

# **Police Organization and Police Reform in Germany: The Case of North Rhine-Westphalia**

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## **Abstract**

The police in Germany is mainly a matter of the federal states, called „Länder”, and only the Federal Police (Bundespolizei) and Germany's Federal Criminal Police Office (Bundeskriminalamt) have nationwide, though limited powers and are the responsibility of the German Federal Ministry of the Interior. Because of the important role of the Länder the focus in this article is on one state. North Rhine-Westphalia was chosen as it is the state with the largest number of habitants and of police officers.

In the article three main topics are described and analyzed. The first part focuses on the police system and its reform in recent years. The second part shows some more aspects of the modernisation of the police since the 1980s, like the integration of women and ethnic minorities in the police, the different activities to enhance the status of police officers for example by better payment and better training. Also the shifts in the police programme, especially including community policing and crime prevention, are discussed. In the third, the steering of the police will be looked at. In the early 1990s the New Public Management was implemented – but was confronted with great difficulties. The reform in 2007 changed the concept of steering and now favours measuring inputs and outputs instead of outcomes, and benchmarking between the 47 police authorities.

Over all it will be shown that the police in North Rhine-Westphalia proceeded with modernisation, civilisation, pluralisation and professionalization. But the challenges for further reforms can be seen already, for example because of changes in the security situation or the future new security architecture.

## 1 Introduction

If one concerns oneself with questions of the organization and reform of the police from a political-science perspective, then it is appropriate to analyze these as aspects of a policy field. Even though the police is fundamentally different from other authorities (and in particular from private enterprises) (see Jaschke 2006:154), in the sense that it has a monopoly on force with its legalised, regimented and controlled readiness to implement it, at its core it is just as much a component of public authority as other official organizations (see Lange/Schenck 2004a: 336). Police policy is therefore a special case within public administration policy. To be more specific, police policy deals with “the fundamental questions concerning the structure and organisational set-up [...], aimed at the deployment and use of personnel and resources of the police authorities, as well as the way in which police authority is administered” (Lange/Schenck 2004a: 134). As with administrative policy in general, police policy is frequently a reform policy and must be analysed accordingly (see Bogumil/Jann 2009:300). Consequently this article examines how the organisation adapts to changing demands, the procedure, persons and instruments of the police, and shows the difficulties of the processes behind them.

If one analyses police organizational reform or police management issues in Germany against this background, it would be advisable in view of the heterogeneity of the policy landscape (see Groß/Frevel/Dams 2008) not to consider all police forces, which often have contradictory development tendencies, but to study the process of one force as an example.

This article is conceived as a case study and – as in the comparative study “Het betwiste politiebestedel. De organisatie van de politie in Nederland, België, Denemarken, Duitsland EN het Verenigd Koninkrijk vergeleken” (Cachet et al. 2009) – will look at the police in North-Rhine/Westphalia (NRW). The federal state with the largest population and nationally the largest police force was selected, since from there important impulses emanate for the development of the German police as a whole:

- Advocates (see Gintzel/Möllers 1987, Dietel/ Kniesel 1985) of the idea of a “citizens’ police force”, which began emerging in the mid 1980s, and whose activities were based more on etatist ideals (“The police as the

personification of state power”) rather than the belief in the sovereignty of the people according to Art. 20 §2GG, predominantly came from (the police of) NRW (see Winter 1998:207 f). The reference to the constitution, to its principles and fundamental rights, which the police have to protect, provides police action with the legitimate basis according to the concept of “citizens’ police”.

- In the early 1990s, the state Minister of the Interior for NRW commissioned the management consultant Kienbaum GmbH (see 1991) to carry out an evaluation of the function of the security police. The introduction of the dual career path in the police was primarily based on this appraisal – even beyond the boundaries of NRW.
- With the implementation of reforms under the umbrella of “New Public Management” (NPM), NRW has performed a pioneering role in Germany since the beginning of the 1990s (see Lange/Schenck 2004b: 53 f). The organizational reforms carried out in NRW within the police and the corresponding understanding of management can thus in principle be seen as the prototype for NPM reforms in Germany, taking conditions specific to the state into account.<sup>1</sup>

## 2 The police in Germany

Police authority of the “federal states” (“Länder”), in other words the member states of the Federal Republic of Germany can, against the background the past 60 years, be seen as an extension of German federalism. “The police are a concern of the federal state” has long been an important statement for the policy field of internal security in the Federal Republic of Germany. This statement is not wholly correct – as will be shown later – but it shows a basic tendency.

In principle it is true to say that police policy is a concern of the federal states. It is incumbent on them to hire and train police officers, to create an organizational framework for the various

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<sup>1</sup> On the subject of NPM and the police, see the chapter by Ritsert/Pekar in this volume. In this respect, the current chapter concentrates only on certain aspects, which are discussed on the basis of the situation in NRW.

police tasks in the areas of public safety and the deployment of officers, crime control and prosecution, road safety, victim protection and crime prevention in order to fulfil the police duty. The Basic Law (“Grundgesetz” [GG]) stipulates only three areas in which police authority is a national concern. In accordance with article 73 (10) GG the federation has the exclusive legislative authority for “co-operation between the Federation and the states: a) in criminal investigation, b) for the protection of the free democratic constitutional structure, its continuance and the security of the Federation or a state (protection of the constitution) and c) in the protection against attempts on federal territory, which through the use of force or preparatory acts of such, endanger the foreign interests of the Federal Republic of Germany, as well as the maintenance of a Federal Criminal Police Office and the combat of international crime”. In accordance with art. 73, 9a GG the Federation is also responsible for “the defence of the dangers of international terrorism by the Federal Criminal Police Office in cases where there is nationwide danger, the responsibility of a police authority is not apparent or where the highest state authority requests a transfer of competence”. In accordance with art. 87 (1) 2 GG the Federation is also responsible for border control, which is carried out by the Federal Police (formerly the Federal Border Guard). All other police tasks are fulfilled in principle<sup>2</sup> by the state police.

If the main responsibility for the police is thus on a state level, this then means also that 16 state ministers of the interior act as the highest authority of the police, that 16 state parliaments decide on 16 different police regulations and police organization laws, that there are numerous ideas for the education and training of police officers, and that even as far as equipment is concerned – from the uniform to armament – no standard national regulations can be expected. The structural organisation in the states varies considerably and even the concept of organisation is by no means consistent. Whereas in some states the highest police authority is a department of the Interior Ministry, others have a separate organizational entity, the so called “Landespolizeipräsidium” – with only slight differences in actual jurisdiction. The police authority in one state may be referred to

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<sup>2</sup> Some special authorities have specific police authority and fulfil certain police-related tasks, e.g. Customs Criminal Investigation Office, the military police and the police at the German Federal Parliament.

as the “Kreispolizeibehörde” or “district police authority”, while in another state the same entity is called “Polizeipräsidium” or “Polizeidirektion”. Authorities in one state may allocate specific tasks – such as particular technical services – to a police constabulary (Hessen: Constabulary for Technology, Logistics and Administration), in another state they are the jurisdiction of the regional state authority (North Rhine-Westphalia [NRW]: Regional office for Central Police Services).

But also in other areas, there is evidence of diversity due to federalism. While some states retain the so-called “three-tier career path” for the police, and thus have a work force at the intermediate level of service, who have completed the vocational training, other states choose the “two-tier career path”, in which a university qualification is required. While in some states this academic training may take place in special police universities, e.g. in Saxon-Anhalt, Saxony, Baden-Wuerttemberg, Hamburg, other states integrate the department of police academic training into departments of the Interior Ministry’s own universities of applied sciences, such the department of general administration, as is the case for example in Hessen or NRW. In 2007 Lower Saxony went its own way by founding a police academy, and since 2009 the University of Economics and Law in Berlin offers the course “Police Studies”, the first time an internal police course has been integrated into a regular university. There are further differences between the police forces concerning for example the legal provision regarding e.g. special search authority or “the last resort shot” with which a hostage-taker may be shot and killed.

