Final Report: A Preliminary Ethnographic Study

Decision-Making among Sheriff Deputies and Jail Inmates:
Security Procedures and the Dilemmas of High Re-arrest Rates in Monroe County, Indiana

Stephanie C. Kane, Ph.D., Faculty Director
Department of Criminal Justice, Indiana University, Service-Learning

Ethnographers:
Thomas Dearden
Sun Ho (Steve) Kim
Laura Roush
Holly Sims
Jessica Swanson
Yue Yuan

Presented on April 25, 2012, Monroe County Sheriff’s Office
Table of Contents

I. Introduction: The Role of the Sheriff’s Office, Relationships with Other Agencies, and the Problem of Re-arrest in the Jail Population

Laura Roush and Jessica Swanson

II. Ethnographic Methods

Stephanie C. Kane

III. Random Encounters, Bounded Rationality, and Procedural Constraints: All in a Deputies’ Workday

Thomas Dearden and Sun Ho (Steve) Kim

IV. Guilt by Association: Inmate and Officer Stigma in a Small City

Holly Sims and Yue Yuan

V. Conclusion: Questions for Future Research

Stephanie C. Kane
Introduction: The Role of the Sheriff’s Office, Relationships with Other Agencies, and the Problem of Re-Arrest in the Jail Population

Laura Roush and Jessica Swanson

The criminal justice system of Monroe County, Indiana is a unified network of agencies with a common goal of assisting those that, for one reason or another, have come to its attention. Like many American counties, they strive to balance a safe environment for their community and a fair system of justice. Among the various challenges the county faces, one that is particularly intractable and expensive, is re-arrest. The current management of this problem keeps crisis at bay, but does little good for the inmates and continues to put pressure on jail resources. Because the Sheriff’s Office is linked both directly and indirectly with the other agencies in Monroe County’s criminal justice system, the entire system is affected by the problem of high re-arrest rates. Before turning to the matter of re-arrest, we focus on the responsibilities of the Sheriff’s Office and the relationships it shares with these other agencies.

Under Sheriff Jim Kennedy, a fleet of deputies patrols the county working in conjunction with the Bloomington Police Department, the Indiana University Police Department (IUPD), and the Ellettsville Police Department, covering an area of just over 400 square miles. While the Bloomington and Ellettsville police departments maintain jurisdiction over their own incorporated areas, IUPD claims jurisdiction over all campus property, including streets contained therein and adjacent thereto. This leaves the Sheriff’s Office as the default law enforcement provider for the rural county area and the county’s three remaining towns and eleven townships. Because a large proportion of Monroe County’s residents live within the city limits of Bloomington, the Sheriff’s Office is left to keep watch over a smaller population spread over much larger suburban and rural areas. There are a number of challenges in policing these areas, including increased response time to calls, longer waits for backup, delays in the delivery of medical services, and increased time and money spent per call (Weisheit, Wells, & Falcone, 1995). In addition, operating while intoxicated (OWI) charges are far more common in rural as opposed to urban areas, which may be of particular concern when taking into account longer times spent on rural roads, increased speeding due to less traffic, and roads that are poorly lit, poorly marked for hazards, and in generally poorer condition (Weisheit et al., 1995). For example, in the course of our fieldwork, one deputy noted that he attempts to drive by the Fourwinds Resort on the southern edge of Monroe County near closing time each day he is on duty. The rural location of the bar dictates that many patrons will be driving a further distance home and quite possibly will be intoxicated.1

---

1 Personal communication, 2/15/12. To protect the identity of our interviewees, we do not include any identifiable data.
While much of the deputies’ time is spent patrolling by themselves, a number of other agencies within the Monroe County criminal justice system are performing their own jobs, many of which help the deputies in theirs. Inside the Sheriff’s Office building, we find the jail and the ground floor offices including those of the warrants division and sex offender registry. One key component that directs the deputies to calls is the Central Emergency Dispatch Center, which merges County and City functions and is housed in the Bloomington Police Department building. Like the jail, these divisions also allow for the overlapping jurisdictions of the Sheriff’s Office, Bloomington Police, Ellettsville Police, and IUPD, as all four agencies have access to these resources and consequently can communicate with one another and share information.

The warrants division of the Sheriff’s Office is housed in the suite of offices on the ground floor below the jail near the front of the building. The warrants division serves as a link between the circuit court system issuing the warrant and the officers serving the warrants. The Indiana Data and Communications System (IDAC) is also maintained by the warrants division and provides up-to-date information on outstanding warrants. All agencies and law enforcement officers have access to IDAC regardless of jurisdiction. This integrated communication system allows for efficient routine warrant checks during the course of patrol as well as more coordinated efforts by law enforcement actively searching for individuals with outstanding warrants. Having joint-access to the dispatcher, for example, can allow one agency to request assistance from another, as when Bloomington police were attempting to pursue a vehicle but were unsuccessful, as their cars were less powerful than that of the vehicle they were pursuing. The county’s more powerful cars allowed the Sheriff’s deputies to assist in the pursuit.2

The jail serves as a secure location for deputies to take individuals they have arrested and thus, the deputies have a direct impact on the jail population at any given time. The jail commander, Colonel Bill Wilson, oversees the operations of the jail and manages the correctional office staff. While Colonel Wilson and his staff are under the direct supervision of Sheriff Kennedy, the jail extends the custodial jurisdiction of the Sheriff’s Office to house inmates taken into custody by Bloomington Police, Ellettsville Police, and IUPD while territorial jurisdictions remain separate.

