

Egon Bittner and the Language Practices of the Police

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ABSTRACT

Bittner's posthumously published 1965 fieldwork, *Larimer Tours* (Bittner 2013 [1965]), is discussed exploring how criminology has neglected Bittner's ethnomethodological stance and overlooked his interest in language and conversational practices. Technological records (e.g., dash-cams, body-worn cameras) afford opportunities to extend Bittner's seminal work with an ethnomethodological focus on police "competencies-in-action" through the study of recorded police-citizen interaction. Using data from dash-cam traffic stops and field research, this paper elaborates two competencies of the police discussed in *Larimer*—the use of area knowledge and procedures of interrogation. A focus on how area knowledge is *utilized* in an investigatory sequence of traffic stops demonstrates its interactional complexity and how "area knowledge" employed by police *and* citizens is made interactionally relevant and consequential to the traffic stop. Implications for criminology and the study of police-citizen interaction are discussed.

INTRODUCTION

This paper examines the *Larimer Tours* (Bittner 2013 [1965]), one of Egon Bittner's earliest writings on the police, to demonstrate his interest in describing and elucidating the language practices of the police in their interactions with citizens and importantly, the role of language as constitutive of these practices. Written in 1965 and first published in this journal in 2013, *Larimer Tours* reflect Bittner's ethnomethodological (EM) roots which are at the core of his writings about the police, but often neglected in contemporary thinking about Bittner. In *Larimer*, Bittner's ethnographic observations about conversation and its potential for rigorous analysis mirrors work in the early 1960's by Sacks and Schegloff in what would later become Conversation Analysis (CA). Thus, Part I takes up situating Bittner's ethnomethodological roots and delineating his interest in police language practices as evidenced in *Larimer*. Although Bittner never systematically took up this focus in later research on the police, subsequent developments in CA

combined with technological developments in policing which make audio-visual data of police-citizen interaction more available than in 1960's, beg the question—how could the analysis of the language practices of the police initially described by Bittner benefit from using an EMCA perspective?

Part II. takes up this question using a single case study that draws upon transcribed audio-visual data of police-citizen interaction in a traffic stop to provide a more fine-grained conversation analysis of the “procedures of interrogation” observed by Bittner in Larimer. Specifically, I show how “area knowledge,” a term first coined by Bittner, is deployed in an investigatory sequence to situate the parties in and to “this stop’s business” and to challenge a driver’s knowledge claims and interactionally problematize what is “unsaid” in the driver’s previous turns of talk. By having a transcript of the talk-in-interaction available for a repeated analysis, analysts can better understand the complexities of police practices in investigatory sequences. I conclude with discussing some implications of this for police studies and future EMCA work on police-citizen interaction in traffic stops.

PART I. RECASTING BITTNER

Bittner is recognized as one of western policing’s foremost seminal thinkers (Reiner 2015). But, his impact has been largely relegated to his conceptualization of the police role as a means for the use of “non-negotiable coercive force.” Nearly every scholarly discussion on Bittner begins—and ends—with this focus on coercive force as Bittner’s significant contribution (see Sykes and Brent 1983, Herbert 1997, Chan 2003, Moskos 2008, Bowling and Sheptycki 2012, White and Fradella 2016, Zimring 2017).¹ However, the overlooked part of Bittner’s definition of the police is the *second half* of his definition which reflects his important ethnomethodological roots.

As Bittner (1970, p 46) formulated it, “*the role of the police is best understood as a mechanism for the distribution of non-negotiably coercive force employed in accordance with the dictates of an intuitive grasp of situational exigencies* (emphasis original).” The second half of the definition constitutes the critical ethnomethodological part of Bittner’s of understanding the police by emphasizing the situated and contingent nature of police competencies and decision-making.

¹ Some (Fielding 2002) have questioned if the coercive role of the police applies in the age of community policing where the police find themselves engaged in “community building” activities that appear quite removed from peacekeeping or law enforcement activities that revolve around the capacity to use force. Others have persuasively argued that Bittner’s “coercive force” argument retains applicability and currency (Junior and Muniz 2006, Brodeur, 2007, 2010).

While many in policing properly accord canonical status to Bittner's studies of policing skid row (Bittner 1967a), and the mentally ill (1967b), the appreciation of his ethnography and the insights it generated about the legal basis of discretion and peace-keeping has overshadowed the fundamental theoretical and epistemological stance contained in his work that *is* ethnomethodological in character, if not substance. Bittner's abiding concern was to elucidate the competencies, practices and skills of patrol officers— in short—what his mentor Harold Garfinkel called—member's methods for producing the social orderliness of everyday life (Garfinkel 1967; 2002). For Garfinkel, everyday life has a recognizable and coherent orderliness that members of society mutually construct through practices that are constitutive features of any social setting (See Rawls 2002). The ethnomethodologist's focus is centered on careful description of those taken-for-granted competencies and practices all members of society utilize to mutually produce a recognizable social order. In Bittner's case, his ethnography is of the practices and competencies of how the police accomplish their work. As Peter K. Manning (2007) has commented: "The many vague attempts to sketch policing using Bittner's definitions and spinning out positivistic, pseudo legalistic and catch-all narratives suggest that the epistemological and philosophical bases for his work are not understood. *His concern is how the doing creates what is done.*" (Manning 2007, p. 109 emphasis added).²

The grant proposal (Bittner 1963) which funded his skid row research in San Francisco, (on which Garfinkel was listed as his consultant) provides the earliest and similarly parsimonious view, grounded in an ethnomethodological study of member's methods. Here, Bittner conceptualizes policing in the following way:

"A good deal of this [policing] is formally organized, but the better part of it is just known practically in ways that distinguish the "good cop" from the "bad cop" in the judgment of his peers; that is not by any formal criteria but by the "natural intuition" of the seasoned practitioner. This will enable us to define the particular meaning or "actionable conception" of mental illness that law enforcement officers respect in their work. *We prefer the term "actionable conception" to "meaning" because it indicates more clearly that we are less interested in obtaining information about ideas and beliefs per se than in information on how these ideas and beliefs come to the fore in the normal round of police work.*" (Bittner 1963, pg. 10 emphasis added)

What is the "natural intuition" of the seasoned practitioner or "an intuitive grasp" is never defined per se but rather, *is* the phenomenon to be discovered in

² See also Manning (2013). Indeed, for Bittner the beginning step in the professionalization of the police required "discovering those good qualities of police work that already exist in the skills of *individual practitioners*. It is not good enough to discover them, they must be liberated and allowed their proper place in the scheme of police organization (Bittner 1970:62)."

