of firearms. "Arms warehousing" of firearms safety management model, resulting in the police with a gun can not be the objective. In everyday duty, the police basically unarmed. After 2005, Kunshan has more than a thousand police officers, only 6 guns ready for use. In Nanjing, nearly 10,000 police officers, but also there are 24 guns can be used at any time.

### **5. Indiscriminate use of guns by some policemen**

In practice mainland police gun in one hand, Grassroots police generally do not want to, can not, will not shoot, on the other hand individual police misuse of firearms, have occurred indiscriminate use of firearms phenomenon. Misuse of firearms, chaos not only cause irreparable damage to the victim, but also affect the image of the police, and even lead to mass incidents with firearms. For example, Yunnan Menglian incident, though the reason is very complex, but the police played a role in fueling improper shot to some extent. Individual police misuse of firearms, indiscriminate use of firearms, mainly as follows: First, Shua Weifeng random shot, such as Yunnan police Jizhong Chun and others simply because reversing friction, shoot to kill, and fired three shots.<sup>[5]</sup>Second, the situation is unclear random shooting, such as Lanzhou police shot and killed debt collector Jiang, deceased son still petition, apply for state compensation.<sup>[6]</sup>Third, random ordered the indiscriminate shooting, such as Jiangxi Poyang Public Security Bureau deputy director of the police who actually ordered the killing.<sup>[7]</sup>Fourth, in violation of the provisions of indiscriminate shooting. Our law authorizes police in case of emergency, in order to protect the lives of others, or public safety, can shoot, but individual police officers are not allowed to hold an emergency situation, the absence of necessary objects shot chaotic shoot. Five, the frame-up shot of chaos, such as the former deputy director of the Fuzhou Public Security Bureau Wang Zhenzhong for the interests of others, ordered his fake crime scene, shot other people.

## **Controversy about the police shooting in mainland China**

Police opened fire, there are three main oppoins: encouragement, opposition, temperance, and each

[5] [http://www.shxbvbx.net/html/20090304/20090304\\_131238.shtml](http://www.shxbvbx.net/html/20090304/20090304_131238.shtml)<http://www.shxb.net>.

[6] [http://www.zhuijzhaixcct.net.cn/zhuizhai\\_396.html](http://www.zhuijzhaixcct.net.cn/zhuizhai_396.html).

[7] <http://news.esinasdd.com.cn/c/2008-10-29/013716543474.shtml>.

has its theoretical or practical basis.

First, the police should have the courage to shoot. In favor of this view are mainly political and legal leadership in some places, they are in view of the deteriorating security situation in the local state, Grassroots police generally did not dare shoot mentality, as well as the strong voice of the people to fight against crime, they encouraged the police must have the courage to shoot. Among them, the Guangzhou Municipal Committee Secretary Zhang Guifang represented Land Management Act, said: "When the light gun, the resolutely bright gun when the Sword, Sword firm as long as the criminal, the suspect, you listen to me clearly ah. a threat to our security when police officers, we must decisively shot, killed or wounded by the criminals, are not over-defense."<sup>[8]</sup>Chongqing police chief Wang Lijun, said: "To an avalanche, a storm set off hoping to hear gunshots in triads!"<sup>[9]</sup>Encourage police fired by the theoretical basis: First, public safety. Police in order to maintain public safety, can be shot legally; second is self-defense theory. Police in the course of performing their duties, in order to protect the lives and safety of others, my life safety, when necessary, can shoot. Third, the state of emergency theory. Under a state of emergency, the police have the right to discretion whether to shoot without judicial warrant obtained without comments superiors.

Second, the police have no right to shoot. Holding this view is mainly theoretical circles; their reasons are often the object of police shootings is sin to death of the suspect. If sin to death suspects shot, no doubt the police instead of the judge in the exercise of judicial power. Moreover, many countries have abolished the death penalty, police without a court trial proceedings, the suspect shot and killed, does not meet the trend of world civilization. Additionally, when individual police misuse of firearms have occurred, they have no right to claim the police opened fire, its theoretical foundation are: First, the presumption of innocence, in accordance with the presumption of innocence, no one person in the absence of a competent court after a public trial, should is assumed to be innocent, the police opened fire contrary to the presumption of innocence. Second, the rule of law principle, the rule of law, any act of the police must obtain court authorization, in particular the denial of the right to life of the suspects should obtain court authorization, the police in the absence of authorization, will suspect killed, does not comply with the rule of law. Once again, the principle of respect for life, in all the value of the proceedings, respect for human life is tantamount to the highest value, even the heinous crime suspects, the police can not easily shot to kill him.