In addition to the warrants division and the central dispatch, the Monroe County Circuit Court also works in direct contact with the Sheriff’s Office. Circuit court judges determine if an arrestee will be sentenced to time in the jail and, if so, for how long. Thus, the circuit court has a direct affect on the jail’s population and operations. Judges are also responsible for issuing the warrants maintained by the warrants division in the Sheriff’s Office. In order for deputies to receive information regarding warrants that may need to be served immediately, full cooperation between the circuit court and the warrants division is crucial. Deputies rely on inter-organizational cooperation to perform their jobs efficiently. The shared information not only informs deputies when and where to deliver warrants, but also provides other necessary details.

2 Personal communication, 3/1/12
that help deputies prepare for safe pursuit and arrest, for example, if the individual being sought is wanted on violent charges.

In addition to working directly with the warrants office, the courts work with the Department of Probation and the jail after an individual has been sentenced. The Department of Probation provides a sentencing alternative to jail and has indirect implications for Sheriff’s deputies. If, for example, a probation officer makes a recommendation to the judge that an individual’s probation be revoked, the judge will make a decision that may return the individual to the custody of the Sheriff’s Office via the jail. Probation officers are responsible for following the daily progress and routines of offenders in the criminal justice system. Through interviews with three probation officers and a criminal court judge, we have learned that Monroe County judges put considerable weight on the reports and recommendations of probation officers, as these individuals are responsible for following the daily progress and routines of offenders in the criminal justice system. Deputies are also able to benefit from the probation officers’ close and active supervision over probationers. They can request information regarding the whereabouts of an individual for whom a warrant has been issued if he or she is known to be on probation. As deputies, probation officers, and even jail inmates have testified, many individuals that come through the justice system do not have a permanent place of residence, yet probation officers must be given an address where individuals can be found so that proper supervision can be maintained and home visits can be performed. In these instances, probation officers are given the address of a friend or relative with whom the probationer may stay periodically. Thus, communication between deputies and probation officers can be instrumental in determining the possible location of an individual sought by deputies attempting to serve a warrant.

Also working with the circuit court, the Monroe County Drug Court serves as an optional alternative to non-violent offenders, thus reducing population pressure on the jail. As the drug court coordinator noted, the target population for the program are those individuals who are tired of being arrested, going to jail, being drunk, being high, being broke, and being alone. This generally eliminates the population of arrestees under the age of 25 who, in the words of the drug court judge, are not ready to give up partying. Interviewed deputies told us that drugs and alcohol play a role in many of the dispatched calls and patrol stops to which they respond. If age or generation is a factor in determining whether deputies send drug and alcohol users to jail, this factor will affect both the individual’s fate and the demographics of the jail population. The judges’ decisions regarding whether or not offenders are capable of adhering to its strict rules and should be referred to the voluntary two-year program also plays a role.

---

4 CIWG 2012: 45
5 Personal communications, 2/10/12, 3/1/12, & 3/2/12
As representatives of the legal system, judges and probation officers have discretionary powers to and responsibilities for making decisions regarding the custody and liberty of offenders. Thus, the powers granted to these professionals via the criminal justice system allows them to make fair and equitable decisions based not on the letter of the law, but on their experiences, wisdom, and the independent circumstances of each case (Black, 1995). Judges weigh information regarding an offender’s prior criminal history, family circumstances, employment records, etc., in making sentencing decisions, i.e., whether or not they should send an individual to jail, assign probation, or to dismiss a case altogether. Likewise, probation officers are given the power to perform random drug screens, conduct home visits, and inquire into an individual’s adherence to probation conditions. Based on knowledge gained through experience and via these specific forms of evidence collection, probation officers assess whether or not the individual is fulfilling the conditions of his or her probation and makes recommendations to the judge. A judge then decides whether to revoke the probationary status, to continue it, or to declare the probation conditions met and release the offender from all obligations. If the judge revokes probation and sends the probationer back to jail, that individual changes status back to offender and will thus again be under the supervision of the Sheriff’s Office and have an impact on the jail population. Sheriff Deputies may interact with those individuals who violate terms of their probation or are re-arrested. Their cooperation and communication with probation officers can help determine the best course of action for each individual when re-arrest is an issue.

Like the judges and probation officers, deputies are also awarded the power of discretion in a range of well-defined circumstances, e.g., when deciding whether or not to initiate contact with the public. Granted, when a deputy is contacted by dispatch and ordered to respond to a call, he or she has little choice but to respond. Still, deputies exercise discretion upon arrival at the scene and upon assessing a situation. In cases not initiated through 911 and the dispatch center, a deputy often has the power and freedom to weigh factors and make decisions regarding which vehicles to stop, which neighborhoods to patrol, and which penalty, if any, to dispense. For example, while one deputy tends to stop vehicles for failure to use a turn signal, another deputy tends to penalize drivers for failure to wear a seatbelt.6 Thus, discretion allows for some decision-making liberty on the job. Again, discretionary powers bring responsibilities.