Bittner's description of how police practices are recognizable to each other as accomplished competencies, reflected not just in the application of force, but in other distinct practices that are "brought to the fore in the normal round of police work."

THE IMPORTANCE OF THE LARIMER TOURS

In 1965, Egon Bittner was invited by Ed Rose to conduct ride-alongs with patrol officers on Denver's skid row, referred to as the Larimer District. Rose was studying skid row as part of the city's downtown redevelopment efforts and was aware that Bittner had been studying skid row in San Francisco. In addition to Bittner, Harold Garfinkel and Harvey Sacks participated as consultants to Rose's project, though neither were involved in riding with the police in Denver.

The Larimer Tours are transcriptions of Bittner's dictated field notes from his four evenings of ride-alongs with the Denver police and were first published as an appendix (Report No. 32) to Rose's final report "The Unattached Society" to the Denver Redevelopment Authority. There are 92 entries, with topical headings provided by Bittner.³ Some entries have a clear topical focus (e.g., "procedures of interrogation", "a theory of knowledge of people") and others capture some element or outcome of an event ("horseplay" "he just sent the kids home"). In Larimer we read Bittner's unvarnished observations of police "competencies-in-action" many of which are the focus in his later writings (Carlin and Slack 2013, p.ii)⁴

Insights from the Larimer tours were used in Bittner's *The Police on Skid Row* (Bittner 1967a) and in his classic treatise, *The Functions of the Police in Modern Society* (Bittner 1970). As such, these published field notes constitute Bittner's earliest known writings and thinking about the police.

³ For my purposes, I consecutively numbered each of the entries from the Table of Contents of the Larimer Tours as they were published in *Ethnographic Studies* 13: 123-174 (2013) beginning with Bittner's first entry titled "Arrangements" and ending with number 92, "Just a bandage." In this paper, when quoting from Larimer passages, I reference the entry number and page number from this Bittner 2013 [1965] publication. By my count, twenty-seven of the ninety-two Larimer entries (approximately thirty percent) have a *clear* ethnomethodological and conversation analytic focus.

⁴ Rose's introduction to Bittner's appendix clearly emphasizes Bittner's ethnomethodological focus: "We have secured here some fine products of natural sociological inquiry, particularly instances of how persons on the scene themselves observe and make sense of what they are involved in. In episode after episode, Egon Bittner points out *how sense is brought to a scene or abstracted from it, how thus sensible objects, actions, persons, episodes and settings are essentially generated as scenes unfold.*" Bittner (2013[1966]:126) emphasis added

But, Larimer also contains an important and interesting surprise. Bittner's field notes convey a clear interest in the conversational practices used by the police. These entries share clear affinities with the work of Harvey Sacks (and Manny Schegloff) which was known to Bittner.⁵ At the time of Larimer, Sacks and Schegloff were in the nascent stages of creating what came to be known as Conversation Analysis. While this interest does not explicitly make its way into the bulk of Bittner's later writings on the police, its appearance in Larimer is unmistakable and deserves attention. In short, the Larimer Tours provide a window into Bittner's earliest interest in police conversational practices in action.⁶

CONVERSATIONAL PRACTICES IN LARIMER

The first mention of conversation appears in the seventh entry (Bittner 2013 [1965], p. 129), unambiguously titled, "Police Conversations." Here, Bittner observes that the pace of police-citizen conversations "proceed at an enormously slow rate" and that "officers insert pauses between their questions that would be extraordinary in any other conversational situation." He further reflects (presumably for further research) that

one might consider that the pace which the police set for conversations and interrogations is deliberately set and the habit assimilated by officers but not by persons on whom they use it. This would impose a certain stress on the interrogated person who has to fill the silence with guesses about the officer's thoughts and might be led

⁵ I refer here to the intellectual environment Bittner was situated in at the time of Larimer. Harvey Sacks, who participated on the Larimer project, was a visiting assistant professor of sociology at UCLA, owing largely to the ongoing intellectual relationship he had forged with Garfinkel. That relationship, begun in 1959, entailed regular intellectual exchanges (many of which were recorded and are in the Garfinkel Archive) and the sharing of papers. Biographical sketches report that Garfinkel and Sacks traveled between LA and Berkeley for regular meetings with each other and Berkeley graduate students who read and discussed Garfinkel's published and unpublished work circulated by Sacks (See Schegloff 1992, Rawls 2002). Of note, Bittner was among those who attended these meetings including when he was a post-doc at the Langley-Porter Institute in San Francisco conducting his skid row research (Turner 2013).

⁶ There is one exception. In *Must We Say What We Mean* (Bittner 1977) Bittner's examination of organizational secrecy among police, he argues that silences, pauses and elisions in communication are *themselves ordered phenomenon*—an argument he grounds in his reading of Wittgenstein, Schutz, Garfinkel and Sacks and Goffman.⁶ Importantly, he draws from Garfinkel and Sacks (1970) to discuss the use of indexical expressions. See Bittner (2013 [1977]: pgs. 207-8.

to say things he would probably not reveal—or conceal better—in a normally paced conversation. (Bittner 2013 [1965] p. 129)

In short, Bittner juxtaposes a “normally paced conversation” with those the police routinely conduct with citizens calling attention to a possible tactic or strategy (e.g., pacing, use of pauses). He surmises the purpose of this tactic is to impose a stress upon the interrogated person “to fill the silences” with implicating information or to decrease their ability to withhold information.

