

## **Development of Standards in Policing in Germany <sup>(1)</sup>**

**Thomas Feltes, Uwe Marquardt, Stefan Schwarz <sup>(2)</sup>**

University Bochum - Germany

### *Abstract*

Germany, the most densely-populated country in the heart of Europe, has nearly 260,000 Police Officers on duty in 19 Police forces within its 16 states and on the federal level. This article shows the historic and contemporary setup of the German Police and its legislative background. The recruitment, training and educational processes as well as recent changes after the reunification of the Federal Republic of (Western-) Germany (a NATO and European Union member) with the former German Democratic Republic and the political, social and economic development during the last decades will be explained in detail. New security- related phenomena, the so called "cyber crime", the rising transnational and cross-border crimes and conflicts in underdeveloped or failed states show the importance of a flexible, science-based and future-oriented approach for law enforcement. This led towards an increasing need for international police cooperation and a commitment of the Police in transnational crime-fighting and international civilian peacekeeping activities within international organizations like the United Nations and the European Union. The article concludes by explaining recent trends in policing, from strict hierarchical control towards a modern management and leadership approach and a cooperative network of public- private partnerships by delegating assignments to networks of actors. The Police in Germany have to cope with limited human and financial resources, a constantly aging staff against an increasing demand for security. The changes and current developments will influence the work of the German Police and will lead the path to future challenges with the need for more cooperation and information exchange.

**Keywords:** International Police Cooperation- Recent Policing Trends – Cyber Crime – Historic and Recent German Police Setup – Social, Political and Economic Development.

---

<sup>1</sup>-**Manuscript:** was submitted in April 2012 (under No. 34\2012, New), refereed in May 2012, and approved for publication in June 2012.

<sup>2</sup>-**Biography:** Professor Dr. Thomas Feltes has an outstanding experience in international and national reorganization of police forces, criminal justice institutions and public administration and in developing curricula for police training. He is a leading expert in Train the Trainer Programs, and acts as an advisor for police training worldwide. He is currently a professor at Ruhr- University Bochum – Germany. He was a consultant at Council of Europe and Director of University of Applied Police Science, Baden- Wurttemberg. In 2002 he was honored by the Hungarian Government and received the official Millennium Medal for his activities in the cooperation between the Hungarian and German Police Forces. He is the co – author and editor of 15 books and over 160 articles on Juvenile law, sentencing, alternative sanction etc, and has recently finished empirical research on Police Work, Community Crime Prevention and Management of Prosecution Systems in Germany.

## تطوير المعايير الأمنية في الشرطة الألمانية (1)

(2) الأستاذ الدكتور توماس فلتس ، الدكتور ستيفن شواراز ، الدكتور أو ماركواردت

أساتذة بجامعة بوخوم الألمانية

### مستخلص

يبلغ عدد ضباط الشرطة في ألمانيا، البلد الأكبر كثافة سكانية في قلب أوروبا 260.000 ضابط موزعين على تسع عشرة قوة شرطية تعمل على المستويين الاتحادي وعلى مستوى الولايات الألمانية البالغ عددها ست عشرة ولاية. من هذه المقدمة نداف إلى موضوع البحث الذي يسلط الضوء على التركيبة أو الهيكل التاريخي والحالي للشرطة الألمانية هذا بالإضافة إلى الخلفية التشريعية ونظام التعيين والتدريب في الشرطة والمتغيرات الراهنة لا سيما في أعقاب إعادة توحيد الألمانية حيث ضمت جمهورية ألمانيا الاتحادية ، عضو الاتحاد الأوروبي ومنظمة حلف شمال الأطلسي إلى جمهورية ألمانيا الديمقراطية. كما يتناول البحث باستفاضة التطور الاجتماعي والاقتصادي والسياسي عبر العقود المنصرمة. وتشدّد الدراسة في ظل بروز الظاهرة الإجرامية الحديثة المهددة الأمن المسماة بالجرائم الإلكترونية وازدياد الجرائم العابرة للحدود والصراعات الناشئة في الدول المتخلفة، على أهمية تدخّل جديد أبسط الأمن قائم على العلمية والمرونة واستشراف المستقبل الشيء الذي يبرز الحاجة الماسة إلى التضامن والتعاون الشرطي على الصعيد الدولي، على محاربة الجرائم العابرة للحدود والمساهمة في أنشطة حفظ السلام للمدنيين، ضمن منظمات دواية مثل منظمة الأمم المتحدة والاتحاد الأوروبي. ويختتم البحث بتناول الانجازات الشرطية ابتداءً من تلك القائمة على القبضة الهرمية الصارمة والمحكمة وانتهاءً بالمستددة إلى القيادة والإدارة الحديثتين والشبكات المتعاونة التي تتألف من شراكات عامة وخاصة يقوم أساس العمل فيها على توزيع المهام المختلفة على شبكة من الأشخاص يقوموا بتنفيذها بشكل تشاركي. تعاني الشرطة الألمانية فيما تعاني من محدودية في الموارد المالية والبشرية وطاقتهم يهرم ويتهاك باستمرار وتقابل ذلك الحاجة المتزايدة للأمن، غير أن المتغيرات والتطورات الراهنة كفيلة بتوجيه وتغيير مسار عمل الشرطة الألمانية بغرض المزيد من التحديات المستقبلية وإبراز الحاجة إلى التعاون وتبادل المعلومات.