Deputies are accountable for the decisions they make, as discretion is strongly influenced by procedures and regulations. To work in accordance with the law, a deputy can only make an arrest when a law has been broken or a warrant has been issued. In addition, departmental regulations may serve as rules to follow under certain predetermined conditions. In essence, procedures are guidelines to action that still allow for some limited flexibility while regulations are specific guidelines that leave little or no room for discretion, either requiring or prohibiting a specific action (Cordner, 2005). For instance, when an individual fails a field sobriety test after being stopped for suspected drunk driving, he or she must be arrested based on Indiana State

---

6 Personal communication, 2/10/12, 3/1/12, & 3/2/12. See the section following methods for more detail.
regulation. In other words, when a deputy stops a driver suspected of breaking the law against drunk driving, the deputy’s discretion is eradicated: he or she must make an arrest.7

Public image and opinion can also have a serious impact on officers’ discretion. Deputies are highly visible to the public. Indeed, for most people, interacting with deputies on patrol may be the only interaction they have with representatives from the Sheriff’s Office. The character and tone of these interactions is thus central to the formation of public opinion and to the reputation of the Sheriff’s Office. A number of factors can negatively influence public opinion of the police, including citizen’s beliefs that one’s neighborhood is crime-ridden, dangerous, and disorderly. However, increasing police visibility (i.e. being present in neighborhoods) and communicating with citizens can, in some neighborhoods, work to improve public opinion (Maxson, Hennigan, & Sloane, 2003).

While for most, deputies are often the first and only interaction the public has with the Sheriff’s Office. For some, interaction with deputies is also the first step into the criminal justice system. The decision to arrest a person driving a car with an expired license is a decision a deputy must make.8 In these cases, the deputy has the discretion to let the individual go on their way, to issue them a ticket, or to take them into custody. In the latter case, this decision is the first of many that will affect the trajectory of a potential arrestee’s path in the Monroe County criminal justice system.

The arrestee has also made decisions that have landed him or her in custody of the criminal justice system, oftentimes not for the first time. As Sheriff’s deputies, jailers, judges, probation officers, and even jail inmates can testify, drugs and alcohol play a key role in the reappearance of a majority of Monroe County offenders in the criminal justice system. A number of these persons have records containing multiple substance-related charges. In fact, several Monroe County inmates detained over the course of this research had upwards of 100 such charges.9

According to a retired Monroe County judge,10 law enforcement officers see the same individuals over and over again. In her experiences on the bench, she found that these individuals become desensitized to the authority of police and judges and to the gravity of their own situation. These individuals, she has found, believe they are harassed by deputies and police who are “just out to get them” and thus, give the authorities “attitude.” We witnessed an example of this “attitude” ourselves one afternoon in a Monroe County courtroom when a defendant entered, swearing raucously and professing to have been coerced into confession by the police.11 According to the retired judge, the officers and the courts remember those

---

7 CJWG 2012: 29
8 Personal communication 3/1/12
9 Personal communication, 1/24/12
10 CJWG 2012: 23
11 CJWG 2012: 18-19
individuals with this type of disposition and consequently, they develop a reputation for trouble. Interviewed deputies have echoed these sentiments regarding offender reputation as well as area reputations. Deputies’ decision-making process is guided primarily by jurisdiction, and known areas and sites within the jurisdiction are given greater attention due to a history of deviant incidents. This matter will be discussed further in the section following Ethnographic Methods.

II. Ethnographic Methods

Stephanie C. Kane

In the spring semester of 2012, the Criminal Justice Working Group carried out a preliminary study of the Sheriff’s Office as a service learning course in the Graduate Program of the Department of Criminal Justice in the College of Arts and Sciences, Indiana University. On January 11, we met with Sheriff James Kennedy in the training room of the Sheriff’s Office, located in the ground floor of a four story building sandwiched below the court and the jail in downtown Bloomington. The Sheriff discussed his role, the role of his deputies and correctional officers, their concerns and accomplishments, and then gave the team a tour of the jail. This would be our only activity as a full team until we present this report on April 25.

Figure 1. Sheriff's Office (center) with courthouse (right) and jail entrance (left). Photo by S. Kane.

Graduate student team members each planned their own fieldwork logistics and crafted their own areas of interest. In our weekly seminars, we would discuss our field experiences and plan for the following week. Once background checks were completed, Chief Deputy, Mike Pershing, whom
we met the day of our jail tour, began coordinating “ride alongs” so that team members could accompany deputies as they carried out their duties and patrolled the county. Occasions were sometimes limited by circumstances (training, a storm, etc.), yet together, team members were able to complete 54 hours accompanying deputies. Team members also coordinated with the Jail Commander, Bill Wilson, who arranged for interviews with incarcerated inmates. After the team crafted an information sheet about the study to give to potential inmate interviewees, and after discussions with Michael Hunt in the Public Defender’s Office, we ascertained that it would only be feasible to interview convicted inmates, as otherwise it would be difficult to avoid communications that might jeopardize the standing of cases in progress. The team carried out fieldwork about one day/week for eight weeks (January 18 – March 7) totaling 16 hours of inmate interviews.

In weeks when it was not possible to do ride alongs or jail interviews, we expanded the core sets of interviews with deputies and jail inmates by arranging additional interviews with the Sheriff, the Warrant Officer, the person in charge of the Sex Offender registry, the Jail Commander (who all work inside the Sheriff’s Office), three Probation Officers, two Judges, representatives of CASA (Court Appointed Special Advocates for Juveniles) and the Drug Court (all of whom work in organizations that coordinate with the Sheriff’s Office). These interviews and observations totaled 43 ½ hours.