The fact that a certain uniformity in the police in Germany does exist in spite of the many differences, is due particularly to three elements: (1) at the General Conference of the National and State Interior Ministers substantial aspects of the policy of internal security are agreed upon and coordinated; (2) the standards for the central criminal law, law of criminal procedure and traffic law are as a Federal Law the same for all police forces and thereby lead to a large extent to a standard police assignment, and (3) the upper service level of all German police forces are trained together at the German Police University in Münster, whereby the basic understanding of police activity and management is harmonized. With these connecting elements a

kind of “unity in diversity” has evolved in Germany (see Groß/Frevel/Dams 2008: 36).

With the portrayal of the police system in Germany with the two nationally responsible forces in the Federal Criminal Police Office and the Federal Police, as well as the 16 state forces, it is already apparent that there are no more additional municipal police forces in Germany<sup>3</sup> and that – unlike in many other European countries – there is no force assigned to the Ministry of Defence, as is the case for example with the Carabinieri in Italy.

### **3 Police organization and police organization reform in NRW**

#### *3.1 Development of the structural organization 1945-2007*

In 1946 the state of NRW was created from parts of Prussia and the Rhine province as well as the former state of Lippe. After the Second World War the state was under British occupation. According to the occupation policy of the western allied forces, the totalitarian police apparatus of the defeated National Socialist state was to be decentralized, demilitarised, democratized and denazified, though this was carried out to varying degrees in the four areas.

For the structural organisation on the surface, “decentralisation” meant that the police in NRW were organised on a local government level or in the case of cities with more than 100,000 inhabitants on a municipal level, and not as a national police force. Only with the introduction on 11th August 1953 of the law on organization and jurisdiction of the police in NRW were police matters released from their local government anchorage and became the jurisdiction of the state, with the state Interior Ministry as the highest regulating authority.

The separation of the police from public administration, which after the war restricted the task of the police to public protection and criminal prosecution, and whereby some tasks such as registration and public health and safety, were switched from the ju-

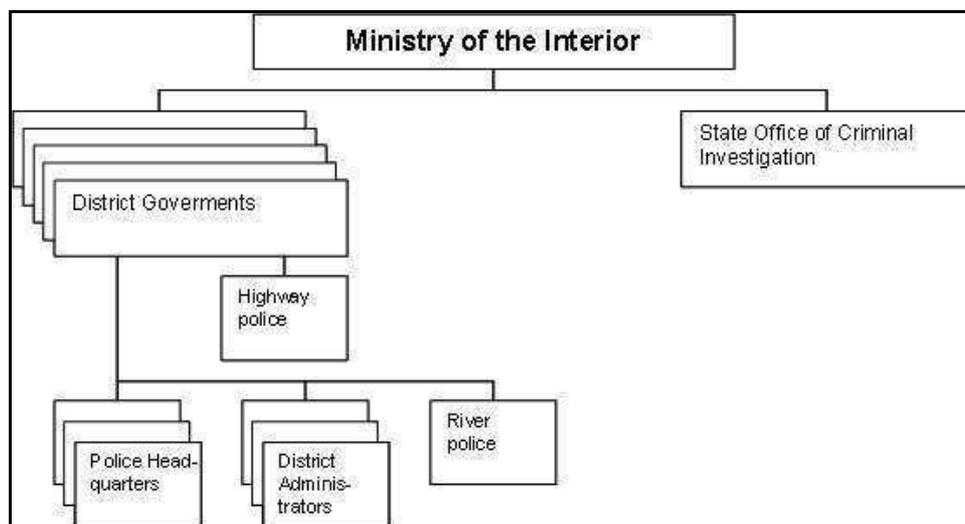
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<sup>3</sup> Various public order offices in towns and communities once again have uniformed officers in operation, whose jurisdiction does not conform to that of the police. Even though they are often considered as “community” or “public order police” (see: <http://kommunalpolizei.de>) this does not correspond to the police topic discussed here.

risdiction of the police to the local authority, still remains today (see Schulte 2008: 289 ff.). According to this system of separation, the police, as part of the state administration are separate from the municipal decision-makers on a legal, organisational and political level (Lange/Schenck 2004a: 298).

The police force is to date represented on a local level in the form of so-called “district police authorities” (“Kreispolizeibehörden”) (see Lange 1999: 235). The district police authorities of the metropolitan municipalities (police constabularies) are governed by a chief constable or “Polizeipräsident” in German, who is appointed by the interior minister of the state. Initially the district police authorities were governed by the head of municipal administration, the “Oberkreisdirektor”, who in turn was elected by the county council and confirmed by the Interior Ministry. After changes in the municipal constitution in 1999 (see Kost 2003: 197), the district police authorities were governed by the directly elected district administrator (“Landrat”).

*Fig. 1: The police in NRW: Organisational structure until 2007*



Source: Own representation. After: Frevel 2002: 87.

Until 1975 there were 79 district police authorities in NRW (see Schulte 2008: 296 f.). Their number was drastically reduced however in the course of the local regional reorganization in the mid 1970's (see Kost 2003: 201). In the years between 1975 and 2007 the police work in NRW was carried out by 50 district police authorities in 21 police constabularies (including the constabulary of the river police [“Wasserschutzpolizei”]) and 29 district authorities. The five provincial governments (“Be-

zirksregierungen”) of Arnsberg, Detmold, Düsseldorf, Cologne and Münster served as a “comprising medium integration level” (Hilse 2001:47). They fulfilled the task of “supervision of conduct and supervisory control of the 50 district police authorities [...] and exercised, as was the case of the highway police, top level supervisory jurisdiction.” (Scheu Commission 2004:24). The state criminal investigation department (“Landeskriminalamt”), as the top level state authority, was and is under the immediate control of the Interior Ministry for NRW. The same applies to the various police establishments of the state, which were responsible for education and training as well as for technology and equipment of the police. The reforms of the inner structural organization carried out between 1975 and 2007 left this division unchanged (see Lange 1999: 236).

The internal organization of the district police authorities between 1953 and 1995 was characterized by the fact that the police tasks were divided into the three departments of administration, uniformed police and criminal investigation (see Savelsberg 1995: 35 f.). In particular the strict separation of the two divisions, uniformed and plainclothes police, increasingly led to an attitude of mutual competition, whereby the plainclothes police regarded themselves as “the elite police”, while the uniformed police felt disadvantaged (see Lange/Schenck 2004a: 199). The resulting “internal friction losses and duplication of work [...] led to a reduction in effectiveness and efficiency of the police work, which necessitated a change of organization” (Scheu Commission 2004: 21).

Added to this were the external problems, such as new forms and dimensions of crime e.g. internet and organized crime (see Lange 1999: 236), as well as the development of Europe into a “single geographic criminal area” (see Wittkämper/Krevert/Kohl 1996: 98 ff.) after the fall of the Iron Curtain. Due to the precarious public financial situation at this time, it became increasingly difficult to get the outlined developments under control by increasing personnel or equipment. In fact, in the early 1990s the state of NRW felt itself compelled to make far-reaching changes to the entire police organization (see Lange/Schenck 2004a:198 ff.).

A central element of this restructuring was the dissolution of the three departments of administration, uniformed police and criminal investigation, carried out in the district police authorities

between 1992 and 1995 in favour of a structure with the two departments administration/logistics and public protection/criminal prosecution. In particular the dovetailing of uniformed and plain-clothes police in one department was intended to improve the investigation of medium, serious and organised crime. Leadership problems as well as the lack of coordination and information in the old structure (see Savelsberg 1995: 17) were to be eliminated by a common management structure on the level of the district police authorities. The hereby intended stronger regionalization of the fight against crime – independent of effectiveness and efficiency – was also in the interest of a more community-friendly force (see Scheu Commission 2004: 22).