This sort of pacing is further demonstrated in Bittner’s sixtieth entry—titled “procedures of interrogation” which was prompted by his observations of another officer who engaged in what to Bittner seemed to be a prolonged study of an identification card provided to him by the person under questioning. Bittner asked the officer about this practice:

He [the officer] proposes...if you take a man’s ID card and ask him for his identity, and ask him to give an account of *where he is going, where he is coming from, and what he is about to do*, and while he’s giving you all these answers, *you look at the card, that is you look down* instead of looking at the man while he’s talking, you provide him with an opportunity to give you a line. That is, the *situation is so structured* that the man will be *tempted* to tell a lie if he wants to lie, if he has something to hide. *You let this go on long enough, possibly without interrupting* the person, *interspersing silences* for him to kind of tie the noose around his neck. The *silences are quite useful* because, during the silences, the man has to wrack his brain *trying to figure out what the officer already knows* about him and this creates a certain situation of tension. But the fact that he is not looking at him *gives the officer the appearance of unconcern* and makes it possible for the interrogated person to *perhaps* blabber out something that *may, later on*, turn out to be compromising. (Bittner 2013 [1965], p. 157-emphasis added)

This entry reports the officer’s gloss of a practice (“interrogating people I don’t know”) based on the observable and oriented-to organization of the verbal and nonverbal behaviors of participants. Bittner calls attention to how officers (once) again engage in slowing down the pace of an encounter mentioned in “police conversations.” The entry has a characteristic Ethnomethodological and Conversation Analytic quality to it, if not clear influence. Here, Bittner carefully describes an interactional structure to the practice the officer reports which entails:

1. a control of turn-taking by the officer’s use of silence, pauses;
2. asking questions about the “just said” in response to questions about where one is coming from and where they are going and what they are about to do,

3. using gaze to “appear unconcerned,” allowing the citizen to fill the silences with “guesses” about the officer’s thoughts—structuring an opportunity for temptation to tell a lie or hide something.

These observations provide evidence of Bittner’s understanding of the consequentiality of the seemingly mundane importance of the orientation of participants to question-answer sequences, the use of pauses and silence, gaze, and turn-taking. What must be remembered is that when Larimer is written in 1965, the connection between conversation (which was considered mere noise and disorderly) and its relationship to meaning and the construction of social action had not yet been developed and certainly recognized as it is today (see Schegloff 1992, Goodwin and Heritage 1990). Further, Bittner is describing features of talk (e.g., control of turn taking, the use of inferential frameworks) subsequently identified and studied as characteristics of talk in institutional settings (see Drew and Heritage 1992, Heritage & Clayman 2010).

Finally, in an entry titled “Implied Understanding” Bittner describes the questioning of a known prostitute in the back seat of the squad car to illustrate a) the difficulties an observer has trying to completely understand from the conversation what is “going on” between the participants, and b) how a conversation is embedded in a matrix of implied understandings that is not informed by the officer’s specific knowledge of facts about the girl, but rather “a knowledgeability about her and the likes of her.”

In this entry, the woman is questioned about a suspected prostitute the police observed hanging out in the bar, about whom she gives the officer the girl’s name and address. The officer (Garrison) instructs his partner to fill out a card (record) with this information.

And a card is being filled out. There is more conversation and Garrison says, ‘You know he wouldn’t be happy if he knew you were down here,’ and she says, ‘Who do you mean?’ and he says, ‘Well, I’ll give you three guesses who I mean.’ All this appears to be embedded in a matrix of implied understandings within which the spoken remarks are even less than the proverbial visible part of an iceberg. Now, in later conversation with Garrison it turned out that he did not know the details of the girl’s life. For example, he is not at all sure where she lives, although she gives an address in North Denver. Neither is he sure whether she’s an inveterate prostitute, although she has a record of prostitution. He believes that she drinks a great deal and that, incidentally, was made part of the conversation, but he doesn’t think she’s an alcoholic. The knowledge is not the knowledge of facts about the girl, but rather it is sort of a knowledgeability about her and the likes of her. She knows what he is driving at and he knows what she means. The exchange is supported by tacit information about conditions, circumstances, agreements, earlier events,

prospects, but also by familiarity and a type of cooperation that is not incompatible with conflicting interests. (Bittner 2013 [1965] p. 133-134)

In this entry, Bittner introduces the importance of “area knowledge” a concept foreshadowed here in Larimer and subsequently featured in his later works (Bittner 1967a, 1967b, 1970). Bittner argued that area knowledge, an officer’s vast array of knowledge about persons, places, objects and events in their sector, is not merely an assorted compilation of facts or information, but rather a scheme of interpretation:

Thus the factual area knowledge, far from being merely a desultory array of data, functions as a powerful scheme of interpretation. It partakes of the nature of a good ethnographic grasp in that it employs typifications without sacrificing interest in and for individual variation. Every person and every event is always seen as a particular instance of a class, i.e., neither merely unique nor merely a type. (Bittner 1970 pg. 91)

Importantly, for Bittner, such typifications undergo continuous modification as individuals “check and revise” previous stocks of knowledge and accumulate new knowledge in the “here and now” of face-to-face interaction. In short, typifications are not fixed schemas of knowledge, as they are often portrayed in police literature, but necessarily have a provisional, ad-hoc character. In short, it is one thing for an officer to “possess” area knowledge, report about their typifications, or what some have called “recipes” or “rules” for action, it is another matter to understand how officers use area knowledge to make sense of any given context.

Bittner concludes “Implied Understanding” noting that whatever the observer can’t discern or know about what is happening in the conversation, it is *not problematic* for the participants to the conversation. There is an important issue raised by this observation: can a more detailed understanding of an encounter, for example as recovered in a transcript of participant’s actual versus remembered utterances, shed light on how tacit information or area knowledge is used or how the participants establish and navigate their familiarity with each other? In other words, for the observer that which is “problematic” to understand, is not problematic for the participants. However, a verbatim transcript may shed light on how such “know how” is drawn upon and deployed by participants in situ, for whatever purpose(s) might be their(s).

While Bittner’s Larimer Tours are certainly ethnomethodological in focus, entries such as “Police Conversations” and “Procedures of Interrogation” point to some potential confluences, if not direct influences of the intellectual progenitors of Conversation Analysis. It also provides a suggestive direction, albeit different from Bittner’s own subsequent empirical work on policing, into how researchers

today could study conversational practices such as the interrogation of citizens in traffic stops.