Thus, team members had some opportunities to carry out participant observation in the jail, the court, in patrol cars and the action spaces associated with patrols (e.g. breaks for meals allowed observation of informal interactions among deputies). However, most of the data were collected in the context of semi-structured formal and informal interviews with a range of actors involved in the criminal justice system. Although the time frame did not permit in-depth data collection in these work sites, the team did strive for some breadth. We aimed to understand the basics of how the responsibilities of the Sheriff’s Office intertwined with other parts of the system and to pinpoint operational factors which might contribute to sustaining an inflated jail population. The team designed our interview questions to tackle the central problem of re-arrest, that is, why a substantial proportion of the majority white inmate population keeps returning to jail. We also collected some supplementary spatial analysis data on county patrol patterns and movement in the social interactional spaces of jail. We analyzed our participant observation and interview data thematically, comparing and contrasting perspectives of criminal justice actors occupying different arenas of the system. Focusing on processes of decision making, we highlight the ways in which life history, work history, organization of cooperating government agencies, and immediate social interactional contexts shape the way deputies and other decision makers balance the tensions and predicaments of their situations.
III. Random Encounters, Bounded Rationality, and Procedural Constraints:
All in a Deputy’s Workday

Thomas Dearden and Sun Ho (Steve) Kim

As everywhere, limited budgets and labor result in limited enforcement, as such, not all who engage in crime are arrested. One deputy captured his sense of why certain criminals are caught by saying that some are simply “in the wrong place at the wrong time.”\(^{12}\) Despite some random elements, however, rules systematically guide criminal justice personnel when making arrests. Rules and regulations constrain decision-making, drastically limiting options. Nowhere is this more apparent than in the deputies’ actions.

Constraints limit the kind and numbers of decisions deputies’ make. For example, there are jurisdictional boundaries, regulations on when an officer can pull someone over, and statutes on why someone can be arrested. At the same time, officers on the roads and streets of Monroe County have discretionary power to make decisions within many of their activities. Largely, they decide where to patrol, when to pull someone over, and when to issue tickets.

Deputies at work engage in sequenced decision-making. In the context of situations that are limited in information and time. They are not free to ponder the deep and complex nature of situations before making decisions; rather, they must operate in a state or condition of what economists call “bounded rationality” (Williamson, 1975). When deputies have access to limited information, they, like people generally, tend to rely on information that is easily recalled. Scientists stress that recall is enhanced by a number of factors including past experience, heightened emotions, similarity between events, and beliefs (Schwarz et al. 1991; Slovic et al. 2007). For example, one deputy with whom a team member rode along immediately headed to a specific road in the county to make routine traffic stops, a place with a history of frequent speeding violations. In this routine way, his (or his colleagues) past experiences informed his decision making.\(^{13}\) In another instance, one deputy revisited the locations of his most exciting incidents or calls, an example of emotions and history affecting decision making.\(^{14}\)

In the next section we examine typical activities engaged in by deputies and how both the external environment and internal choices and characteristics affect decision making.

Deputy Decision Making

\(^{12}\) Personal communication, 3/2/12
\(^{13}\) CJWG 2012: 27; Personal communication, 2/10/12
\(^{14}\) CJWG 2012: 49
**Patrolling**

Patrolling the roadways, uniformed deputies are judges on the street who have the power to make a complex set of sequenced decisions affecting the public: they decide if an offense is worth stopping someone, and if so, how serious it is. They exert force to detain the person (i.e., pull over onto the shoulder), use past records for reference (i.e., running the driver’s licenses and license plates), and announce the final verdict (i.e., issue ticket or release with only a warning). Their decisions may lead to consequences that may be detrimental for the driver (i.e., a suspended license or being held in jail).

Although the presence of a police vehicle may sometimes be reassuring to citizens on the road, it can also be intimidating. Many people hit the brakes in response to seeing a police vehicle, even when they are well below the speed limit. While running into a deputy is partly based on chance, drivers are aware that any subsequent procedures will be based on regulations that could result in a ticket or a suspension of license – more so when one has a list of prior violation records. Yet, this chance may be higher in one place and lower in another. Deputies make patterned decisions about patrol areas. For example, because deputies expect high levels of traffic around the industrial areas from the beginning of the second shift, the chance of running into a deputy patrol unit in this area is higher than if you were driving on the northern region of the county. In addition, deputies frequently patrol certain areas of the county, such as the southwest, because they are aware of the history of prior offenses or dispatch calls from that area.¹⁵ Both of these examples illustrate bounded rationality, as past performance influences future actions. As one deputy mentioned, “people always speed down this road.”¹⁶ Thus, on-the-job experience informs decision-making patterns, adapting general training to specific locales.

Even in the targeted areas, not all vehicles are targets. A deputy’s suspicion might be triggered, for example, by a broken-down “crappy car” that is spray-painted, because, as one deputy hinted, criminals often drive such vehicles.¹⁷ Still, some kind of traffic violation has to occur for the deputy to enact his or her discretion to stop a vehicle. There are many traffic regulations that people need to follow when operating a vehicle; these also guide the law enforcement: speed limits, seat belts, maintenance of the car, maintaining registration, and so on. Due to the sheer volume of regulations and automobiles, deputies cannot detect all violations. They have to pick and concentrate on something obvious or focus on their own “pet peeves.” For example, a vehicle missing a properly placed license plate is likely to attract any deputy.¹⁸ In the same vein, a deputy who has a pet peeve about seatbelt violation is likely to look for drivers not wearing seatbelts.¹⁹ The pet peeves are another example of bounded rationality, in which the deputies are using past experience or historic patterns to pull over certain people.