### مفردات البحث :

التعاون الشرطي الدولي — الانجازات الشرطية الحديثة — الهيكل الإداري للشرطة — الهيكل التاريخي للشرطة — هيكل الشرطة الحالي — الجريمة الإلكترونية — التنمية الاقتصادية والاجتماعية والسياسية.

1- ورد هذا البحث للدورية بتاريخ أبريل 2012 وقيد تحت رقم (2012/34 جديد) وأحيل للتحكيم في مايو 2012م وأجيز للنشر في يوليو 2012م.

2- أعد هذا البحث بمعرفة أساتذة من جامعة بوخوم بألمانيا وتحت إشراف الأستاذ الدكتور توماس فلتس وهو لديه خبرة متميزة في عملية إعادة التنظيم وهيكله مؤسسات العدالة الجنائية وتطوير المناهج الشرطية وهو خبير بارز في مجال تطوير العمل الأمني ، وعمل كمستشار لتدريب لشرطية في معظم دول العالم وهو حالياً يعمل أستاذاً في جامعة بوخوم بألمانيا وعمل سابقاً في مجلس أوروبا ومدير لجامعة العلوم التطبيقية الشرطية في ألمانيا وفي عام 2002 تم تكريمه من قبل الحكومة الألمانية حيث حصل على وسام الدولة في مجال التعاون الأمني ، وهو كاتب في مجالات العمل الشرطي وله أكثر من بحث ومقال في مجالات العدالة الجنائية المختلفة.

### **1. The Organization of Law Enforcement in Germany**

The Federal Republic of Germany is located in the heart of Europe, linking the west with the east, the north with the south. The most densely-populated country in Europe, Germany has been flanked by nine neighbouring states since the unification of the two German states in 1990. Germany covers an area of 357,022 square kilometres. For most of its history, Germany was not a unified state but a loose association of territorial states that together made up the “Holy Roman Empire of the German Nation”. In 1871, the “German Empire” was founded. Nowadays, the Federal Republic of Germany is a democratic society with a constitution, granting basic democratic and freedom rights to its inhabitants. Germany, divided into 16 federal states, is characterized by the largest economy within Europe, the fourth largest by nominal GDP and the fifth largest by purchasing power parity and counts as one of the major political powers and technical leaders of the European continent. The Legislation happens on federal as well as on state level and each state is governing its own area. The states that exist today were established after 1945 but have in part retained their old ethnic traditions and characteristics as well as their historical boundaries. There are some 81.8 million people living in Germany currently, about 15 million people with migrant background, mainly from Turkey, but also from former USSR. Currently around 20% of the population own a German passport, but have a non-German background. If we look at given ages, groups and certain areas of Germany, e.g. industrial zones and bigger cities, this percentage rises up to 50% and above.

### **2. Police Structure and Function**

The first organized police forces in Germany date back to the early 19th century, when the idea of Napoleon, to establish a “gendarmerie nationale” in France, has been adopted by some German Kingdoms. After the Second World War (1939 - 1945), the German police was under the supervision of the military regional governments of the Allies. With the new German constitution of 1949 and the foundation of 11 states in the early 50'ies in West Germany, these states got the power to establish their own police forces. In East Germany (“German Democratic

Republic” or GDR) as a state within the Warsaw pact, one central police force was established. After the reunification of Germany, each of the 16 German states has its own police law and its own police force. Furthermore, there are the Federal Police, the Federal Criminal Police Office (BKA), the Police of the Parliament and the Federal Customs. The uniformed (state) police and the criminal investigators (usually in plain clothes) are working together in the same force. The uniformed or patrol police has to establish and ensure public safety and security in general, dealing with public order, patrol services, high risk operations, traffic problems and accidents and with minor crimes. The criminal investigation police are responsible for all other crimes.