While the smaller department of administration/ logistics was concerned with internal administration, the much larger department of public protection/criminal prosecution had to carry out the actual operational work out in the public domain. Under the department management were police enforcement units, with regional jurisdiction for police deployment, public protection, traffic policing as well as for (petty) crime, as well as the department staff. Alongside this was the central law enforcement unit, which carried out the investigative work in medium to serious crime such as murder/manslaughter, grievous bodily harm, fraud, drug-related crime and so on.<sup>4</sup>

With the concept of the police enforcement units, comprehensive police work could be carried out in the areas of jurisdiction. Under the command of a high-ranking officer, the various tasks could be centrally coordinated and delegated. Thus for example in complex situations as with public events such as football matches or entertainment, the police tasks of crime prevention, law enforcement and traffic control could be dealt with under one roof.

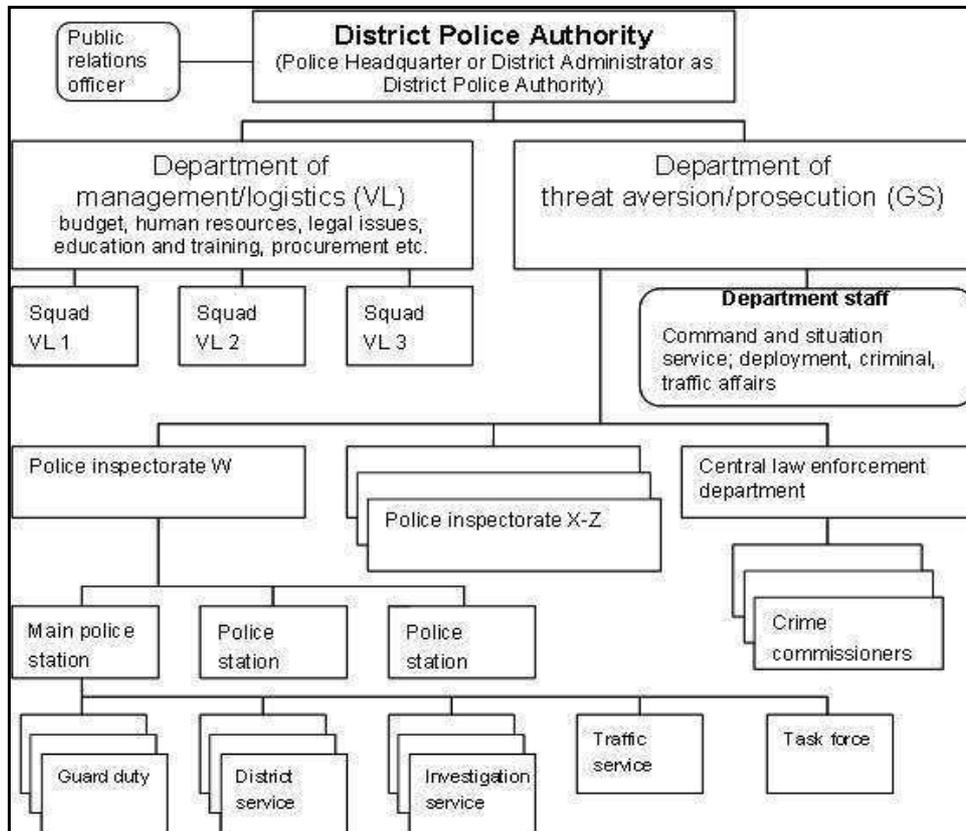
However, soon after they were implemented, the extensive organisational changes were put into question. Since the beginning of the 1990s fundamental criticism targeting the bureaucratic roots of public administration (see König/Beck 1997) was voiced under the concept of NPM (see below, section 3), and eventually by the middle of the last century included the authoritarian tradi-

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<sup>4</sup> Not all police authorities are responsible for all police tasks. In the cases of serious crime e.g. murder, hostage-taking, organised crime etc. the criminal investigation and prosecution are carried out by larger specialised police constabularies, the so-called crime central offices (see KHSt-VO NRW).

tion of police administration (see Lenk 1998, Lange/Schenck 2003: 248). This provisionally marked the end of the road of a historical process of change from the traditional police “concept of the embodiment of national interest, a *raison d’état*, and monopoly on force to the necessity of a citizen police force, which sees itself as a service provider, fulfilling the needs of customers and its work completely justified” (Jaschke 2006: 150). Appropriate structural changes became necessary in combination with internal-organisational reasons (e.g. changes in employee expectations in view of the perceived increasing self-responsibility to perform tasks, lack of steering due to over regimentation or work duplication [see Schmidt 2000: 96]).

*Fig. 2: Structure of a district police authority (1995-2007)*



Source: Own representation. After: Frevel 2002: 88.

Against this backdrop, the interior minister of the red/green state government appointed a commission of experts (see IM NRW 2003) in November 2003 to look at proposals for the “re-organization of the police authorities”. The goals of which were, among other things, the recently defined aims of more efficient police work, quality of work assurance and a more community-

oriented police force. The corresponding report, named after the commission's chair, Scheu, was submitted in 2004, almost a year before the next election of the state parliament.

The criticism expressed in the report concerning the external authority structure was mainly aimed at the often substantial differences in area size, the number of inhabitants and workforce size of the then 50 district police authorities (see Scheu Commission 2004: 2 ff.). The district police authority in Olpe for example, (approx. 140,000 inhabitants) had less than 200 police enforcement officers, while Cologne (approx. 1,000,000 inhabitants) had about 3,500 police officers. The inequalities were aggravated by the different forms of leadership (chief of the police, district administrator). In general the commission (ibid.: 4) concluded that:

“The substantial differences in the way assignments are perceived and organised between police authorities of very different sizes has a detrimental effect. Structures, which are incomparable, are a hindrance to homogeneous police management. Numerous areas of overlap, losses due to internal friction, different response times and different standards lead to drawbacks and to coordination problems. These effects are aggravated by the various different levels of hierarchy and forms.”

Considering the last point, the commission advocated a renouncement of the middle level of the district governments, in order to shorten the official channels and procedures and so reduce costs (see ibid.: 6).

In addition to the external structure of the district police authorities, the commission also looked in particular at the internal structure. The resulting proposals involve among other things the aim to abolish the two-department structure of administration/logistics and public protection/criminal prosecution:

“The hitherto two-department structure has not worked satisfactorily and should be abolished. Due to this structure the leadership has a too little room for manoeuvre, particularly in the case of the public protection/criminal prosecution department. Furthermore there is a clear imbalance between the departments of administration/logistics and public protection/criminal prosecution [...]. The crucial crite-

ria ‘check and balance’ is not afforded in the present organization” (ibid.: 107).

### *3.2 Organization reform 2007*

As part of the above-mentioned analysis of critical points, the Scheu Commission also made proposals for the external and internal reorganization of the police in NRW. One of these proposals was to radically reduce the then 50 police authorities in NRW to only 16 police constabularies. With this model, with its manageable number of police authorities of almost equal size, a fair balance in terms of size and efficiency was hoped for, as well as the realization of a number of certain principles of organization. These included adhering to catalogues of basically identical assignments or tasks, the improvement in vocational development opportunities, better public relations, as well as more efficient work processes and improved worker satisfaction (see Scheu Commission 2004: 83). The internal structure and assignment of duties of the 16 district police authorities was to clearly differ from the past model. Furthermore a two-tier structure of police organisation was to be introduced, which should be coordinated with the dissolution of the police departments in the district governments.

However the state SPD/Green government was unable to realise these plans (see LT NRW Protokoll 13/142: 13781 ff.), as it lost the elections in the summer of 2005 and was replaced by a new (conservative/liberal) CDU/FDP government. The new coalition pursued the goal of reforming police organization according to a so-called “three-pillar model” (see LT NRW Drs. 14/1878), whose goals were

- the internal modernization of the police authorities,
- a rationalization of the external structure of the police authorities and
- the reduction of unnecessary bureaucracy.

In 2003 with the second point in mind, the FDP had already demanded a clear reduction in the number of district police authorities to between 18 and 20 “regional constabularies” and a general reassignment of the leadership from the district administrators to the chiefs of police (see LT NRW Drs. 13/4399). In view of the Scheu Commission’s report, it thus saw its ideas con-

firmed (see LT NRW Drs. 13/6530). In contrast the CDU, particularly in view of the inclusion of the district administrators into a possible reform, lost the definite concept of maintaining the function of the district administrators as district police authorities, as this represented a fundamental pre-condition of community-oriented police work (see LT NRW Drs. 13/6493). A significant motive of the CDU may have been the fact that at the time the party appointed 27 of the 31 district administrators and thus 27 leaders of the district police authorities. Therefore, even just for political reasons, the party was not interested in agreeing to a restriction of power for the district administrators.