---

¹⁵ CJWG 2012: 27
¹⁶ Personal communication, 2/10/12
¹⁷ CJWG 2012: 49
¹⁸ CJWG 2012: 27, 29
¹⁹ Personal communication, 3/3/12
Once a deputy pulls someone over, procedures govern the social interaction. The deputy must inform dispatch of the event and run the driver’s license and registration. At the same time, they frequently have discretion to write tickets or not. In these situations the perceptions of the driver are important. For their part, drivers are likely to be nervous about the social interaction. Everyone is well aware of, and may be nervous about, the deputies’ discretionary power to issue warnings, tickets, or even carry out an arrest. For his or her part, the deputy must consider multiple aspects of situations, past and present events and possible outcomes. Sociolegal research on procedural justice shows that if an individual perceives interaction as fair, regardless of the outcome, then he or she is more likely have greater satisfaction in, and accept, the outcome. In contrast, when one finds unfairness in the interaction, the person will find ways to refute the outcome. For example, a driver who has received a ticket is likely to pay the fines when he or she considers that the law enforcement is fair in issuing the ticket, but if the driver perceives unfairness, he or she is more likely to dispute the case in traffic court. Thus, drivers’ interest in procedural justice suggests that the social interaction itself may be more important to public attitude toward Sheriff’s Office than the specific, concrete outcome, such as receiving a ticket or not (Fondacaro, Slobogin, & Cross, 2006).20

Taking Dispatch Calls
The role of deputies and the dynamics of discretion changes when a call comes in through Monroe County Central Dispatch. The deputy turns away from general surveillance on the road to engage with a particular situation. Thus, as soon as the deputy responds to a dispatch call, randomness (in focus of attention) is significantly reduced and the constraints on decision making sequences enhanced. The deputy has to get to the location of the incident, sometimes quickly (depending on the severity of the incident). When deputies are not familiar with the address, they utilize available technology to search for it. For example, they ask dispatch for crossroads or use GPS. Even if a deputy learns that dispatch gave them the wrong address, they cannot call off the search for that address until the dispatch confirms that it is indeed wrong.21

The following example may illustrate constraints on deputy decision making and behavior when taking calls from dispatch:

A call comes through the dispatch of a ‘leaving the scene of an accident’ report as the deputy is about to pull over a vehicle for a violation. The deputy recognizes that he is not far from the scene. He ignores the vehicle in sight and immediately heads to the location. “Are you kidding me?” is the first response in viewing the apparent minor damage to the vehicle’s rear fender upon arrival. However, when he exits his vehicle, he puts on a face indicating that he finds this incident serious, as required by protocol.22

---

20 For further discussion of social interaction, see below.
21 Personal communication, 3/3/12
22 CJWG 2012: 49
All incidents called in to central dispatch must be dealt with seriously, even those judged trivial. Deputies’ assessment of a case’s severity or the level of actual damage cannot influence the tone of social interaction with persons involved.\(^\text{23}\) When he first saw the minor damage in this example, the deputy could have questioned the driver for calling in such minor damage. However, he is under constraints that require him to follow the procedures for gathering information. He listens to, and documents the driver’s verbal testimony and searches for physical evidence. Based on the gathered the deputy reaches a conclusion that there is nothing further to pursue. Yet, to help the driver file for insurance, and to cover his tracks, he continues filling out the Field Report and terminates the case.

Even in heavily regulated events such as dispatch calls, bounded rationality finds a way to creep in. For example, bounded rationality steers discretionary power in an instance where one deputy offers to respond to a call because he had previous experience with the caller.\(^\text{24}\) In this situation we see that bounded rationality is not always limiting. While the decisions that the deputy makes is based on history, his understanding of the situation is increased because of history. In this situation there is tension between the limits and benefits of bounded rationality as well as between formal regulation and discretion. In situations where regulation decreases discretion, certain situations still allow for decisions. In another example, the deputy states that he will respond to the current call, despite not being the initial deputy assigned to it, because he is already patrolling close by.\(^\text{25}\)

A factor not discussed in the preceding example is the spatial element of the call received and its relation to patrolling. As previously mentioned, deputies patrol around areas they consider problematic, based on experiences and history of events. From all of the area in the county, the deputy limits his or her patrol area to particular regions and neighborhoods. If a call were to be made by a nearby resident, deputies have the advantage of quickly responding to that call. However, when a call is made from a neighborhood far from this area, the respond time is likely to increase. Consider a call coming in from the rural area in the northern end of Monroe County, which happens to be an area that is not often patrolled by deputies. A unit will respond to the call, but the time to arrive at the address is likely to take about 20 minutes or more, depending on the positions. Even with the sirens and lights on, it could take up to 10 minutes to arrive at the scene.\(^\text{26}\) Since the deputy has not been in the area often, he or she is likely to be unfamiliar with the roads. The deputy has to rely on the GPS system for directions, which constrains the route to be taken. After the deputy deals with the situation at hand, he or she returns to patrol duty. Once off the call, the deputy returns to his or her habitual pattern of bounded rationality. Hence, the deputy will return to the problematic area that he or she patrolled prior to the call. Unlike when

\(^{23}\) CJWG 2012: 29  
\(^{24}\) Personal communication, 3/2/12  
\(^{25}\) Personal communication, 2/10/12  
\(^{26}\) Personal communication, 3/3/12
the deputy was heading to the scene of the call, the path back to the familiar area is now being patrolled by the deputy. Drivers on the path at that time are under the scrutiny of the law enforcement. This adds some random variation into patrol patterns.

_Serving Warrants_  
On nights when dispatch receives few calls, deputies have the discretion to serve warrants. For people who have warrants issued in their name, there is some degree of randomness in whether or not a deputy will identify their record as a target for arrest at any particular time. First, the number of 911 dispatch calls, generally, must be low enough that two deputies can take the time to serve the warrant. The person to be arrested must also be home when the deputies arrive. Nevertheless, despite some degree of randomness, deputies’ discretion largely determines whether or not warrants will lead to arrest at any particular time. The following composite example illustrates the kind of decisions involved in serving warrants:

After several traffic stops the deputy notes that the radio from dispatch is still silent. He decides to go back to the station to pick out a warrant to serve, so the team member could observe him making an arrest. The deputy asks others on the shift for assistance and when one responds back, we head back to the station. At the office, the deputy scans the shelves of warrants (issued by the court and signed by the warrant officer at the Office) and grabs a few relatively recent ones. The deputy starts with this new warrant pile. First, he looks through the pile for “something good.” A quick search reveals one felony, but it cannot be served because the person is homeless and thus does not have a permanent address. He then moves to misdemeanors. The first one he finds has an address that he recognizes. The deputy makes a copy and puts the original back in its folder.