Third, the police can shoot, but moderation, caution, according to the law, which, to the Minister of Public Security Meng Jianzhu, Ministry of Public Security spokesman Wu Heping represented. Minister of Public Security Meng Jianzhu advocated police in the event of the disposal group to adhere to the "three caution" principle, namely the police caution, caution arms Apparatuses caution enforcement measures to resolutely prevent improper use of the police, positioning allowed, disposal inappropriate and intensifying

[8] [http://www.stnn.cc/china/200904/t20090417\\_1014828.html](http://www.stnn.cc/china/200904/t20090417_1014828.html).

[9] <http://news.sina.com.cn/o/2009-11-03/174316547119s.shtml>.

conflicts, and resolutely prevent bloodshed casualties occurred.<sup>[10]</sup>In the Guangzhou Municipal Committee Secretary Zhang Guifang on “Police must have the courage to shoot” remarks by the network criticism, the military police to shoot had advocated peaceful law. So, Meng Jianzhu, views Wu Heping attributable to the control’s point of view. Control who views the main contents are: Due to the huge destruction, the police can not control the consequences of shooting, especially in the group event, Grassroots police shot is difficult to grasp the sense of proportion, the police randomly shot guns easily lead to catastrophic security incident, police opened fire at a certain restraint, caution, according to the law.

My point in favor of the shot with the statutory conditions, emergency situations have no choice, the police have the right to decide whether to shoot without having to obtain judge’s authorization, and without the approval by the higher authorities, otherwise, it is difficult to protect the interests of other citizens, public interest or my safety. In everyday policing activities, in order to limit the abuse of police powers, the police before taking action, should accept the supervision of the judiciary, to obtain judicial writ judges. But in an emergency, police shot the ordinary procedure can not shoot apply, the normal procedure in the law, “there is no legal under the state of emergency.”<sup>[11]</sup>Meanwhile, in order to maintain the safety of others, I am the life security, public interest, the police had no choice in the case of fire, justified on purpose. Shot on the legitimacy of the purpose of eliminating blame of police shootings in behavior.

## Under what circumstances the police can shoot in Mainland

Police firearms used well can fight crime and protect the legitimate rights of other citizens, used poorly, will hurt the innocent, cause social instability. When police opened fire mainland should abide by the following principles, conditions, step No, prudent discretion should be shot.

### 1. The principle of shooting

#### A. The principle of non-lethal

Due to the huge destruction of a firearm, police shot possible consequences suspect injury or death. When police shot must comply with the principle of non-lethal, non-lethal principles include the following meanings: First, the police should try to use non-lethal weapons to subdue suspects. The second is aimed at non-lethal site only suspect shot the body. Third, the police opened fire when it should comply with the principles of non-lethal, causing the suspect to avoid injury.

#### B. The exception to the principle

The exception of the principle refers to the police following conditions are met during the shooting

[10] <http://www.zzjschina.com.cn/gb/jschina/review/node23427/userobject1ai2082240.html>.

[11] Kant: "Act metaphysical principle", Shen Shuping translation, Commercial Press, 1991 edition, page 47.

can not be shot: First, in can take a shot and when you can take other means uniform crime, can not be shot. Second, in case the suspect has lost the ability to resist or uniforms can not continue to shoot. Third, when the suspect has voluntarily listeners police command can not be shot. Fourth, when the first shot has been subdued the suspect may not be the second shot. Fifth in the group event can not shoot. Sixth of minors, pregnant women, over the age of eighty can not shoot unless they create realities on the lives of others, or not given many lives, urgent hazards.

C.No other principle

Police shot and must adhere to the principle when no choice, no choice but to refer to the police in order to stop crime, in the circumstances, In addition to fire, there is no other possible alternative approaches. If the conditions at the time, you can also find ways to solve problems outside shot, the police can not shoot. No choice but to emphasize the principle of passive police shootings, forced, in the case of no choice, the police is to protect the lives of others, their own lives and safety, fire safety and the public interest, easy to get understanding and support of the community .

D.Timely rescue principle

After police shot suspects should be timely assistance as possible to save their lives. Rescue suspect life is not only the humanitarian requirements, and is the basic requirement of the rule of law. Police opened fire in an emergency, but in order to stop the suspect current violence. But police fired if reasonable, legality, legitimacy, and judgment to be courts. The suspect is an important party in court, let the suspects healthy trial, not only to respect life, but also respect for the authority of the Tribunal.

## 2. Conditions of shoot

Police shoot and must meet the following conditions: First, you must go through a rigorous qualification, to be equipped with firearms, before police shot, qualification contents include physiological conditions of the police, psychological conditions, political conditions and economic background. Second, the police must undergo skills training, in order to use firearms, training includes shooting, firearms learning performance, battle environment learning, learning and other related laws and regulations. Third, the only legal shot condition occurs, the police can shoot. From the relevant provisions of our police opened fire, the police shot mainly limited to some serious violent crime, a crime of endangering public safety. Only when these serious violent crime exists objectively, and is urgent, the police can shoot.