The police are part of the executive force. This is ruled in article 20(3) of the German constitution (legislation concerning separation of power). The police laws of the 16 states deal with the prevention of crime, the preservation of public security and order and the warding off impending danger. This is the main reason why there is no single strategy or philosophy for policing in Germany: Each state and even each local community can decide on their own way to provide law enforcement, prevent or fight crime and on e.g. whether and how to implement strategies like Community Policing.

The exact assignment of responsibilities depend on the respective federal state: in some states, the uniformed police deals with more than 70% of all crimes, in other states the percentage is less than 30%. An important part of the work of the uniformed police is often district policing. These officers are seen to have a positive impact on the relationship between police and citizens, by being present and establishing trusted contacts. It is the German version of Community Policing and suggested that their actions improve the acceptance of policing and enhance the overall feeling of safety. In some cities and communities this has led to specific so-called ‘security partnerships’ between police and representatives of citizen organisations, of businesses, and of private and state institutions. These security partnerships deal with social problems in the respective city. In some



way this work can be regarded as community policing, but the work of the district police is often seen more in terms of 'good to have around'. Their deployment and handling differs by city.

All state police forces are subordinate to the resp. State Ministers of the Interior. The internal structures of these police forces differ somewhat (which makes standards subject to local variation). The criminal justice code applies to the whole Federal Republic. The authorities and officials of the police force must investigate crimes and take all measures necessary to prevent a crime from being covered. This principle of legality is the most unique regulation: The police, neither as an institution nor the police officer her/himself is allowed to dismiss a case. This is only possible by the office of the public prosecutor (attorney of the state), where every case has to be reported. According to the criminal justice code the police are assistant public officials to the state attorney's office. The public prosecutor is solely responsible for prosecution of crimes.

### **3. Police Training and Education**

The recruitment of police officers is organized by the respective state police and federal police authorities, in some states the recruitment advertising and organisation of information campaigns is separated from the recruitment (selection process) itself. The kind and duration of the selection process vary. It may be conducted by internal assessors or supported by external experts (e.g. psychologists, social scientists, Human Resources experts), it may consist of oral examinations, work sample, exercises in writing, intelligence tests, typical assessment centres or other kind of exercises. The maximum age for deployment as a police officer is dependent on the respective state or federal provisions and goes up to a maximum age of 36 years. Other criteria have to be fulfilled as well (minimum height, maximum weight, body-mass-factor, fitness- and medical-checks etc.).

Altogether there are different ranks on three levels (middle, high and higher). Approx. 50% of all police officers belong to the middle ranks,

45% to high ranks and less than 5% to higher ranks. In a state of national emergency the federal government may commandeer the services of various state police units, together with the standby police reserve that is trained and equipped by each state for action during civil emergencies. This standby police reserve is also used as a riot police in each state. Usually police recruits have to join this police force for between one and three years after their initial training and before they are submitted to a local police force.

The three different careers within the Police service are generally strictly separated from each other which means that a promotion from the last step of a career (e.g. middle ranks) to the first step of the superior career (e.g. the higher intermediate ranks) is not possible. Entering the middle ranks after a two and a half year education (constable and above; the so called green ranks, nowadays mostly blue ranks due to the colour of the uniform and the badges of rank) another examination and selection process is required to enter the silver ranks (police Inspector and above) and then again to enter the golden ranks (superintendent and above). The possibilities for promotions within the respective career depend on the performance appraisal, the legal provisions (e.g. certain minimum time of service to the next promotion), the budget and other criteria (gender, number of years in the service, special qualification etc.).

The training for the middle ranks (constable) consists of theoretical as well as practical components (dual system). The recruits gain knowledge and skills in law subjects (e.g. law on police, criminal code, criminal procedure code, constitutional law, traffic law), operational doctrine, criminalistics, intervention training, psychology, political science, sport- self defence and shooting training as well as behavioural training (theoretical framework of conflict management as well as role plays). To change from the middle ranks to the higher intermediate ranks a further three years of study at a police university or college (University of Applied Sciences for Public Administration) is required. Once the police student has successfully completed his studies, he will

be qualified for the higher intermediate ranks and will obtain the grade and diploma of a bachelor of arts in public administration and police and is promoted to the rank of an inspector.