We head for the arrest. This person happens to be at home and is subsequently arrested. The procedure takes several minutes as the man said good-bye to his crying daughter and annoyed family. Acting compassionately, the deputy informs the daughter that her dad needs to fill out some paperwork downtown and even allows him to smoke one last cigarette before getting in the car. On the ride to the jail, the man is shocked and saddened because he did not have enough money for a bail and would need to be in jail until his trial. This person’s crime for the warrant was violating the terms of his parole.²⁷

This example shows the discretionary powers in the process of serving warrants. Yet even with a high degree of discretion, regulations also limit certain decisions. The deputy must have a warrant that has been processed and is still currently valid. Processing the warrant from the courthouse to the shelves is largely handled by the warrant officer in the Sheriff’s Office and not by the deputy. Previously that day, the warrant officer updates and adds warrants sent from the

²⁷ _CJWG_ 2012: 54
courts. At the end of the day several new warrants occupy a separate location. With shelves of active warrants, the deputy engages in decisions to narrow down which warrant to serve. Our example illustrates elements in a chain of decision making pertinent to a single ordinary misdemeanor arrest, part of a larger process in which the arrestee interacts with the criminal justice system. Extrapolating, the deputy’s “something good” approach to choosing which warrant to target relates to perceived harm or seriousness of the offense in question. The deputy is likely to choose a felony over misdemeanor whenever possible. In our example, lacking a permanent address did not allow the felony warrant to be served. In this situation, the deputy makes a quick decision based on the location of recent warrants, an example of bounded rationality. The decision making sequence ends when the deputy recognizes the address on one warrant. The deputy’s choices in process led to one particular warrant out of the number of warrants piled in the shelves of warrants. Starting with the most recent warrants, the deputy searched for felony offenses. When this search proves futile, due to lack of feasibility, recognition of location from a pile of warrants held in his or her hand serves as the decisive selection mechanism for wading through the large number of non-felony warrants.

In making the arrest itself, the deputy makes several other decisions. Sympathetically, he allows the arrested person to one more cigarette. The deputy also tries to diffuse an emotionally intense situation by telling the man’s daughter that he only needs to come downtown to fill out some paperwork. While perhaps somewhat automatic or quick, the mode of social interactions engaged in by the deputy are another forms of decision making.

Using Constraints, Regulations, and Decisions Beneficially
In serving a warrant, three officers (including one field training officer) are sent to a house for an arrest. Although no one answers the door, the deputies are aware that the suspect is home. As the deputies approach the house, they turn off their vehicle lights. One deputy asks the other two to drive down the road and circle back. He uses this deception to wait and see if the suspect emerges. When the other two deputies return, he knocks on the door again. Eventually, he decides to kick in the door and arrest the suspect. The procedure used in this case, although unorthodox, emphasizes deputies acting within regulation but using their discretion to solve problems.

When handled well, the actions taken by criminal justice personnel can avert accidents, prevent harm, and enhance social welfare. Conversely, poor decisions can lead to stigma, lawsuits, injuries, and harm. Deputies must be concerned with public safety as well as their own safety. Given the amount of discretion they have, there is a high degree of responsibility and pressure. Deputies who are aware of their sequential decision making patterns can make better judgments.

28 CJWG 2012: 7, 10
29 For further discussion of social interaction, see below.
30 Personal communication, 3/2/12
through consciously considering the potential consequences of their actions. We suggest that when deputies recognize that history, emotions, familiarity, and beliefs can all affect their decision sequences, they will immediately start making better decisions. Cognitive tasks, such as considering an opposite outcome, either during or after the incident, can also help deputies see alternative outcomes and evaluate their own decisions (Lord and Lepper, 1984). In the end, many of their actions lead to arrests that create the jail population, to which we now turn.

IV. Guilt by Association: Inmate and Officer Stigma in a Small City

Holly Sims and Yue Yuan

A large proportion of people in jail have a previous arrest record and upon release, many will probably get arrested again for similar if not more serious offenses. Thus, patrol officers are likely to repeatedly cross paths with people who have been re-arrested multiple times. This has to do with the fact that Monroe County is relatively small and as one patrol officer puts it, “a small percentage of people are the cause of a majority of the calls.”31 Long-term career officers can come into contact with multiple generations of the same families, each time for similar reasons, living in the same neighborhoods, in similar conditions. A long-term, tenacious relationship may form between the officers and community members as they repeatedly come into contact with each other. Moreover, this relationship functions within the parameters of a system that limits the officer’s control over what happens to people once arrested and taken to the county jail. One officer did express frustration with the consequential process that occurs after an arrest is made but at the same time acknowledged that in situations where a law is broken or someone’s safety is at risk, “…we have to do something.”32

But if one were to only hear the inmates’ side of the story, it would be easy to assume the patrol officers of the Sheriff’s department target specific people whom they believe are bad and arrest them because they like to put people in jail. For example, the inmates told us during our interviews:

“Some people in here are guilty by association…There is a lot of judging a book by its cover that goes on. Some people in here have a name that makes people snap judge them.”33

31 Personal Communication, 2/17/12
32 Personal Communication, 2/17/12
33 CJWG 2012:50
“My dad ruined my last name. They all know who I am because of him so I can’t do anything...I was out of jail for several years straight once and when I got in trouble again they don’t care about anything good I’ve done, they just focus on who my dad is and the fact I’m his daughter and what I’ve done that’s no good. It is like I got his biology in me so it doesn’t matter what I try to do to keep the bottom from falling out...why try and build a home if it is just going to fall down? They want to keep me in here.”