## 3. Discretion of Shot

Whether the police can shot or not involves many discretionary issues, namely, whether an emergency situation discretion, which includes: first, whether the lives of others in distress; secondly, public safety, whether they are a real threat; again, police Personal whether it is a real threat to life. Second, yes, right shot and whether the necessary discretion, which includes: first, the availability of other alternative solutions to problems; secondly, the victim’s personal interest is in real distress; and finally, whether it will

harm innocent people shot. Three yes, right shot and whether the conditions have the discretion, which includes: first, the scene of the environment is suitable for shooting; secondly, shot the ability to effectively prevent crime, if the shot can not shoot deter crime, can not be shot; again, shot and whether the object belongs to the current criminal violence; and finally, the case is whether the ordinary criminal cases, or group events.

Since discretionary category of people belonging to the psychological, the outside world can not supervise the police powers have absolute discretion whether when shot, but to abide by the spirit of goodwill will be discretionary.

#### **4. The ascertain of shot**

Only ascertain the suspect's behavior is one of the statutory "fifteen kinds of" emergency situations shot, police can open fire. "Ascertain" belong to police individual psychology cognitive content, including how to judge; to judge to what extent, be considered ascertain.

How to judge? First, judging from the nature of the crime, whether the suspect in the crime of endangering public safety and other aspects of violence; the second is to determine the object from the victim, if the victim hostage, or to defend a particular object; the third is to judge from the tool used suspect whether to use firearms, toxic and other items as instruments of crime; fourth is judged from the subject of crime, whether the suspect armed gang or genus specific criminal subject; Fifth, it is determined from the specific behavior, criminal suspects whether the person engaged in such acts rob prisoners in custody.

Above all, it is determined to what extent, be considered ascertain? Heart convinced by police. Just in the circumstances, the police sincerely believe criminal behavior is one of the statutory "fifteen kinds of" emergency situations shot is ascertain. Of course, the police convinced the inner standard must meet the social rule of thumb, it was found the standard of the police and ordinary people can not shoot ascertain the standard we have a significant gap.

#### **5.Steps of shooting**

Police shot and must comply with the following steps: First, a verbal warning. Before police opened fire, he must verbally warn the suspect, in the case of warnings of conditions before they can shoot. Second, the firing of warning shots, before police shot the suspect must be over the head fired at the warning invalid, can only be shot. Third, non-fatal body parts aligned with the suspect opened fire. Fourth, in the control of the suspect, as much as possible to collect shells and forward the relevant departments to check firearms. Fifth, to collect other evidence left at crime suspects to extract the body of the bullet, the suspect wound inquest checks. Sixth, the production shot a detailed report on the reasons for shot, content shot process, shot consequences.

## **The follow-up work**

### **1. Prior work**

Police as a whole is very powerful, the police as an individual and very weak. In order to protect the police opened fire behavior according to the law, after police shot, which belongs to the leading bodies to do the work necessary in advance of the system: first, the police opened fire on an internal review of the legality of police conduct legitimate shot to protect the law, the behavior of the police misuse of firearms by law to take the appropriate measures. Second, after the police opened fire, the higher authorities to take the initiative to collect evidence of police shootings legal, timely, accurate and careful process of publishing real police shot to the outside world, the initiative to guide public opinion, to reduce unnecessary outside of police shootings doubt. Third, after the police opened fire, often subject to significant mental stimulation, higher-level units to be active against the police psychological counseling, at least arrange second week of vacation time.

### **2. Confirm shot is legitimate**

In accordance with the requirements of administration according to law, police shot is legitimate, it must be subject to judicial review. Review of legality of administrative acts prior review and post-review of the two, since the police opened fire in an emergency situation discretionary behavior, legal supervisory authority of the police can not shoot prior review. After police opened fire, police authorities should take the initiative belongs to submit reports to the legal supervisory authority to shoot to the legal supervisory authority of the police shooting of nature make identification. Police shot and legal review by the court, prosecutors, police carried out most of the world by the courts to judge the legality of police shootings, of course, some people advocate doing by the superior police opened fire on police behavior the identification. Based on China’s national conditions, by the prosecution to be more appropriate to review police shootings. Prosecutors review of police shootings behavior including police shootings purpose is justified, hit the site is reasonable, shooting conditions and other aspects of legality.

### **3. The consequences of the shoot**

Due to the huge destruction and the consequences of non-controlling firearms, even if the police opened fire in accordance with law, may also suspect consequences of death, and even harm innocent people. Shot uncertainty of the result of a personal commitment, resulting in widespread mainland police do not dare, do not want to carry a gun, but did not dare shoot. Police opened fire on the status quo in terms of the mainland, mainland police shot is not much, but too little. In order to eliminate the psychological concerns when the police opened fire, and crack down on crime, can be clearly defined by law as long as the police opened fire, shot no matter what the consequences should be borne by causing police unit belongs, on the grounds that the police lawfully shot is job behavior, shot of responsibility should be borne by the

police instead of individual units.

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