The different views of the CDU and FDP also became apparent in the coalition contract adopted between the parties in June 2005. There it was noted that, in view of the need for major reforms in the district police authorities, the new government partners stuck to their disparate views (see CDU/FDP 2005: 45). However it soon became apparent that the CDU had won the upper hand in this inter-coalition issue (see LT NRW Protokoll 14/4a: 175 ff.). Thus a central reform element had already failed within a short time of the change of government, which thus prevented a move towards an organization, as in other states, with large police constabularies largely independent of the municipal structures.

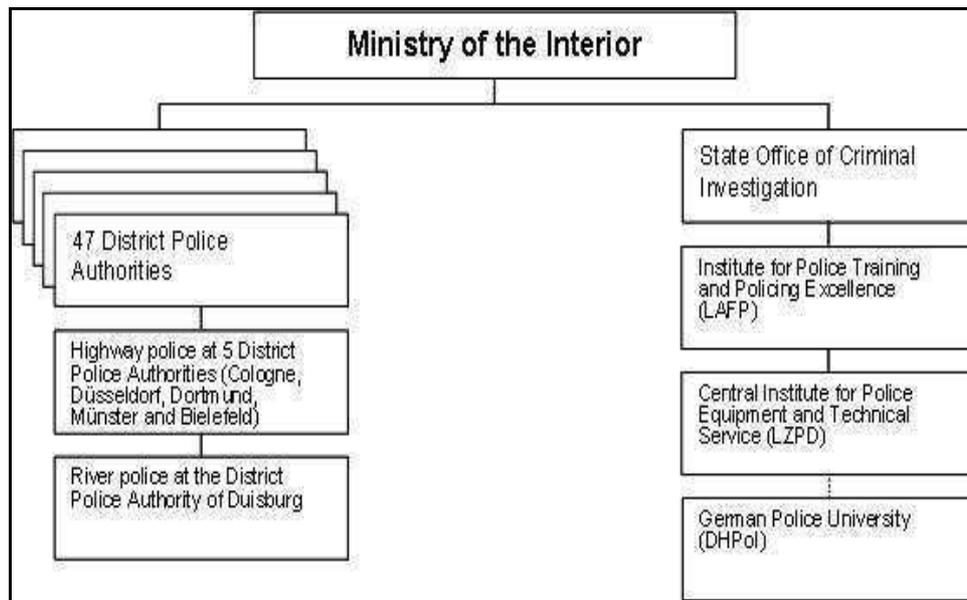
Other proposals of the Scheu Commission were partly adopted in modified forms, and partly rejected. After often fierce discussions between the state government and the parliamentary groups, with the trade unions, the regional umbrella organisations as well as the chiefs of police, an often far-reaching police organization reform on state level was finally developed. The corresponding changes of the police organization law came into force in the course of 2007 (see GV.NRW 2006: 266 f, GV.NRW 2007: 140 ff.). The most important changes in the external organisational structure were as follows:

- In the five district governments the hitherto two police departments were dissolved.
- Tasks of the district governments are partly carried out by the interior ministry, but to a large extent however, by the offices of the state with their now expanded authority, which are

- The State Office for Education, Training and Personnel Matters of the NRW police force (previously: Institute for Education and Training)
  - The State Office for Central Police Services (previously: Central Police Services)
  - State Criminal Police Office.
- The highway police, which previously came under the provincial governments, was transferred to the five police constabularies in Bielefeld, Münster, Dortmund, Düsseldorf and Cologne.
  - The river police, until then an independent district police authority responsible for the whole of NRW, was assigned to the police headquarters in Duisburg.
  - The previous police headquarters in Leverkusen and Mülheim-on-the-Ruhr were closed and incorporated in the constabularies of Cologne and Essen.

The police organization reforms had an even stronger effect on the internal organization of the individual police authorities. The former two-department structure was dissolved and a new management model was introduced. In this point the state government followed the proposals of the Scheu Commission and the efforts of the earlier state government, under whose responsibility in April 2004 a pilot project “different management structures” was started at the police constabularies in Aachen and Cologne. With this management model it was hoped among other things to identify responsibilities in the authorities more clearly, to streamline the process organization, to improve the results in the core areas of police work, to avoid duplication of work, as well as to improve internal communication and management (see IM NRW 2004). The test cases in Aachen and Cologne came to an end as planned in December 2005 under the new state government.

*Fig. 3: Structure of police in NRW from 2007*



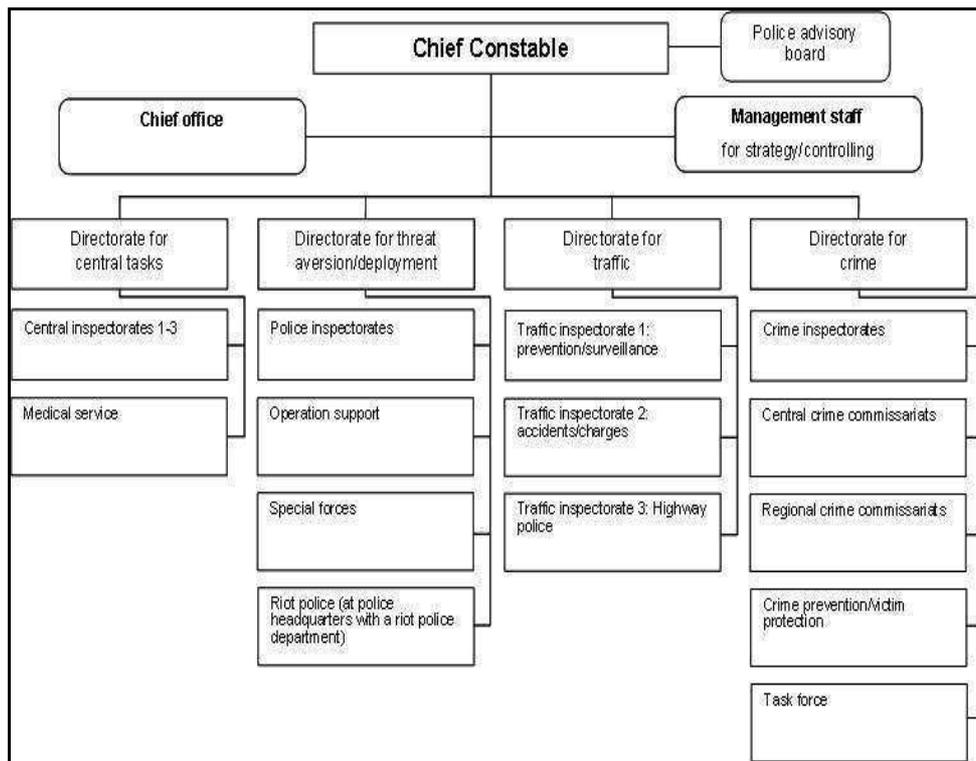
Source: Own representation. After: Schulte 2008: 299.

Following this the FDP interior minister also approved model tests for some selected district authorities for “core areas of structural organization” (see e.g. IM NRW 2006b), and on the basis of which the authorities concerned have been restructured. It was however remarkable, and from an organization-sociological view point difficult to comprehend, that a decision was not made to extend this re-organization to a state level. In fact to a large extent the Interior Ministry waived organizational guidelines, in order for the district police authorities to be able to carry out a restructuring oriented on the main tasks specific to the location (see IM NRW 2005b: 2). To the benefit of the direct responsibility of the authorities, the police structures in the state however, became noticeably more heterogeneous and unclear. By April 2009, 39 of the then 47 district police authorities were working according to the management model. However as it was a voluntary process of internal restructuring, which relied on the individual responsibility of the authorities, this led to extensive differences in the organizational structures of the authorities concerned. In view of this, even the Interior Ministry now considers it necessary from a functional point of view to officially harmonise the structures of the authorities (see IM NRW 2009). This would then apply to all 47 authorities and the old two-department structure would then also formally be abolished. The following basic model, which despite all differences in the course of the

pilot projects became generally accepted, can serve as a basis for the respective regulation:

- Under the auspices of a senior director (chief constable or district administrator) there are four directorates
  - Central tasks
  - Public protection/police deployment
  - Traffic
  - Criminal investigation
- A management committee does the preliminary work for the senior director, who presides over the directorate board.
- Within the directorate there are also various levels of police units, who may be responsible for certain regions or specialist areas.