To proceed to the higher ranks, a further two years study programme at the Police University in Münster (the only one in Germany) is required. This former so-called “Police Leadership Academy” (PFA) was converted into a formal Police University in 2006 and conducts the master study programme “Public administration - Police management”. After finishing the study programme the respective police officer will obtain a master degree and will be promoted to the rank of superintendent. The police university in Münster is the central police institution for higher education for the 18 police services. Furthermore it offers training courses for senior staff, is engaged in police research and serves as focal point for international education and training activities. Based on the master study programme a PhD programme is currently planned to be implemented. Since 2007 the German Police University has a chair in police science, the second one beside the chair of criminology and police science at the Ruhr-University in Bochum established in 2003.

After gaining some practical experience the constables are entitled to apply for the higher intermediate career and after being selected may undergo two or three more years of education at a Police University of Applied Sciences to become either criminal investigators or middle-management supervisors (e.g. shift leaders). They will obtain a university diploma in public administration or a bachelor degree in public administration and police. Due to the Bologna process most of the states (and the BKA) offer a certified 180 ECTS Bachelor study programme.

In some states new recruits are entitled to enter this higher immediate education directly (without practical experience) and to start their career as inspector candidates. The recruits are usually living at home or in private apartments and are only called into barracks for special training purposes (such as crowd and riot control). Some states provide student housing for police students.

#### **4. Changes in Policing Germany**

Like other services, the police service in Germany had to adjust its security strategy to the political, social and economic development during the last decades. The fall of the wall and the reunification in 1989/90 led to a new political situation and challenged the then German Border Guard, later renamed to Federal Police, in many ways. The inner German boarder did not exist anymore whereas the security of the new east border had to be established and enhanced embedded in the evolving Schengen area. Combating illegal immigration (by asylum seekers and others) and the (organized) trafficking of human beings became one of the core tasks developing within the so called integrated border management.

New developments in the 1990s like the internet created new crime phenomena: The field of cyber crime developed rapidly. Well known forms of crimes could be committed easier (e.g. fraud and child pornography) and the internet as information and communication means created new possibilities in the field of economic and organized crime as well as in the field of crime against national security. Since combating of organized crime (trafficking of human beings, narcotics, and corporate crime) was a major challenge in the 1990s new legal and tactical instruments like financial investigations were implemented both for the prosecutors and the police. It became a new approach to sentence perpetrators not only by a penalty (monetary, imprisonment) but also to seize and confiscate beside the instrumentalities also any kind of unlawful profit be it high-value vehicles, hard cash, bank assets, personal property or real property. This kind of deprivation developed to an appropriate and successful instrument in combating serious crime.

In the mid 1990s the importance of international police cooperation and collaboration within a common European space of security started to develop and does still. The political, financial and legal framework of the respective multinational and international entities (e.g. Europol,

Eurojust, Interpol, OLAF, Frontex) was established and enhanced following the political process of ‘Europeanization’.

The German police got also involved in the large field of peacekeeping activities in the mid 1990s when federal and state police officers were deployed with the EU and later with the UN on the Balkans. Whilst the total number of police officers involved in UN missions worldwide was 35 in 1988, the figure increased to 17.500 in 2011. Since 1990 roughly 6.000 German police Officers have been deployed in international peacekeeping missions worldwide, and they had to play a very difficult role, because the people, living in such countries in transition, do not only expect better economic situation as a consequence of separation, civil war or other reasons for transition; they especially ask for safety and security (Feltus 2008, 2009). The idea, that security is a public good has been developed since the end of the 1990ies. Security is a constitutive ingredient of the good society, and the democratic state has a necessary and virtuous role to play in the production of this good. In “weak” or “failed” states, very often the government lacks the capacity to act as a security-enhancing political authority. This increase in crime in nearly all of these countries was one of the unintended, but unavoidable consequence of the opening and “democratization” of societies in nearly all former socialist countries (starting with the former GDR in 1989). These countries will follow the “western” ones in a world, where neo-liberalism and the “*order of egoism*” that it champions has come to be ascendant in ways that have enabled policing and security resources to be captured by those with the greatest supply of economic and social capital and thereby distributed in inverse relation to risk, and hence need.