“Cops took my parents and family away from me when I was little and now cops take me away from my family...It is like a vicious cycle, a living nightmare I can’t wake up from.”

A ride-along with an actual officer on patrol, however, reveals the stereotype that officers arrest people “because they like to” is far too simple to explain the complicated reality of re-arrest. The arrestees are not the only ones who must deal with the consequences of high re-arrest rates and the repercussions on incapacitation at the jail. The officers themselves have to deal with the repercussions of having to be the ones who make arrests when they determine them necessary. They are the ones who must subject individuals to a system that relies heavily on incapacitation as the primary form of local intervention. At the same time, the Sheriff and patrol officers reported to us they are aware that this is not the type of intervention many of re-arrestees need to create a stable, crime free life course.

There are wider ramifications of the tensions between officers and re-arrestees. The decision to take a person to jail is a public one and has the potential to impact how the arrestee’s relatives, friends, and neighbors all feel about the police. In some situations, however, officers know they must take some form of action and make an arrest even if this does not make everyone happy.

“All it takes is one arrest to turn a whole family or neighborhood against us but, you know, we have to do something. Some of these people grew up with us taking away their parents, grandparents, or whoever, so they have always hated us.”

Of course, this situation is not unique to Monroe County and published social science research provides added insight. Survey research conducted in another Midwest police department found how officers think the public sees them impacts their effectiveness on the job (Yim and Schafer, 2009). Officers’ perceived job image might affect their pride and confidence, which influences their ability to function effectively (Lim, Teo and See, 2000). If an officer’s perceived image is poor, particularly in non-enforcement situations, this may contribute to officers’ low level of job satisfaction. The nature of police work, however, leads officers to view the public as sometimes resistant and unsupportive (Smith, 1979).

34 CJWG, 2012:43
35 Ibid.
36 Personal Communication, 2/17/12
Some officers in Monroe County even express fear of retaliation in unexpected ways. For example, they fear the food they order from restaurants while in uniform will be tampered with or their cars may get sabotaged when taken into local mechanics. The image of an officer is not only affected by local interactions, they are also affected by the actions of officers at a national level. When a man in New Jersey is detained and strip searched twice for a speeding ticket he had already paid, an article appears in the Indiana Student Daily that portrays officers as shadowy, leery, predatory characters circling around a girl who is about to get strip searched for a having a crooked license plate (Wade, 2012). The uniform of the officer forces each person who wears it to represent not only their own professional credibility as an officer but also the respectability and legitimacy of officers across the country.

And there is yet another dimension, the inmates we spoke with reveal that a great deal of their frustration and resentment toward people within the criminal justice system as a whole stems from what happens to them after they are arrested. Inmates do not feel that the jail provides adequate avenues of support for a great number of the incarcerated that are in desperate need, yet feel helpless to demand otherwise.

“Some of the people in here make me realize how small my problems are and how good I have it both in here and outside…addiction in here with injection drugs like heroin is really bad, cocaine, meth, alcoholism. They have family members that have been in and out of jail or prison their whole lives, cops and judges know who they are but they just keep sending them all to jail over and over.”

The people with whom the police intervene most frequently often typecast officers as gatekeepers to a system that treats them unjustly: it is not because they have not done what they are accused of, but rather, because in their experiences in the system, they feel as if they are treated as though they are “bad people”. Many people who are repeatedly arrested are in dire need of psychological and medical treatment. Monroe County’s use of incarceration for the sole purpose of incapacitation, however, forces the Sheriff to focus his work day on efficient containment and control of the inmate population. Because, there are few public alternatives available to deal with a wide variety of community problems, conflicts, and nuisances, arrests made by officers will often result in “dead time” in which the inmates sit aimlessly in a cell block. They complain that life in jail is so boring that they have to kill time by sleeping. There is not even enough space for them to walk around and exercise. As a result, most inmates will not acquire the job skills, psychological counseling, and transitional social and economic support that would enable them to achieve stability in their lives. They do not learn meaningful values through incarceration; they do not establish a means to live well; and they simply do not get positive feedback from the criminal justice system. Indeed, it seems that many inmates are re-arrested for things in their lives that they feel hopeless and pointless to change.

---

37 CJWG, 2012:50
It is well known that inmates who repeatedly return to jail often suffer from substance abuse and mental illness and are typically undereducated, unskilled, and without solid family support (Turley, Thornton, Johnson, and Azzolino, 2004). The inmates we interviewed in Monroe County jail seemed to lack intimacy with their families. For example, four of the inmates interviewed never had visits from family or friends and did not seem passionate about getting together with them outside once released.

“I have been institutionalized and there is no difference between outside jail and inside the jail, because I expect nothing outside... I don’t want anyone to visit me here, it’s embarrassing.”38

“I never felt welcome or safe at my mom’s house...my mom is disabled and needed me to help care for her in between and during several relationships with abusive alcoholic husbands throughout most of my life. My father threw me out of his house at the age of 13 so I was forced at that age to take care of myself.”39

Nor do the economic status and educational resources of these inmates inspire optimism. As mentioned above, none of them hold a college degree while some of them do not even have a high school diploma.