*Fig. 4: Model of a large police authority 2007*



Source: Own representation. After: Schulte 2008: 300.

The scientific evaluation report on the pilot tests carried out in Aachen and Cologne came to the conclusion that the management model had basically proved itself. “The two central goals of regaining a clear, strategic leadership ability and the development of an output-promoting and integrating organizational structure,

were, as can be proven, reached” (Weibler 2006: 8). Nevertheless, it is still too early to make a general assessment of the success or failure of the reform of the structural organization of the police in NRW separate from these two cases. In addition to assessing the effectiveness and efficiency of the police work, it would be necessary to have additional evaluation criteria such as an analysis of the acceptance of the reform by the staff as well as in politics, other security organizations and also the general public. In various interviews during the research project „Het betwiste politiebestedel“ (Cachet et al. 2009) as well as in the accompanying study of two North Rhine-Westphalian police authorities, the following points can be singled out as being particularly relevant:

- With the management model, clearer responsibilities and competencies are created. This increases the responsibility of the individual police officers for their tasks, makes the evaluation of effectiveness easier and creates more possibilities for professionalization in the various core task fields.
- On the other hand, there is the danger of “pillarisation” of uniformed police, traffic police and criminal investigation, in which the individual management groups no longer work together adequately in the urban areas concerned, cutting themselves off from each other, and even work against each other by failing to coordinate strategies.
- In surveys of staff, carried out at the end of 2008 as part of two student projects at the University of Applied Sciences, there were clear reservations about the reform and no increase in worker satisfaction.

### *3.3 Further reform elements from 1980 to 2007*

Changes in the structural organization of a police force are often high-profile. But the police made still further changes important for the institution, which had an effect on the character of the force. Some of these reforms will be briefly outlined in the following:

*Women in the police force*

At the beginning of the 20th century, women were only accepted into the police service in Germany in exceptional cases. In rare positions as “police assistants” or “care-providers” they were usually involved in dealing with prostitutes, in cases of child abuse or the care of persons at risk. Only in the 1920s did the hitherto “ladies police” become the “women’s welfare police” and later “female criminal investigation” was possible. But generally women were a rare exception in a “man’s job”. Only in 1978 – and initially only in Berlin – were women admitted into the regular uniformed police service. In NRW this was finally made possible in 1982 and only in 1990 did Bavaria, as the last state allow women to be regular uniformed police officers (see Werdes 2003: 196 ff.).

Between 1986 and 2009 the proportion of women in the North Rhine-Westphalian police increased from 2.5 to 17 per cent, though in recent recruitment years the proportion of women has risen to approx. 43 per cent. In the upper levels of the police service however, women are represented with less than 8 per cent (IM NRW 2008:57).

The acceptance of women in the police force could only gradually be increased and the reservations of the male colleagues concerning supposed physical weakness and limited work capability slowly reduced. However, these days, women are (to a large extent) considered as a “normal” part of the police force. Political hopes that the increased use of women in the force would make the police more community-friendly have basically been fulfilled.

*Immigrants in the police*

Since 1993, according to a ruling of the Conference of the Ministry of the Interior, “the employment in the police service of candidates from immigrant families is the right path to controlling specific forms of crime particularly by young non-integrated members of the foreign population and to reach more normality in this population group” (office of the IMK 1993: 31). On the basis of this resolution, conditions were created that not only Germans in the sense of the Basic Law and members of other EU states, but also persons of other nationalities could join the police force, assuming they have the necessary qualifications, “if there

is a significant benefit to the service” (IM NRW 2008: 57). The aim is to get more police officers with, for example, a Turkish or ex-Yugoslavian migration background to join the organization, and with their linguistic and cultural skills to not only increase the intercultural knowledge within the organization but also to create an easier access to ethnic minorities. Between 1993 and 2008 however, only less than 100 such persons were appointed in the North Rhine-Westphalian police force, a force with nevertheless over 40,000 officers. If one adds to this police officers with an immigration background, who for example as evacuees from Russia or Kazakhstan have German nationality, or those originating from another European Union country, those who were nationalized or who as German citizens have a foreign parent, then this group constitutes less than one per cent of the police force.

This low absolute and relative number already suggests that a significant change in the police as an organization and in police activity is hardly possible. Hermann Groß made clear in an analysis of officers with an immigration background in the Hessen police force, that due to various factors it is very difficult to have any kind of real effect beyond mere political symbolism. Because of the conditions of employment in the police forces in Hessen and North Rhine-Westphalia for example, only high school graduates and specialized high school graduates with very good German skills are accepted, which means a representation of the foreign resident population is by no means attained. Furthermore, the organization puts pressure on police from ethnic minorities to assimilate, which promotes more the “German” as apposed to making use of the non-German. This pressure to assimilate is accompanied by a process of “de-individualisation”, which frequently reduces these police officers to their immigration background (see Groß 2008: 64 ff.).

The admission of immigrants into the police force was no doubt a significant though not an easy step for an organization with its national ties and tradition. The effect in both the internal and external relations however should not be overrated. According to Kanter’s theory of the token status (1977), minorities with a proportion of less than 15 per cent of the total group are generally reduced to their specific characteristic according to their minority group and their behaviour is particularly influenced by the environment. While women have, in the meantime, crossed these minority boundaries, and thus achieved a state of normality, po-

lice officers with an immigration background have still not reached a state of normality, nor is it likely in the foreseeable future.

### *The two-tier career system*

With respect to the German civil service system, which also applies to the police force, there are four career groups:

- The lower level of the service involves performing basic tasks, which can be carried out after a six-month training period by people with only minimum schooling.
- The intermediate level of the service, which involves carrying out tasks under supervision, a precondition being a minimum of two years training and average school qualifications.
- The upper level of the service, in which administrative work is carried out independently and is accessible to graduates of universities of applied sciences, and
- The higher service level, in which leadership and specialized duties are performed, requires a university degree or similar qualification.

When during the 1970's positions in the lower level of the police service were no longer filled, the German police had a three-tier career system. Generally young police officers, having completed their initial training period as police cadets, were accepted into the intermediate level of the service. Some of those who performed well could move onto the next level, though internal advanced training had to be completed, or starting from mid 1970's a specialized higher education course at an internal university. With such a qualification, officers could carry out management duties in the lower and middle levels of the service. Only a portion of the less than 2 per cent of the police officers managed the ascent into the higher level of the service. For this a two-year training course had to be completed at the Academy of Police Management (since 2008: German Police University). Only few positions in the higher service were filled by specialists from outside, who joined the police force, often after completing a degree in law and a shortened period of training at the Academy of Police Management.

After requests from the trade union of the police, the North Rhine-Westphalian interior ministry commissioned the management consultant Kienbaum to evaluate the uniformed police force. The study published in 1991 came to the conclusion that the requirements of the majority of police activities, correspond to those of the upper level of service. It was therefore recommended that the police should dissolve the intermediate level of the service and bring in the two-tier career system of upper and higher levels of service.

This change was particularly demanded by the trade unions, but the large parties in NRW, the SPD and CDU also supported this concept. In order to implement this change, which has not yet been carried out completely, various steps have been taken: Officials of the intermediate service, who had particularly proved their worth, were promoted. They could qualify for the upper service level by completing training courses or through a shortened degree in higher education. Initially fewer and fewer officers were trained for the intermediate service and since 2002 not at all. In 1985 nearly 80 per cent of all police officers in NRW were in the intermediate service, by 2009 the proportion had sunk to less than 10, while the higher service level meanwhile constitutes approx. 90 per cent.