In the 1990s in Germany the concept of victim protection became popular within the police. Following a legal, political and social discussion the police developed new approaches regarding the victim’s role. Victims of burglary, rape or robbery were not only treated as witnesses or even means of evidence anymore (during the ongoing investigations as well as in the course of the main trial), but became



regarded as human beings with own interests and fears to be protected and supported in the line of a criminal offence as well as prevention of crime (Feltes 1998). Another example for this paradigm change is the legal and operative concept in cases of domestic violence. Since the early 2000s years the police play an essential part when assisting mostly women to escape from a violent relationship, e.g. by banning the perpetrator from the victim's home. Banning orders, first established in Austria, have been introduced since then in all German states.

The terror attacks on 9/11, 2011 triggered a discussion about the appropriate security architecture in general and the role of the police services, the armed forces and the intelligence services (federal and state offices for the protection of the constitution) in particular. New legal instruments were implemented and the collaboration and information flow between the different actors in the field of internal and external security were strengthened. The counter-terrorism police units had to get familiar to a new field of political crime – beside the well known left- and right-wing terrorism – the Islamist terrorism which is still on the agenda of the German Police.

German legislation that came in the wake of 9/11 emerged along several lines. Legislation, pre-designed for the control of transnational crime, money laundering and illegal immigration as mentioned above, represents the core of anti-terrorist legislation after 9/11. The label of anti-terrorism legislation was assigned to laws without any rational assessment or even evaluation, whether these laws really have any impact on terrorism. E.g. the attempt to get hold of information collected by private telecommunication providers, in the creation of obligations on the private sector (individuals or companies) to actively support criminal law based strategies of prevention and repression. These developments become visible in the further deployment and extension of new investigative methods that have been initiated since the 1980s within the context of control of organized crime or transaction crime as well as in the systematic and wide spread use of

conventional precarious investigative methods such as use of private informants or crown witnesses.

All state police forces carried out large scale “fishing net expeditions” on the basis of police laws (partially amended immediately after 9/11 to include data mining investigation) and on the basis of various data sources (including university information systems). Police laws allow for “data mining” or launching “fishing net expeditions” when grave risk for the Federal Republic of Germany or a state or immediate dangers for life and limb of individuals require such investigative techniques in order to counter such risks. Systematic evaluation of the fishing net expeditions launched after 9/11 was not carried out. Scattered information allow for the conclusion that this approach did not generate relevant information. “Sleeper cells” have not been identified. Search criteria applied (e.g. in Bavaria) concerned: male, 18 to 40 years old, Islamic religion, student or former student, legal immigration status, not dependent on social security and coming from selected (Islamic) countries), but suspicious cases have not been identified. The then minister of finances earmarked 3 billion marks for this Counterterrorism package. The funds were collected on the tobacco tax.

### **5. Recent Trends in Policing Germany**

Since the late 1980s the cost pressure on the public service in general and the police in particular led to the implementation of private economy proved instruments within the police service. The new public management idea was regarded as a concept to cope with the need to downsize personnel while the police tasks were still increasing in quantity and quality. Steering by output / outcome (instead of input in former times), client orientation, decentralization of responsibility for resources and employee satisfaction became key objectives in the line of policing. In the 2000s years this development was followed by concepts of staff development and organizational development. Since the personal expenses in the public service make up roughly 90 percent of the overall budget the optimization of organizational aspects and career development (‘The right person to the right position.’) were considered as indispensable to maintain public order and security even in times of cost pressure.

On the other side, the market and demand for private security has increased in Germany since the 1980s. Nowadays there are some 3,000 enterprises with some

173.000 employees. Compared to 121.000 employees in 1997, there was an increase of more than 40% during the last 15 years. Their main tasks are securing buildings (private property), transporting money, and security services in relation to mass events like football games or concerts. Most of the private security guards are not armed, but also not trained very well. The German law demands some four weeks of training only. More and more, public police are cooperating with private police, e.g. in train stations or during mass events. The results of the World Football Championship in 2006, where 20,000 private security personnel were involved showed that this cooperation was successful. But such 'police private partnerships' are still resisted by the police unions and by most politicians. Nevertheless, more and more cities outsource security tasks to private companies, mainly in connection with the protection of buildings, but the topic of cooperation between state and private police forces is still heavily debated, especially by police unions.