“I became a full-blown drug addict when I was 13 years old. The school officials considered me as a bad influence to other kids...I got kicked out school eventually.”40

“I was an average student and I was an athlete in high school. But I missed school often because my aunt believed work was more important.”41

Typically, re-arrestees face many frustrations and hardships. When they are able to secure employment, most of them earn minimum wage. They are often unable to meet financial responsibilities such as child custody payments. They find it difficult to live without further state intervention.

In the face of these circumstances, officers find they must take on the role of a mentor, mediator, therapist, psychiatrist, psychologist, lawyer, social worker, and paramedic many times throughout their career. Officers are forced to pick up the slack when there is limited access to government agencies that would otherwise specialize in these areas.

Most of the patrol officers in the Sheriff’s department feel the best about situations in which they are able to please everyone. They are most content with outcomes that leave community

38 Personal communication, 2/8/2012
39 Personal communication, 3/19/2012
40 Personal communication, 3/06/2012
41 CJWG 2012:41
members glad they called upon the police for help. Despite stereotypes that say otherwise, many people become an officer because of a genuine desire to help others.

To help the deputies do their jobs effectively, Monroe County must find new methods for adjudicating drug and alcohol related crimes, caring for the mentally ill, and the homeless. The inmates we interviewed seemed to struggle with circumstances both inside and outside of jail they feel are beyond their control. They do not choose to live with parents who are drug addicts and alcoholics. They do not choose to be born in impoverished neighborhoods. They cannot have a stable, secure life when there is no hope. Moreover, if the system keeps locking people up for misdemeanors such as public intoxication and drug abuse, the jail population will never drop to reasonable and affordable levels.

Conclusion: Questions for Future Research

Stephanie C. Kane

In this conclusion, I highlight how the team’s service learning ethnography this semester identifies areas for future research that may contribute to a better understanding of everyday interactions within the criminal justice system and between its agents and the public with an aim of understanding the problem of high re-arrest rates. We realize that the 113 or so hours of interviews, ride alongs, and participant observation cannot begin to approximate the depth of knowledge of those with whom we worked, especially since the team is just learning how to collect, analyze, and represent data. Nevertheless, even short-term ethnographic research can generate particular insights and ways of framing issues that can be helpful, providing thoughtful outsiders’ perspectives on insiders’ activities.

Each of the three major analytic sections in this report, co-authored by a pair of graduate students, approaches the problem of re-arrest from another angle.

Analyzing interview data from a range of criminal justice actors, Roush and Swanson focus on the different agencies and offices that compose the system in which the Sheriff’s Office is a central part. In particular, they delineate the overlaps in knowledge and discretionary powers that shape the interactions with each other, with the citizens who come before them, and ultimately, shape the size and demographics of the jail population itself. Future research could identify possible sources of glitches in the flow of information, official documents, and evidence between the agencies (e.g. warrants moving between the court and the Sheriff’s Office are sometimes held up). In addition, future research could systematically identify ways to educate the public about how to avoid procedure-based offenses (e.g. that showing up to court for a hearing in many instances would make it possible to avoid going to jail, rather than the reverse, as some citizens seem to think).
Dearden and Kim studied how deputies engaged in patterned and sequenced decision-making while patrolling, responding to 911 dispatches, and serving warrants. Analyzing specific examples from fieldwork, they show how habit is shaped by bounded rationality, such that past experience informs and interacts with procedural training in a dynamic process. More specifically, they reveal the way that randomness influences decision making, and how deputies engage and disengage their specific discretionary powers as they interact with the public and move through different communities within the city. Significantly, the legitimacy, effectiveness, and efficiency of policing is bound up with perceptions of procedural justice on the part of citizens. Future research could systematically study the social interactional dynamics of random or elicited deputy-citizen encounters to understand how deputies develop and critically assess professional habits and procedures and to identify patterns that may be contributing to high re-arrest rates.

Analyzing interview data with inmates and deputies, Sims and Yuan focus on the management of stigma. Uniquely, they write about stigma, not only as an individual problem of re-arrested inmates, but rather, as a problem that deputies must also manage. They show how—in Monroe County as in many other places— the nexus of poverty, unemployment, drug and alcohol addiction, mental health problems, homelessness, and dysfunctional family relationships plague those people most likely to be re-arrested and jailed on a regular, and even inter-generational, basis. In addition to their duties in ensuring general safety, the deputies are responsible for continually policing the interface between the most vulnerable neighborhoods and the rest of the city. Unless and until the county can develop alternatives to incarceration, interventions that can truly help to change lives, the accompanying futility and anger on the part of the re-arrested and their families is projected back on to the deputies. Future research can lead to a better understanding and management of the pressures and tensions accompanying the deputies’ role in arresting folks and transporting them to the jail. Future research can also help to develop and evaluate cost-effective programs that might unlock us from the bind of using incarceration as a provisional solution to the management of social deviance.

Acknowledgments: First and foremost, we would like to thank Sheriff Jim Kennedy for providing us with the opportunity to carry out this project. Along with Sheriff Kennedy, Chief Deputy Mike Pershing and Jail Commander Bill Wilson have also been pivotal in working with the team and providing research access and logistical support. Finally, we would like to thank the deputies, judges, office personnel, sergeants, probation officers, correction officers, and inmates for their wonderful insights and comments on the criminal justice system.
References


Wade, B. (2012). Stripping away our rights: We say these newly condoned strip searches are unethical, unnecessary, and unlawfully skewed. *Indiana Daily Student, April 9th*, p.4