The majority of the German states decided to continue with the three-tier career system and relevant training structures, while in addition to NRW, Hessen, Lower Saxony and Rhineland-Pfalz decided on the two-tier system.

In principle it can be shown that the introduction of the two-tier system resulted in a more highly qualified police force and a remuneration corresponding more to the particular requirements and work load of this occupation. On the other hand there is the occasional criticism that that a higher-education degree is an over-qualification for certain police tasks, such as the security service or mass police mobilisation, and also the remuneration is disproportionate to the less-demanding activity. In the medium term there will also be the problem that the recruitment potential will fall due to demographic changes and the falling number of high-school graduates, so that the police officers who retire can not all be replaced. Despite these criticisms and problems, NRW currently retains the two-tier system. The other states retaining this system try to circumvent these problems with various approaches. Since the year 2000, Hessen has a guard police service,

whose members have the status of employee as opposed to civil servant, and who are deployed in e.g. the security service, foot-patrol or guard service, after a training period of only a few months. In Rhineland-Pfalz junior high-school graduates can qualify at technical colleges as “state certified assistants for police service and administration” while at the same time gaining the entrance qualification for the Police University. And also in Lower Saxony, the police in co-operation with “colleges of further education in economics and administration”, offer the chance for junior high-school graduates to gain a police-oriented diploma as a precondition of studying at the police academy.

### *Changes in training*

When the three-tier career system described above existed, police training took place in state police schools, which were under the control of “the teaching and executive staff” or rather the “head of the Bereitschaftspolizei NRW (stand-by police)”. From 1969 those in the upper level of the service were trained at the “Higher State Police School Carl Severing”. The Academy of Police Management in Münster, NRW was responsible for the training of all German police officers in the higher service level. With the establishment of the University of Applied Sciences for Public Administration NRW in 1976, the degree qualification for the higher police service was introduced, whose courses for uniformed and plainclothes police were separate. In the criminal investigation section, it was possible to enter directly into the upper service as a high school graduate, while with the uniformed police service, the career path began in principle in the intermediate service level.

With the introduction of the two-tier career system, the significance of the higher education qualification increased. Even though it was possible to join the uniformed police directly from 1994, when the intermediate level service was abolished and after academic reform at the University of Applied Sciences for Public Administration NRW, then from 2002 a degree course became the norm in police training. It is here at their Institute for Education and Training that the practical training takes place (since 2007: State Office for Education, Training and Personnel Matters of the NRW Police) as well as with district police authorities, while the theory is taught at the Police University. In this course the emphasis is put on jurisprudence, in particular the

intervention law, criminal and traffic law. The theoretical aspects of the subjects of police deployment, criminalistics and forensic science, as well as traffic are taught with particular intensity. With the instruction in the social sciences psychology, sociology, political science and ethics as well as training in social skills, it is hoped to give consideration in training to the social aspects of police duties and the particular social requirements of their work.

With the academic reforms in 2002, the academic aspect of police training was particularly expanded, which was met with criticism from within the force; the police profession had always been one based on experience (see Lorei 2007) and – according to the assumption of some students – many aspects of the science would never be needed on duty. In a study of the training profile of the police in Lower Saxony (Ohlemacher et al. 2007: 79) it was ascertained, as was the case in the regular teaching appraisal at the University of Applied Sciences for Public Administration NRW, that there was little appreciation in particular for the social sciences and scientific methodology or even rejection as elements of police training. A more hands-on practical-oriented course of study is therefore frequently demanded.

These demands were taken into consideration in a renewed academic reform, carried out in 2008. According to the aims of the Bologna process, a Bachelor degree course will also be introduced at the University of Applied Sciences for Public Administration NRW. During its planning, a system of “theory – training – practice” was created for the modularisation, in which the theoretical observations on certain key topics (e.g. mugging, traffic accident reporting, breach of the peace) were carried out in the courses, while in the subsequent training, the courses of action were learnt and then put into practise afterwards in the work placement. Thus the students receive a combination of both the application-oriented study and the everyday police tasks. An evaluation of the new course of studies is still pending.

### *Core tasks orientation*

Police tasks are on the one hand very labour intensive, and on the other hand, necessitate the use of modern technology to perform them (e.g. vehicles, weapons, communication) and in criminal investigation (gathering evidence or DNA traces, telephone monitoring and so on). Both are very costly, which in times of scarce public resources is a problem. In view of this situation an

intensive discussion began at the end of the 1990s and early 2000s concerning the tasks of the police. This discussion was embedded in a general debate on the role of the state, the possibilities of the privatization of public tasks as well as the mobilisation of the civil society (see Lange/Schenck 2004a: 193 ff.). The discussion was essentially centred on three aspects:

- *General task criticism:* Over the years the police had noticeably expanded their activities with the extension of their personnel. In order to be more community-oriented, the spheres of activity changed with the introduction of advisory services, new forms of police presence (mobile guards, foot and cycle patrols), community support services, co-operation in the experiential-educational support of those at-risk and many others. But also in the area of crime prevention, the police as an authority on duty 24 hours a day, 7 days a week had much to do. In the context of the subsidiarity principle, the police carried out tasks, for example for the public order office in the area of child protection controls. And as an institution with the competence to use force, the police often carried out the “more tricky” tasks of other authorities, such as the enforcement of deportation rulings. Here the question arose as to whether all these tasks should actually be implemented by the police, whether they are in accordance with the basic character of this institution or whether the jurisdiction could not be allocated to other authorities.
- *Municipalisation:* In the context of reviewing tasks, the municipalities in particular were assessed as to whether they, as an authority, could or should take on certain tasks to do with emergency services, have the responsibility for the task and also perform it outside the usual office hours. In the context of civic order partnerships between the police and municipal administration, agreements are made specific to certain problems.
- *Privatization:* Further considerations were directed at the possibility of privatising certain security services. Such tasks as the protection of property (embassies, consulates, synagogues etc.), front-line policing of large events, traffic regulation, patrolling of (semi) public areas as well as dif-

ferent forms of police-private partnerships were discussed (Jungk 2002).

In the conclusion the NRW police management emphasises an increased focussing on the core tasks (see IM NRW 2006a). In his first government policy statement in the summer of 2005, the new elected Prime Minister of NRW, Jürgen Rüttgers, outlined this as follows:

“The police should be able to concentrate on their core tasks of public safety, crime prevention and tackling crime. We want a community-friendly, local police force. We would like a situation in the future whereby more police officers are at the front desks of the police stations dealing with crime and not in the back-office doing administration” (LT NRW Protokoll 14/4b: 155).

#### *Local co-operation and crime prevention*

In the early 1990s a trend began in NRW, as in most other states, to examine the various facets of crime prevention (see Frevel 2007). From the realization that the police, with its specific authority, is not able to deal with the problems of security and public order, in all their complexity, on its own, demands arose to work in cooperation with other public, and in particular local authorities, as well as private, commercial and civil-society organisations on the improvement of the security situation and the public perception of safety. With decrees to establish boards of crime prevention (IM NRW 1993) and to create “public order partnerships” (IM NRW 1998), the police was requested to initiate such committees and take part in them. In 2007 in the local authority districts, cities and communities in NRW there were, according to the State Criminal Police Office, a total of 587 crime-prevention committees with police participation. These committees often had very different aims depending on local conditions and requirements e.g. in the areas of addiction-prevention, domestic violence, youth protection, violence in public areas, sexual abuse of children, victim protection, migration/integration as well as prevention in and around schools or urbanistic crime prevention and town planning.