PART II. ANALYSING POLICE–CITIZEN TALK-IN-INTERACTION IN TRAFFIC STOPS

The availability of audio visual recordings of police-citizen interactions and the subsequent development of conversation analysis provides analysts a resource for a more detailed analysis the interactional practices and competencies Bittner was keen to elucidate in his Larimer ethnography. I utilize an Ethnomethodological (EM) and Conversation Analytic (CA) approach to the analysis of the data. My treatment of police practices is grounded in Garfinkel’s position on hybrid studies of the workplace (Garfinkel 2002) which requires that researchers possess a “unique adequacy” with respect to members in the setting, or what Rawls (2002, pg. 40) describes as “outsiders who are insiders.” My use of CA employs a single case episode approach (Schegloff 1987) focusing on talk in an institutional setting (Heritage and Clayman (2010) in which the different analytic findings on “ordinary conversation” are used to understand talk in a police traffic stop. I also present ethnographic data (e.g., field observations and interviews) but with the view articulated by Maynard (2006, pg 83) who argues that data gathered by observation, interviews and narratives necessarily “glosses what participants undergo and produce as part of their lived experience as they organize such experience in real time through ongoing talk and social interaction.”

The data are from the patrol car dash-camera archive in a police department in which I conducted ride-alongs and interviews with fifty officers over a two year period (see Meehan 1998, Meehan and Ponder 2002). The stop examined is one of 102 located in this department’s camera-car archive. The patrol officers in these data respond to calls for service in the highest crime sectors of this community of approximately 200,000 residents and when not doing so, engage in “traffic work” focused on crime detection/prevention (Meehan 1998). That is, their stated primary goal in a traffic stop is not writing “traffic tickets” for moving violations such as speeding, or running red lights—that is an enforcement activity left to the traffic division. While these patrol officers typically use traffic infractions they observe to legally stop a vehicle, their stated goal in a traffic stop is to “check out” who is in their sector, what they are doing and if possible generate a “good felony” arrest. In this respect, the traffic violation is a pretext for investigating some other crime, or suspicion of a crime, which under the U.S. Supreme Court’s *Whren* (1996) decision is completely legal.⁷

⁷ In the *Whren* case, the Supreme Court ruled that a traffic violation provides reasonable cause for officers to stop and detain persons in a vehicle regardless of the officer’s true investigatory intentions. In *Whren*, officers suspected that the occupants in a vehicle in a known drug area were dealing drugs.

Based upon my field observations and interviews with officers, I provide a primer on “traffic work” as it relates the analysis to familiarize the reader with officer’s orientation to conducting an investigatory stop and how this orientation shapes the conduct of such stops.⁸ I then analyze an investigatory stop that is initiated by officers who observe a person leaving a trailer park known for illegal activity (i.e., drug dealing). However, they have not seen him do anything illegal, but rather suspect he may have been doing something. They use a traffic violation (i.e., a “loud muffler”) as a pretext to stop this person and interrogate him.

TRAFFIC STOPS: A SHORT PRIMER

Interactionally, a traffic stop interrupts and temporarily ceases some action or activity of a driver/vehicle “in its course” of moving from one place to another. That is, a stop interrupts a range of “normal” everyday activities such as going to/from work, school, the store, the doctor’s office, or a friend’s house. Stops also interrupt drivers engaged in or about to engage in illegal activities such as drinking, searching for hookers or drug connections, transporting drugs, using drugs in an alleyway, or traveling to and from a burglary on these very same roadways.

While the justification for this interruption is required to have some legal basis (i.e., the “reason for the stop” whether actual or pre-textual), the actions/activities of the driver are set against a number of background assumptions officers make about “who” belongs and “how” they belong in an area and how people normatively conduct their affairs i.e., use this area. (Sacks 1972, Rubenstein 1973).

These background assumptions take the form of knowledge of the persons, places, objects and actions that are understood (even if provisionally) by reference to what is ‘normal’ for *this* here (place) and *this* now (time). Drivers are assumed to have, and be able to articulate, accountable reasons for their activities, and when relevant, for the activities of persons who are with them in the car which can be tested against officer’s knowledge of an area. For example, there are available identities for drivers such as “passing through” versus “belong here” or “resident going to/from home/work.”

They stopped the vehicle for a traffic violation for failure to use the car’s traffic signal upon which they discovered and seized two plastic bags containing 50 grams of crack cocaine.

⁸ The larger project by the author analyzes the different phases of traffic stops beginning with the pre-stop conduct of driver/officer (some of which is illustrated in the current case), the initial summons by the police and its answer by driver (e.g., pull over), and how this is consequential for the ensuing talk-in-interaction in the stop beginning with opening greetings (or the lack thereof), requests for and the provision/inspection of documentary and other forms identification/identity work, and the investigatory, disposition and closing phases of the stop.

This moral geography refers to participant's normative orientation and understanding of an area and the police clearly have their moral geography of areas they police (Sacks 1972, Herbert 1997). However, so do citizens/drivers. A citizen's conception of the moral geography may or may not be congruent with the police conception—this is a “bad area” or an area where driver does not belong. And officers want to satisfy their interests in knowing what the driver knows and they expect answers that mesh with their assumptions about persons and area knowledge.

One resource available to officers to accomplish this is to interrogate the knowledge claims of the driver to assess the observed activities that have occurred prior to the stop—seeking an account for driver's conduct to discern how that account not only “makes sense” of what has been observed by the officer in the pre-stop phase, but also how that account “fits” the moral geography of an area. This is especially the case in a stop where someone is considered out of place. Officers are keen to discern just what drivers know and don't know about the area, and their grounds for being in and using an area.

The use of the following “wh” type questions are used to launch such investigatory sequences to elicit information or an account which itself can then be examined:

- a) Whose car is this?
- b) What is your address/where do you live?
- c) Who are the people with you in the car?
- d) Where are you coming from?/Where are you going?
- e) Where do your friends and family live?