In order to perform its original task (to assure the security of its citizens while maintaining an open society), the contemporary state no longer just makes use of its own institutions like the police and the municipal departments for public order. Commercial security services, groups and associations organized by the general public, non-governmental organisations and semi-governmental players all now collaborate with public security forces for the purpose of dealing with hazardous situations. While some of these organisations partly work autonomously, there is also extensive cooperation between organisations in the construction of private and public order. Such cooperation, to which various legal competences have been given and which are organized very differently, increasingly characterize the structure of security in European societies. According to the particular national state they are embedded in, this mix of different security providers has developed its own security structures and security cultures.

The situation within Germany (as within the EU) in relation to this new surveillance arrangement is exceedingly heterogeneous. Thus, there are no agreements or EU guidelines which, for instance, regulate uniform training standards for the police and private security forces as well as the competences these organisations have. Like social and educational systems, surveillance systems differ from one another considerably. In

the same ways in which social and educational systems cause variable results concerning social standards and the level of provision in relation to different educational quality and participation in education, different surveillance regimes generate various levels of citizens' security from organized and everyday crime as well as from terrorism and politically motivated crime. It is also possible to achieve similar results in terms of security but by using very different methods.

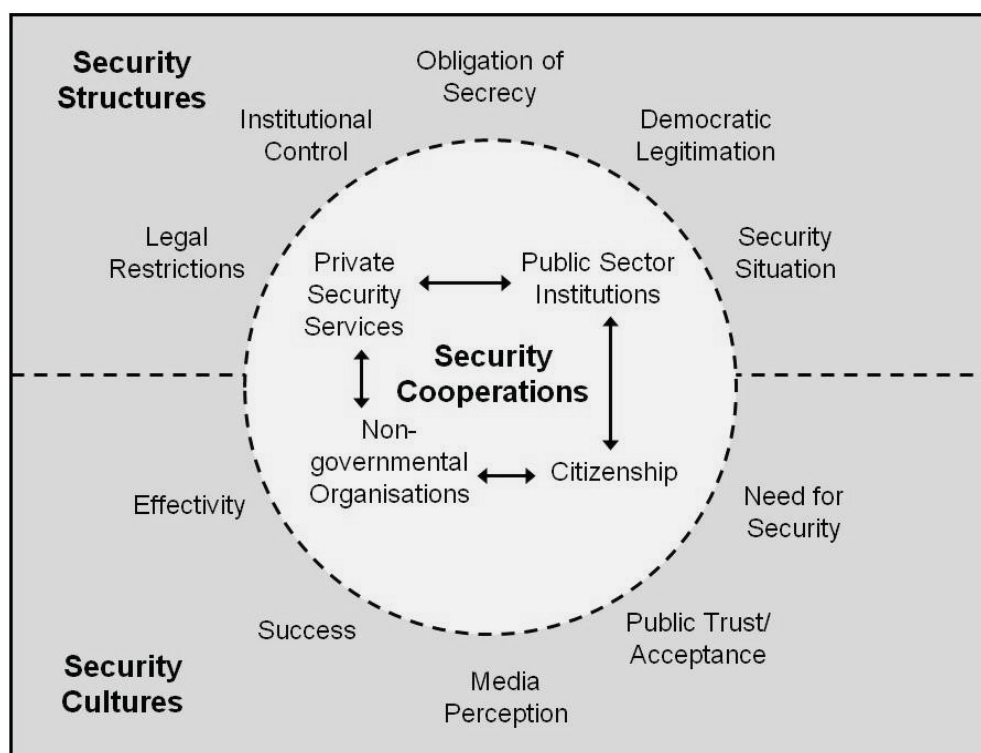
In establishing and sustaining public security, certain tendencies towards extensive and new forms of regulation can be denoted. As in many other policy fields of modern services of general interest like social and economic policy, in the area of public security a transition has occurred from hierarchical control mode to a cooperative network mode in which the state concentrates on administrative functions (currently of various intensity). Political control occurs augmented by delegating assignments to networks of actors. Divisional boundaries and hierarchies in security institutions loose importance. Policing is still associated with the activities carried out by the public or state police, but on closer inspection policing is a much more integrated task in that various organisations, groups and individuals participate. At the same time a multifaceted and new form of presence of the state can be observed. Regarding the change from an interventionist state to a cooperative state policy, this can no longer be regarded as a decision of a singular actor but, as the concept of governance emphasizes has to be designed by the interaction of many actors.