#### **4 Reforming the management of the NRW police: New Public Management and factors significant to the success**

The above-mentioned reforms were essentially aimed at the structural organization of the state police and the individual authorities as well as at the internal modernization within the area of personnel and training. In contrast to this, questions concerning police management have become increasingly significant since the early 1990s (see the contribution by Ritsert/Pekar in this volume). On the basis of the model of the NPM (see Schröter/Wollmann 2005) developed in Tilburg in the Netherlands, and promoted by the “Kommunale Gemeinschaftsstelle für Verwaltungsvereinfachung” (KGSt), an independent body for the management of local government, the modernisation of the administration management was worked on intensively in NRW. Although the emphasis essentially was with the modernisation of the municipal administration and the reforms on state level were carried out with less enthusiasm, the police carried out significant changes in the context of the NPM.

It was essentially the first time that a business-style management system was introduced in the police and aimed at new ways of assessing police activity and its effectiveness. Up to then the police had relied on data on police crime statistics and traffic accident statistics as a representation of their work, though few questions were asked about the actual police contribution to these results. In this respect, the police was more concerned with the risks of danger and crime situation and had to be equipped accordingly with the necessary resources. NPM and the associated measures were completely new for the police, produced intensive discussions over the role of the police, and were thus also an important element in the police politics of NRW. The policies and their effects will be looked at more closely in the following.

Police policies are a very indirect form of political steering. In addition to the internal goals of police policy measures (“output” e.g. changes of organization or decision-making processes), their intended results (“impact” e.g. faster decisions, cost savings) focus only indirectly on social effects outside of the police (“outcome”, e.g. contented citizens, lowering of the crime rate) (see Bogumil/Jann 2009: 297 f). From this point of view, police policy, as an administrative policy, is primarily a “policy of institu-

tions". Through institutional changes, such things as effectiveness and efficiency of administrative action should only be influenced in the second step. In the third and final states, it is intended that these institutional changes in performance should ultimately have far-reaching effects on the whole of society.

With the effect on society in mind, the states, through the police (see Braun/Giraud 2009: 163 f.), exercise rights of sovereignty of the state and provide the necessary corresponding commodities (e.g. maintain and protect public order) and services (e.g. crime prevention and victim protection) (see Frevel 2009: 118 f.). Even this management philosophy specific to the police and aimed at the concept of the NPM, does not put the provision of such public goods and services into question. However, economic-oriented ways of thinking within the concept of the NPM create the chance, by means of reforms, to change the internal structures of the state in the way in which it supplies state goods and services (see Braun/Giraud 2009: 174). They are thereby at the same time an expression of a changed understanding of national steering, in this case of the state government and the higher ministerial bureaucracy in the interior ministry and were realised in the mid 1990s in NRW, particularly in the policy programme of the "New Steering Model" ("Neues Steuerungsmodell") (NSM) with the elements "decentralized resources responsibility", "budgeting", "target agreements", "output control" and "controlling".

*Tab. 1: Elements of the NSM of the NRW Police*

<b>NSM Element</b>	<b>Explanation</b>
Decentralised resource responsibility	<ul style="list-style-type: none"> <li>• Implementation of the principle of delegating tasks, authority and responsibility</li> <li>• Summary of areas of authority and responsibility concerning the use of personnel, financial resources and equipment expenses on the lowest level possible.</li> </ul>
Budgeting	<ul style="list-style-type: none"> <li>• Budget flexibility, e.g. transfer of unused funds to the next financial year.</li> <li>• Promotion of cost consciousness and economising</li> </ul>
Target agreements	<ul style="list-style-type: none"> <li>• Steering aspect: Defining desired results (output) or intended effects (outcome) and regulation of use of resources</li> <li>• Management aspect: Employees decide to a large extent themselves on how tasks should be carried out or rather performance output</li> </ul>
Output control	<ul style="list-style-type: none"> <li>• Deployment of resources according to results or effects to be achieved</li> </ul>
Controlling	<ul style="list-style-type: none"> <li>• Permanent systematic supply of steering and management information</li> <li>• To put the responsible managers and employees in a position coordinate and carry out their tasks efficiently and effectively</li> </ul>

Source: Own representation. After: Schmidt 2000: 103 ff.

Against this background, the ‘new’ of the NPM of the NRW police – especially in comparison to the reforms accomplished to date – was particularly aimed at replacing the past detailed and hierarchical steering of the authorities from top to bottom, with a much more decentralised task management system (see Lange/Schenck 2004a: 235). The individual police authorities should become providers of public security and other services, by becoming responsible themselves for how the tasks were fulfilled locally (see Braun/Giraud 2009: 174). The introduction of the NPM thus created the internal organizational preconditions for the police to be able to aim their work at the locally relevant problems and customer needs.

In this regard, the NSM instrument of “target agreements” on all levels of the police organization was significant (see Lange/Schenck 2004a: 240 f.). At the top of the target agreement pyramid was the leadership of interior ministry or rather the police department therein. The targets were defined top-down from the district governments and the management levels of the dis-

strict police authorities according to regional and local criteria, and eventually passed on to the staff.

Since the agreed upon targets (e.g. reduction in the number of youth re-offenders, reduction of violent crime) were predominantly outcome-oriented, the question soon arose about the actual connections between police work and the hoped for effects. The police certainly has an influence for example on the development of the number of traffic-accidents, but their work is, in addition to the road or weather conditions, just one factor of many (see *ibid.*: 248 f.). Regarding the steering perspective, a significant dilemma became apparent: In police or administrative policy there are no clear, simple and stalwart findings on the effect relationship between steering activities (instruments) and their results (see Bogumil/Jann 2009: 298). This realisation was the death sentence for the target agreement process of the NSM.

Due to unclear or often rashly assumed cause-and-effect relationships, for instance in the areas of traffic (e.g. a fall in the accident or injury numbers) or crime (e.g. fall in the number of burglaries) it could happen that individual authorities or departments regularly did not achieve their given goals. Frustration and resignation on the part of the staff was often the result. Unclear and complex concepts (“output”, “outcome”, “budget” etc.) promoted this development and the lack of interest amongst staff (see *ibid.*: 254). Against this background and other problems (of acceptance), (see *ibid.*: 254 ff.) it gradually became apparent in the ministerial administration that there was no future for the target agreement procedure of the NSM as an instrument of management in the police (see Wehe 2006: 55 f.). Furthermore, 2005 brought new political signs: In the area of the police, the new CDU/FDP state government strove, among other things, for the dissolution of the project “Steering and Control” which was then currently running (see CDU/FDP 2005: 44).

Clearly a new interpretation of the governance of the police was concealed in the introduction of “Reorientation of steering and control of the NRW police”(see IM NRW 2005): A move away from the effect perspective (“outcome”) towards a view of the police activities (“input”) and the results (“output”) (see Wehe 2006: 57). The reorientation is based to a certain extent on the fact that police policy, as an administrative policy, has a very indirect steering character. In this way, it is also outcome-oriented, but indirectly and in no way with clear predictable rela-

tions between police-political aims and instruments. In view of this dilemma, the NRW police is currently no longer concentrating on factors with non-controllable or limited effects, but on factors, which can actually be influenced by the authorities (see *ibid.*: 57).

At present the district police authorities direct their work at safety programmes specifically developed by the authorities (see IM NRW 2005:2). These are based on an analysis of the local security situation in regard to crime prevention, fulfilling tasks, reducing traffic accidents and fighting crime, for which locally relevant strategic goals are formulated. Regarding the control of target achievement within the core areas of police work, the interior ministry as well as specialists from the police, have described the general factors crucial to success and detached from the local conditions (see *ibid.*). These indicators no longer concentrate mainly on the intended effects (“outcome”), but on areas which the police can verifiably influence (e.g. safe-guarding the accessibility for the citizens, taking fingerprints) (see *ibid.*: 1). The success factors are indexed, ranked nationally, evaluated by the supervisory authorities and if necessary discussed with the district police authorities (see *ibid.*: 2). At the end of the process the district police authorities compile a security assessment for their area on the basis of an output/effect examination. (What did they want to achieve? What was achieved? What are the consequences?). The results of this are then incorporated into the respective safety programmes.