The expectation articulated by officers is that citizens should be able to provide, when asked, without hesitation or delay answers to such “wh” type questions (or their variants). As one officer observed:

It's about the now. You should know who your friends and family members are and where they live. Addresses should be exact if asked, not “I don't know” or cross streets or general areas—mentioning general areas can increase suspicion.

Significantly, this same officer reported that while the lack of citizen cooperation or challenges to their questions are uncommon, when it does happen, the driver will likely pay the price for non-cooperation:

In my experiences, it is actually pretty rare for drivers to ask “why does it matter where I'm going” or “what do you care about my travels” or “I don't feel that's your business” but it has happened. And, as a rule, most officers take affront to

being questioned back simply because we're used to people answering these questions.

This form of questioning is constitutive of the investigatory stance taken by the officer. In my data, the use of “wh” questions (and their variants) elicit and inspect components of what is called the epistemic status, or knowledge claims of drivers. In CA, it has been argued that participants possess “territories of knowledge” or epistemic domains which conversationalists precisely monitor on a turn by turn basis (Heritage 2013). These territories of knowledge are divided into two parts. Epistemic status refers how

...persons are generally treated as knowing more about their relatives, friends pets, jobs and hobbies than others, and indeed may labor under an obligation to do so...epistemic status involves not just the actual possession of information, but rights to possess and to articulate it.” Heritage (2013:377)

Epistemic stance refers to “how speakers position themselves in terms of epistemic status in and through the design of turns at talk.” That is, a turn of talk can be positioned and is understood by the other as adopting a “stance” along a “knowledge gradient” of more knowledgeable [K+] or less knowledgeable [K-]. Typically, there is congruence between epistemic status and epistemic stance in conversation— and speakers seek to establish an epistemic equilibrium. This congruence or equilibrium is not inevitable, indeed it can entail conflict, and it is argued that participants achieve some resolution of this conflict, even if temporarily (e.g., from turn to turn).

An individual's territories of knowledge (epistemic status), includes a host of seemingly mundane domains (e.g., your relatives, friends, job, hobbies) that in an investigatory traffic stop context can be made topically relevant by officers closely scrutinizing the activities of the driver.

The power to accept or dismiss epistemic status consequentially rest with the police in the stance they adopt toward citizens in the talk. In short, a fuller investigatory stance in traffic stops entails questioning by the police to challenge the knowledge claims that are presented in the epistemic stance of drivers.⁹

⁹ While I use the terms epistemic status and stance in the paper to refer generally to a participant's orientation to, production and negotiation about respective knowledge claims in their talk, the analysis here does not analyze the K+/K- relationship in the participant's turns of talk. One reviewer commented that the analysis could be read as using epistemics as a foil in that the categories K+/K- may be too crude for capturing the complexity of the pursuit of exactly who knows what and how they (should) know it and how they come to know it in “this” instance. That is, what I examine is just how “K” is consequentially something to be figured out. The intent is not to enter into the current epistemic debate/controversies (see for example Lynch and Wong 2016, Maynard and

In sum, the traffic stop is an interactional environment where matters of responsibility, accusations, blaming, skepticism and deception is played out by both parties—driver and police. And while there is an adversarial tension predicated in any traffic stop encounter before it begins, how this tension is interactionally built and managed can take many different forms. For example, officers can directly accuse the driver of lying. But this rarely occurs on my data.¹⁰ Rather, officers construct an investigatory sequence to expose how driver’s statements are weak, deceptive or suspicious (Pomerantz 1988) and thereby undermine driver’s accounts or claims of innocence. And this is what is observed in the Trailer Park case to which the analysis now turns.

I use the stop to illustrate how area knowledge is *utilized* by officers in an investigatory sequence of a traffic stop to demonstrate its interactional complexity—reflecting some of the practices Bittner observed in Larimer. But, I also examine “just how” knowledge of the local setting produced in the course of answering questions is used as an interactional resource by police *and* citizens. Specifically, I examine the opening sequence of the stop to show the how the police challenge the knowledge claims of a driver, holding him accountable for “what anyone” who claims to have just driven through the trailer park should know: there are speed bumps in the trailer that delay your movement and that no reasonable person would chose such a route unless there was some other reason (i.e., stopping to see someone in the trailer park) which the driver denies.

Clayman 2018) primarily because it is not clear at this time just how epistemics may operate within an interactional context like an investigatory stop where practices of deception about one’s knowledge states are often strategically employed by both police and citizens.

¹⁰ An example of a direct accusation in my data occurs when officers believe they have “seen” a driver “eat something” just after they light him up to pull him over. Their search of the car finds nothing to legally implicate the driver in what they suspect—he has consumed the drugs he just purchased. Further, unlike Marcus, there is nothing from their computer search that allows them to arrest or threaten him with arrest or ticket. The driver tells the officers they saw him eating “tic-tac candies” when they stopped him but there is no other evidence of the candies (e.g., a container). Nor do they believe his account for the presence of forty dollars clipped to his visor (which the officers consider evidence of someone looking for drug deals). After this, he is called a liar, repeatedly by the officers. Eventually the driver is released from the car with a harsh warning that he will likely be shot or robbed “down here” someday.

THE TRAILER PARK CASE

The stop involves two white officers (OF₁ is the driver, OF₂ in passenger seat) who stop a young black male, pseudo-named Marcus. It is 3:30 in the afternoon. The officers are driving in traffic when they observe a car waiting to pull out from a trailer park driveway¹¹. This trailer park has very few black residents and is “known” for drugs and serious crimes such as illegal weapons violations and is a source of many calls—a “hot spot” in the patrol sector. While you can hear music blaring from the patrol car AM-FM radio, a practice officers use to drown out their front seat conversations picked-up from the back seat microphone, you can nonetheless hear one officer say “is that Marcus?” as they are slowing down, driving past the vehicle. The same officer asks the other again “is it? is it? that’s gotta be, right?” and you can faintly hear the other officer say “yeah.”