This is also the case for the field of public security operations. In the course of versatile and partially overlapping processes of delegation, expansion and cooperation, an expanded network among those involved in public security has developed in the last few years (Stegmaier & Feltes, 2007; Terpstra, 2008). This has led to a 'mixed economy' of policing (Crawford et al., 2005: 4) and to 'hybrid policing institutions' (Law Commission of Canada, 2006: 26). The role of the police in particular within the field of public security is changing. Although remaining a central player in the networks "*the police are*

*only one node in a network of auspices and providers of nodes that work to govern security both alone and in conjunction with each other.”* (Shearing, 2005: 58).

In many organisations, founded with the advancement of community crime prevention, these tendencies are obvious. But there is still a lack of research on the consequences of acceptance and success of cooperation with regard to the actors' self-perception and perception of others. The cooperation between the actors (e.g. private security and public police) has been monitored rarely, and mainly in context of bigger sport events like the soccer championship 2006 in Germany (Bach, 2008). Most notably, possible advantages and disadvantages interplay and effects of synergy on their action are not investigated systematically. Studies that examine, for example, the importance of the prevailing political culture for the initiative, the formal principle and the successful outcome of security strategies in a comparative way (Schulze & van den Brink, 2006) are sparse. Legislation has an increasingly 'tentative' character in order to react quickly to changing circumstances as the above mentioned criminal acts of the so called 'Zwickauer Trio', the growing violence against Police officers and the yearlong reaction on stalking cases show. How this affects security and the sense of security has not yet been investigated. *“The gradual ‘pluralization’ of policing provision has been noted in many countries during the last 20 years or so, but little has been written about how policing might be effectively governed and held accountable in the public interest in such an environment of plural provision”*, (Stenning 2009: 22).





The interdependencies are shown in the chart, referring to the interdependencies between security structures and security cultures as well as between the different subdivisions within the security structures on the one hand and security cultures on the other.

**Chart: Security structures and cultures<sup>1</sup>**

In contrary to theoretical and political discussion on police and police function and to lots of studies in foreign countries, empirical police research was very rare in Germany until the beginning of this century. Police in Germany is - like in other countries - an unspecified agency, used by citizens for various purposes which exceed by far the much specified duties named in the German Law. Unlike other Police Forces, German police don't have (as already mentioned) any discretionary power in criminal cases. Nevertheless, in neighborhood disputes, family conflicts and minor offenses, police officers have possibilities of

<sup>1</sup>- The chart has been prepared for a EU-Project application "Policing the Public. Providing Security and Safety for Citizens by different Partners". Copyright: Thomas Feltes

discretionary decisions in everyday conflicts. They use techniques like immediate conflict solution, and take immediate actions to help people in everyday conflicts. Further on, police plays an important role in the settlement of conflicts and in the redress of various molestations (disturbances, brawls). In these fields their work is relatively effective and efficient. But these services have only partly to do with their legal task. In the field of prosecution, however, police work is rather ineffective. Citizens call the police to solve very different problems more often than in earlier times. Victims call the police in order to find an institution and people in this institution who are able to help them and to support them emotionally (mostly) and (sometimes) financially. Just to put a few more police officers on the street has no impact on both the crime rate and the clearance rate, which is determined by a lot of different factors, not to be influenced by the police itself. The police is less and lesser able to cope with the very different and difficult task of policing a modern, complex society. Community policing as a solution for the problems mentioned and as a reaction to the increase of registered crimes in the 1970ies and 1980ies was discussed in Germany since the beginning of the 1990ies (Dölling&Feltes 1993). Since then, more and more communities have implemented some kind of “community policing”, although there is no nationwide understanding of what that really means and whether community policing is a new strategy, philosophy or just new wine in old barrels (Feltes 1998). Community Policing in Germany is largely an outgrowth of a community concept of crime prevention. German concepts of community policing emerged from the new crime prevention philosophy, both social and situational. German states have tried out various policing theories or working philosophies over the past two decades, including what can be called “citizen-friendly policing”, which evolved into today's Community Crime Prevention. Thus, Community Policing in Germany is not a single organizational feature of German police forces, but rather an applied philosophy that can be used in specific neighborhoods, in specific instances and for achieving clearly defined results. In most states, police either take the initiative in organizing Community Policing boards or councils in their town or

city, or cooperate with the mayor or city council by participating on a local Crime Prevention Council (Jones&Wiseman, 2006; Pütter, 1999).