The system of indices for success forms the basis for state-wide management of the police by means of the instrument of benchmarking, which is more than just a performance comparison between the authorities through outcome-related frequency-ratio. On the basis of frequency-ratios, police authorities – for the purpose of comparison – can easily recognize, where they stand or could stand in relation to other authorities. Success indices, in contrast, refer to certain products or activities, which inform the heads of an authority where they stand or could stand in dealing with *a certain problem*. In addition they do not correlate, unlike a frequency-ratio, with the number of inhabitants or the population density of the area concerned, which makes comparisons between authorities of different sizes possible (see Christe-Zeyse/Stock 2004: 130 f.). Thus in NRW the respective detection rate for selected crimes (e.g. burglary, theft of motor vehicles)

are used as success indices, in order to draw conclusions on the quality of the investigation work.

The concerns that crimes, which are not taken into account on a state level are in danger of becoming insignificant or are neglected, are justified. However, it is natural that benchmarking-data only provides information on areas with which one is mainly concerned and which one would like to optimize accordingly (see *ibid.*: 130). Those success factors relevant for the safety statistics of the NRW police represent those task areas currently identified by the Interior Ministry and experts from the police authorities, which are most likely to have positive effects for the development of public security in NRW by optimised treatment in the individual district police authorities.

In addition to the identification of factors crucial to success and the creation of indices, there is a third element of a possible benchmarking model for the police. This is information on the official strategies underlying police investigation work and the processes involved. The strategies provide information on the authority's approach to fighting certain crimes, while the processes show how problems are dealt with, which jobs are involved or how the information flow is organised (see *ibid.*: 131 f.).

Figures on the results, which are the basis for conclusions on the effect of the underlying strategies (see *ibid.*: 132), provide information in NRW on such things as:

- Age groups and number of offenders included in the implementation of a re-offender concept,
- the proportion of solved crimes and identified suspects for various crimes (e.g. violent crime, burglary),
- the number of road traffic fatalities, serious casualties and injuries amongst children, young people and adults.

Furthermore, the safety statistics provide procedural evidence on the way in which problems are treated. Thus indices are created for:

- the total number of personnel hours spent being present at hotspots and in areas perceived as dangerous,
- the proportion of the above-mentioned personnel hours in relation to the total number of personnel hours spent on police presence,
- the processing time for emergency calls (110),

- exhausting the possibilities of processes such as fingerprinting, photographing when dealing with suspects etc.

With regard to information on strategy and processes, one could certainly consider the introduction of further indices. Concerning information on the processes for example, there is an abundance of conceivable indices regarding personnel deployment, the average duration of a procedure or also staff satisfaction on the internal information flow (see *ibid.*). The question is however, where does one draw the line regarding the creation of indices. Too much of a good thing quickly leads to over-complexity, and in the worst case, the system of benchmarking relinquishes its arbitrariness. If benchmarking is to be used as a serious control instrument, it may not be used as an end in itself.

In summary, the police-policy steering instrument of the “state provision of goods and services” has been modified in substantial points, through the reforms carried out in the light of the NSM, without however having to completely relinquish steering elements of the state. “Only the way steering is carried out has changed” (Braun/Giraud 2009: 175). In the shadow of state controls of factors relevant to success, the police are to be promoted to a service provider for “internal security”, which acts according to local and various problem situations and customer needs. An increased measure of autonomy and a more direct connection to the clientele (see *ibid.*) are as it were the key aspects of a more efficient supply of state services by the NRW police force.

## **5 Police development in NRW – ex post and ex ante**

### *5.1 Dimensions and direction of the reform*

It becomes clear that the NRW police carried out various, not always uniformly directed reforms in the areas of structural organization, personnel, training and programme. The tendencies and goals of these reforms can be roughly defined with the terms modernization, civilization (in the sense of the police becoming more community-friendly), pluralisation and professionalization. In the main reforms the NRW police thereby followed the nationwide trends. Thus the transfer of training of the upper service level to specialised police universities took place in all states. Also the admission of women as regular police officers as

well as immigrants according to resolutions of the Conference of the Interior Ministries, was promoted by all police forces.

Other areas, such as reforms in the structural organization or the implementation of the two-tier career path, are clearly influenced by the state and shaped by party politics. Thus, had the social-democratically led government of 2006/07 continued, there would probably have been the police constabularies covering larger areas (Flächenpräsidien), while the CDU favoured the small-scale orientation of the district police authorities, particularly because of their strong position in filling the positions of the district administrators. The trade union demand for the two-tier career path was pushed ahead under the leadership of the SPD and continued in NRW by the CDU - also because the process was at an advanced stage. After changes in government in other states which had introduced the dual career path, the implementation was often pursued less intensively by the CDU or combined with other elements.

The successes of the reform processes can not always be clearly determined, since very different criteria can be used to assess it. Hence, measuring outcome, for example, on the number of criminal offenses and their detection rate are not subjected to such significant changes, that a conclusion to make organizational changes would be justified (see IM NRW 2004, 2009). Staff satisfaction within the police could also be an indicator. A survey of staff in the years 2001/2002 showed some dissatisfaction with the steering, leadership and the respective arrangements of organizational aspects (NRW police 2003, LDS 2002): "The rather poor rating by staff [...] refers here particularly to optimising the general organizational set-up" (NRW police 2003: 9). Whether this dissatisfaction was reduced after the introduction of the management model still needs to be analysed empirically, though initial non-representative feedback does not suggest this. Also the repeated demand by the state governments that with an organizational reform, there should be more police officers patrolling the streets and in the local police stations and that overheads should be reduced, did not really come true. Lange /Schenck (2004: 208) observed that for the reform of the early 1990s, "the objectives of an intensified police presence [...] based on the original goals, were not able to be realised". A similar result can also be expected for the 2007 reform.

Prominent changes in the area of the steering of the NRW police by the Interior Ministry are not linear and stringent. The NPM, introduced with great euphoria – on the part of the state government – was accompanied by substantial unrest, various forms of response and a fall in staff satisfaction. In its bureaucratic arrangements concerning the process of target-agreements, the system is very complex and unclear, and thus the desired steering and controlling effects could not be sufficiently achieved. The change in government in 2005 offered the police leadership in the Interior Ministry a way out. The subsequent changes in the steering philosophy give unclear signals to the authorities concerning the actual goals. On the one hand the steering philosophy calls for the local and regional development of safety programmes, but on the other hand promotes a concentration of the elements for different spheres of activity and crime with the state comparison of quantities of the factors crucial to success. Evaluations or other surveys will have to be awaited, in order to determine the steering effect or suggest modifications.

### *5.2 Outlook of the police reforms*

In the next few years, the police will be under strong pressure to make changes, the reasons for which have to do with both the general political and organizational conditions, as well as the changing security situation. Some of the challenges are already apparent, while others can just be assumed. Time will tell if the following assumptions prove to be true:

- In the area of structural organization, NRW will follow the trend of other states and establish police constabularies covering larger areas and thereby release itself from the territorial ties to local authorities and districts.
- The “pillarization” of public protection, traffic management and criminal investigation will lead to problems in the internal structuring of the authorities, which will be institutionalized either by a more drastic separation of competencies or reduced by the installation of regional coordinating committees or organisational prototypes.
- While the processes of the integration of women and immigrants into the police force continue and are regarded as normality, finding sufficient new recruits is becoming difficult due to demographic reasons. Relying on high-school

graduates will not be sufficient to fill the positions, so that in a few years the two-tier career system will have to be re-analysed.

- For demographic and other reasons, the public demand in the aging society for a community-friendly policing will grow, which should coincide with more police presence and low-threshold accessibility. However this demand is inconstant with a changing crime and threat level, as well as with the necessity for police self-protection.
- Local and private security “providers” will gain in significance, initially supplementing, and if necessary will even replace the police in certain operational roles.
- As a result of the threat of terrorism and other security issues, international and European police cooperation (e.g. Europol), as well as a rising (academic-based) specialization of the police in the area of crime investigation, the structure of the police in Germany will lead to a shift in authority to the national police forces, in particular the Federal Criminal Police Office. The state police fall between the millstones of increasing municipalisation and privatisation on the one hand, and centralisation on national and European levels on the other, so that a review of the tasks will become the central topic of police reform considerations.

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