The officers proceed past the trailer park driveway and Marcus pulls out of the trailer park and drives in the opposite direction. The officers quickly do a U-turn and follow him. They speed up and pull alongside this vehicle at the next stop light, approximately a quarter mile away. When the light changes, they turn on their overhead lights and pull the car over. The officers do not activate their personal microphones (which is a violation of organizational policy), so there is no audio recording of the talk between the officer and driver available for the first 1:45 seconds of the stop.

During the first 45 seconds, Marcus can be seen reaching toward his glovebox two times and after each time he hands the officer a piece paper which the officer looks at and returns to him. After another minute, OF₁ opens the car door and Marcus steps out. He puts his hands in the air and turns around facing the car as OF₁ pats him down. He is brought to the patrol car and placed in the back seat. The hearable portions of conversation (not shown in the transcript) begin as Marcus is put into the back seat by OF₂ who directly asks Marcus if there are any narcotics in the car to which he replies no. Marcus then, unsolicited, gives the officer permission to search the car. Boxes alongside the transcript provide distinctive segments of talk organized by the topics in the talk and foreshadow what is discussed in the analysis. (DR, in the transcript, stands for the “driver” Marcus)

¹¹ Trailer Parks in this and surrounding communities contain pre-fabricated rectangular homes which were originally designed to be mobile, but are now permanently installed on foundations. Trailer Park—or Mobile Home parks vary tremendously. The trailer park in this example has over 100 homes arranged very close together to form a very dense neighborhood. While originally conceived as a way of owning an inexpensive home, these structures are rented out and residents of this trailer park are mainly drawn from the poorer working/lower classes. This trailer park is also known for large numbers of police calls for service involving an array of criminal activities ranging from petty theft to sexual assault in addition to drug activity mentioned in the text and implied by the officer’s questioning and extensive search of Marcus’s person and vehicle.

Later in the stop (not shown), when it is clear Marcus is going to jail, he asks the officers: “what did you stop me for?” The officer says, “your car is too loud.” This becomes a contested topic and Marcus objects saying to the officer “you know that’s not why you pulled me over” and referencing what can be observed on the video “you made a whole U turn you know you couldn’t even hear my car.” To which the officer replies: “yes we did.” In short, this is a classic pretext stop: the officer is using the pretext of a loud muffler, an equipment violation, as a reason to pull the car over.¹² The real reason, which quickly becomes apparent from the transcript, is that Marcus is known to them from a previous contact several weeks earlier (at “Bonnie’s house”) and is suspected of either having and/or dealing drugs. A transcript of the first minutes of talk in this stop are provided before focusing on one sequence (segment 1) where the use of area knowledge by OF1 is deployed to catch Marcus in a lie, without directly saying so.

Trailer Park

- | | | |
|----|--|----------------------------------|
| 1 | (.5) | |
| 2 | OF1 didn’t I see you a couple of weeks ago? | <i>Segment 1</i> |
| 3 | DR yeup | <i>1–8</i> |
| 4 | OF1 you were over at <u>Bonnie’s</u> house where were you at today? | <i>OF1 begins new topic:</i> |
| 5 | DR over Don’s house | <i>How do I know you?</i> |
| 6 | (.5) | |
| 7 | OF1 Don who? | |
| 8 | OF2 Can you uh- please lift up so I can uh(.) take a look(.) no socks on | |
| 9 | DR uhuh | |
| 10 | OF2 ya got nothin in your pockets at all? | <i>Segment 2</i> |
| 11 | DR no sir | <i>9–24</i> |
| 12 | (1.0) | <i>A “side-sequence” to con-</i> |
| 13 | OF2 what’s that right there? | <i>duct a safety search that</i> |
| 14 | DR some money | <i>interrupts Segment 1 be-</i> |
| 15 | (.5) | <i>gun by OF1</i> |
| 16 | OF2 pull it out for a second please? | |
| 17 | DR yeup ((hear the sound of unzipping)) | |

¹² I do not address the matter of the race of the respective participants other than to note this is the type of investigatory stop discussed by Epps et al (2014) that black citizens report are characteristic of their experiences of the police using the pretext of a traffic violation as a reason to pull them over. The jurisdiction where these data originate is the same location studied by Meehan and Ponder (2002) who showed that African-Americans were disproportionately surveilled and stopped the farther they travelled into whiter areas of the city. Profiling is clearly implied by Marcus’s utterance and there are other sequences in this stop where race matters are introduced, but in subtle ways. This is the focus of another paper.

- 18 (2.0)
 19 OF2 turn that pocket inside out
 20 (2.0)
 21 OF2 does it do that or is it all: (.) sew::n in?
 22 (1.0)
 23 OF2 okay that's cool (.) thanks
 24 (3.0) ((during this time you hear door to vehicle close))
 25 OF1 who's Don::?
 26 (.5)
 27 DR scuse me?
 28 OF1 who is Don::?:
 29 DR oh a buddy of mi::ne
 30 OF1 where's he live?
 31 DR on the street before uh::: the trailer park
 32 (1.0)
 33 OF1 on the street before the trailer park,=
 34 DR =yea::h
 35 (.5)
 36 DR where that big ol white building at
 37 (2.0)
 38 OF1 what-what's the name of the stree::t?
 39 (1.0)
 40 DR I'm not sure I think its (.5) Renn:::ings or somein li-
 41 (.5)
 42 OF1 so your friend Don lives on whatever street is
 43 before the trailer park?
 44 DR yep
 45 (1.5)
 46 OF1 didja drive through the trailer park?
 47 (1.0)
 48 DR yeah when I came uhm from his house yeah
 49 OF1 say what?
 50 DR when I came from his house yeah
 51 (1.0)
 52 OF1 how come your down the trailer park?
 53 (1.0)
 54 DR whadja mea:::n?
 55 (.5)
 56 OF1 didja stop and see someone in the trailer park?
 57 DR no I drove through the trailer park when I came from his house
 58 (1.0)
 59 OF1 o::ver all::: those speed bumps

Segment 1 continued

25-75

OF resumed topic and interrogates person and place formulations to challenge Marcus's claim (in line 59) using area knowledge—speed bumps in the trailer park

- 60 (1.0)
 61 DR yeahwh- they just got there I don't know when they did that though but
 62 (.5)
 63 DR yeah yeah it hadn't been like that for a long time
 64 []
 65 OF1 it's been a little while ago
 66 (1.0)
 67 OF1 they did a little while ago its been there for a while.
 68 DR oh
 69 OF1 since the last time you were in there
 70 (1.0)
 71 OF1 ya know?
 72 (2.0)
 73 DR this is my last time in there I didn't uh::
 74 (.5) go in the trailer park
 75 (.5)
 76 OF2 hey Marcus whatta ya been in trouble
 77 before besides uh drivin on suspended license?
 78 (1.0)
 79 OF2 been arrested for any drug offenses?