Besides that, special Community Policing projects focus mainly on crime prevention: local or regional councils with representatives from social institutions, churches, public administration, business etc. analyse the local situation (usually by using victim surveys) and develop strategies for prevention (Dölling et al., 2003). Community Policing is rather a philosophy than a new strategy. As a consequence, the training and the management of police needs to be adjusted to this new approach (Feltes, 2002). The cooperation of the various actors in the field of community crime prevention is the most crucial point. Local crime prevention through community policing needs a cross-departmental collaboration and networking to the particular agencies and those who have the local expertise and the environment knowledge within police, law enforcement, social services and other stakeholders in the community. They have to exchange and compare their individual and institutional resources and expertise and need to concentrate on bureaucratic obstacles in the control and prevention of crime. This happens for example in community prevention bodies, where communication has a key role in coordination and cooperation between the actors. The question, whether the programs implemented have in fact the desired effects in the local situation is difficult to decide, because too many variables influence the result (changes over time and space). The prevention discourse sometime gets (too) close to "law and order" concepts (such as "broken windows" or "zero tolerance"), sometimes tries to implement solutions that really focus on the local roles of crimes. It very often also misses the necessary broader public impact, especially due to the fact, that the crime rate in Germany is decreasing since the late 1990ies. Nationwide, one estimates that 2.000 municipal bodies do at least some kind of prevention work, but very few are evaluated in a sense, that the situation before the starting of such a project is compared with the situation afterwards.

Community policing is based upon the idea that the activities of the police have to be extended in the communities to become an institution that cares and coordinates efforts to improve social cohesion (Weitekamp&Kerner&Meier 2003). But in Germany, crime control in general and the idea that fighting crime is the core task of police remain is still prevalent. As community policing has its main focus on keeping the public peaceful, on mediating conflicts, on coordinating efforts to improve the whole quality of life in the community, and on crime prevention, it still lives a quiet life within the German police and tended to be sidelined. Community policing in Germany is mainly regarded as district policing or as a tool for prevention, working with joint crime prevention bodies in cities. The evaluation of such activities is very rare, and because of the decreasing crime rate, most activities are volatilizing.

The changes and current developments described above will continue to influence the work of the German Police and lead the path to future challenges. Whereas Police in Germany have cope with more and more limited human and financial resources and a constantly aging staff, criminals are crossing open borders within the EU and transnational crime is on the increase. The cyberspace is a rapidly growing field for new forms of crime and offers a vulnerable spot for governments, economic systems and the society as a whole against perpetrators. Just recently, the Police of North Rhine-Westphalia and other states had to close their web sites and online services as these proved much too open for hacker attacks. Therefore, the use of modern and secure (information) technologies, communication, information sharing and mutual cooperation between the German police services and the law enforcement services from neighboring and states further away becomes more and more important. In this respect, the federal system with 16 states plus the border police and the federal police is somehow of a handicap. It took for example more than 10 years, to find a common solution for new digital radio systems in the police, and even in 2012, not all Police Forces in Germany are equipped with such radios. The exchange of information and the cooperation between Police on one side and the other (intelligence) institutions, which are or

might be responsible for fighting political crimes or hate crimes (like the office for the protection of the constitution was challenged in connection with the “Zwickauer Trio”. At least some state agencies did not share relevant information with others.

Another important factor of modern police work is communication and research. Worldwide, research on police and in policing is increasing, but most of it remains unread and unconsidered in the private shelves of the researchers. Even research financed by governments or supranational institutions like NATO, EU or OSCE is usually not transformed into everyday business of police. The reasons are manifold, and have off course regional differences; but one aspect seems to be relevant for all police forces: Policing is understood and meant by most of the policemen and also by superiors and politicians as an experience-based task, where academic or scientific knowledge and research either disturb officers (and their minds), or is perceived as generally irrelevant. On the other side, this understanding is often caused by inapprehensible and sophisticated reports and articles by researchers and the fact, that many publications are just not easily available. To bridge this unnecessary gap between theory and practice, knowledge based information and communication between science and police is necessary, as the transformation of research results into understandable, easy to read information. Modern police should make best use of electronic communication and management of knowledge. Since 1999, the Police-Newsletter, edited by Thomas Feltes ([www.police-newsletter.com](http://www.police-newsletter.com)) tries to bridge this gap. The electronic newsletter is published every month in four languages (English, French, German, and Spanish), and the main focus is on information and studies concerning police management and police reform. The Police-Newsletter is forwarded as a simple e-mail (subscription is free) and available as html on the internet.

With less personal communication and contacts between neighbors and an ever more fading social cohesion in society, more and more conflicts are handed over for solution to the police the Police. The Police are