Segment 3

76 ff

OF2 explores Marcus's criminal history

During Segment 1, OF1 is conducting a computer search of Marcus' record at the same time he is asking a series of questions and uses a seemingly unimportant piece of knowledge about speed bumps on the roads in a trailer park to challenge the driver's claim that he was just "passing through" the trailer park on the way home from a friend's house. After this segment, the conversation between Marcus and the officers has a progressively negative trajectory.

The segment illustrates the use of a tactics similar to Bittner's gloss of the officer's "procedures of interrogation" including how the officers visually isolate the driver by placing him in the backseat to question him and use silences to withhold information or to allow information to emerge that may implicate the driver in what is "suspected" by the police (i.e., the driver has been in the trailer park dealing drugs). In addition, as OF1 is questioning Marcus he is running Marcus' information on the computer—a routine from the officer's perspective which gives the appearance of being "unconcerned" (and in control) but from the driver's perspective, this is a tense time as one can hear when the computer returns "hits" on a record through a distinctive audible alert.

But, I will also show how officers excavate the "unsaid" in the driver's previous turns of talk and introduce this into the interactional floor in consequential ways focusing on two conversational practices: a) the formulation of place (Schegloff 1972) and b) the use of "so-prefaced" formulations (Bolden 2006, 2009). In doing

so, I demonstrate the utility of CA methods to deepen Bittner's ethnographic account of police interrogation practices.

EXPOSING WEAK OR SUSPICIOUS STATEMENTS

Segment 1 illustrates how attentive officers *and* citizens are to seemingly trivial but consequential elements of epistemic status such as friend's names and where they live. There is a brief side-sequence in lines 9–24, where OF2 conducts a more in-depth search of Marcus' person which is hearable on the tape (rustling of clothes, zipping sounds). This is the second search in the stop—the first one being the “pat down” by OF1 after Marcus stepped out of the car.¹³ Notably, OF2 asks (line 10) Marcus if he has anything in his pockets which receives a “no sir.” But this is immediately shown to be not true as OF2 asks in line 13 “what's that right there?” to which Marcus replies “some money” and he is asked to pull it out of his pockets. While nothing is said about the fact that something *was* in his pockets, later in the stop, it is revealed that \$55 was in his pockets, an amount described by OF1 as “quite a bit of money.”

The search interrupts OF1's questioning in lines 1–7 which are focused on establishing their previous history in what I call a “how do I know you” sequence: “didn't I see you a couple of weeks ago?” which receives a minimal “yeup” response. OF1 then provides his specific knowledge of the place they previously saw each other (Bonnie's house) to which he appends a “wh” formatted question: “where were you at today?” adopting a more investigative stance. Marcus again provides a minimal answer “over Don's house” which uses a person's name as a reference and a location in a turn format that mirrors OF1's prior turn “Bonnie's house.”

While “Bonnie's house” is understood as known to both OF1 and Marcus, the use of “Don's house” as a location and person reference is analytically interesting. The principle of recipient design (Sacks et. al 1974) and for reference to persons (Sacks and Schegloff 1979, Enfield 2013) would suggest that when a speaker uses of a person reference (i.e., Don), they assume that it is someone the recipient knows, and if not, work will be done to help with the process of identification. But, as Pomerantz and Heritage (2013: 212) note “a speaker with reason to keep someone's identity from the co-participant may select a nonrecognitional

¹³ This second search should not be construed as out of the ordinary. During the time of my research in this department, an officer in the traffic division was shot in the head and permanently disabled during a traffic stop by a driver who approached the vehicle while the officer was running their information. Several years later, another officer was shot and killed during a stationhouse interrogation of an arrestee: the two arresting patrol officers failed to find the gun hidden on this person. In short, Officers became far more vigilant in searches of arrested persons as reflected in this stop.

reference, but he or she runs the risk of being seen to have withheld information if the recipient finds out.”

Following a (.5) second pause, which receives no uptake by Marcus, OF₁ asks “Don who?” which makes relevant that Don is not someone known to the officer—that Marcus’ person reference is inadequate. It is at this point OF₂ interrupts with a side sequence to conduct the safety search.¹⁴ After this side sequence, OF₁ resumes his investigatory questions—reformatting his interrupted question “Don who?,” which is designed to elicit a possible last name, to “who’s Don::?” which is a more open-ended format. After another (.5) pause, Marcus initiates a repair in line 27 (“scuse me?”) and OF₁ repeats his question, eliminating the use of the contraction but keeping the stretched emphasis: “who is Don:::? Marcus preface’s his answer with an “oh” marked change of state knowledge token (Heritage 1984), and formulates his relationship to Don as “a buddy of mine” (line 29).

So far one can observe how Marcus is being held accountable for knowledge considered to be within his epistemic domain. When drivers appear to be withholding what they know, or marking their knowledge states with uncertainty or ambiguity, their answers don’t move the conversation forward but rather perform “blocking” responses and “delays” requiring the recycling or reframing of questions to get answers (Schegloff 2007).¹⁵

In line 30, the officer asks where his buddy Don lives, information officer’s expect to be within the epistemic domain of drivers. Marcus does not provide a specific street name (which will be specifically solicited by OF₁ later in line 41) -- but rather formulates Don’s residence as “on the street before the trailer park.” After a 1.0 second pause (line 32), the officer solicits a confirmation of Marcus’ answer by repeating his answer (line 33), but with emphasis on before which is immediately agreed to by Marcus (=yeah) as their turns are latched together. In Line 36, after a (.5) pause, Marcus offers a landmark reference (“where that big ol white building at) which receives no recognitional uptake by the officer, but instead is followed by a 2 second pause. To this point, one can observe the use of pauses by both Marcus and the officer in turn-transitional spaces.

What is notable is that the trailer park has *not* been a topic of conversation thus far. That is, the driver’s location formulation uses the trailer park as a landmark reference. It is also an account for his presence in the trailer park exit, i.e., you saw me where you saw me because my buddy Don lives on the street before the trailer park. This leaves unexplained in the talk thus far why driver was observed by the police coming *out of* the trailer park when his friend lives on the

¹⁴ A topic not explored but relevant here is how police officers “team” in a stop. Here the interruption and resumption of the topic on the floor is a seamless, coordinated action.

¹⁵ See Schegloff (2007) on progressivity, contiguity and recipient design in conversation and for a discussion of blocking and delaying responses

street *before* the trailer park—a topic introduced by the Officer later in line 46, but not before other matters are dealt with in the conversation.

In line 38, the officer now asks Marcus to provide the specific name of the street—information assumed to be within the epistemic domain of the driver. This question marks Marcus' previous formulations in line 31 (the street before the trailer park) and line 36 (where that big ol white building at) as inadequate location references. After another pause, in line 40, Marcus prefaces his answer with uncertainty (“I’m not sure, I think its”) and after a .5 second pause produces a name with stretch contours “Renn:::ings” and marks additional uncertainty of that name with “or somein li-“ which invites participation in identifying the street name.

Factually speaking, there is no street named Rennings in this jurisdiction, but the name of the street before the trailer park is Rennie Court—which is close in its lexical construction to Rennings, but not the “correct” street name. This fact is likely known to the officer, but there is no attempt solicit any clarification.¹⁶ The request for the street name is assumed to be within the epistemic domain of driver and is a test of the driver’s knowledge.

The formulation of locations in conversation poses a problem: there are many ways to refer to any given location. For example, where you are coming from or where you are going asks drivers to select among a myriad of possible references to locations. Schegloff (1972:114) notes that “on the whole speakers select the “right” or adequate formulations...where “right or adequate” means that the speaker’s formulation of a location does not itself produce questions, or further questioning requiring reformulation by speaker.” By “doing the preliminary work” to produce an adequate formulation for-this-recipient-in-this-conversation-now, Schegloff shows that the solution to the problem of location formulation is found in how speakers analyze in very specific ways features of the setting that are often glossed by the term “context”¹⁷

¹⁶ Rubenstein (1973) notes that one of the first tasks a rookie officer masters is the geography of their sector which not only includes street names and important landmarks but the ways an officer can navigate the sector space with an automobile (e.g., alleyways, grassy cut-throughs, contiguous parking lots etc...) if needed especially in an emergency. Indeed, field training of rookies observed in my field research continually tests their geography.

¹⁷ “In selecting a “right” formulation, attention is exhibited to “where-we-know-we are,” to “who-we-know-we are” to “what-we-are-doing-at-this-point-in-the-conversation.” A “right” formulation exhibits, in the very fact of its production, that it is some “*this* conversation, at *this* place, with *these* members, at *this* point in its course” that has been analyzed to select *that* term; it exhibits, in the very fact of its production, that it is some particular “*this* situation” that is producing it (emphasis original).” (Schegloff 1972:115)

Indeed, what Schegloff (1972:116) argues is that the gloss “context” can (and should) be empirically examined to show how the participants themselves analyze and formulate context “and use the product of their analysis in producing their interaction.” In this respect, “area knowledge” is made accountably visible in and through participant’s conversational practices such as formulating “place.” And analysts can look to instances of those practices to re-specify area knowledge as an interactional achievement as juxtaposed with knowledge one simply possesses.

The importance of this issue for police-citizen encounters is clear. The police routinely question citizens about locations (and persons) and expect “answers” that satisfy *their* “reasons for asking” which may or may not be clear to drivers. And, not satisfying police questions in such instances, or to be seen to be withholding information, will increase suspicion. We can observe this here where the driver’s location formulations are *inadequate* as reflected in the repeated questioning by the officer in lines 30, 33 and 38), the location reformulations by driver in response to officer’s questions in lines 31 and 36, as well as the pauses between turns in lines 32, 35, 37, and 39.

This problematic stretch of talk culminates in line 42 where the officer uses a so-prefaced formulation of his sense of the previous turns of talk: “so your friend Don lives on whatever street is before the trailer park? to which Marcus immediately agrees in next turn (“yep”). Bolden (2006, 2009) shows how “so” prefaced turns can be used to launch new interactional projects in a conversation such as a new sequence or topic, which does happen after a (1.5) second pause in line 45 where the officer asks “didja drive through the trailer park?” with an emphasis placed on through. While this turn launches a new project requesting a confirmation of the driver’s actions, it also ties back to the previous (inadequate) location reference used by Marcus when he was asked where his friend lived: on the street before the trailer park.

What other conversational action can the officer’s so-prefaced formulation be doing here? One direction is found in Bolden’s (2010) work on “and” prefaced formulations in everyday conversation and how these accomplish the distinct action of ‘articulating the unsaid’ in the other’s talk. Specifically, Bolden (2010, pg. 7) argues that by articulating the unsaid, speaker “performs a repair operation in the form of a request for confirmation...what is offered for confirmation is a ‘missing’ or unarticulated element of the addressees preceding talk...that the formulation is (claimably) inferable from the addressee’s previous talk...[and] the formulation is (claimably) done on the addressee’s behalf.” A similar type of repair operation is occurring here with a so-prefaced formulation.¹⁸ The one feature in so-prefaced formulations that is different is that the officer’s formulation is not done

¹⁸ Bolden (2010, pg. 27) suggests that in addition to *and*, other discourse markers such as *so* and *but* share similar features.

on addressee's behalf and thereby affiliating with addressee, but rather, it is problematizing or testing the "unsaid" in Marcus' talk thus far.¹⁹

The officer recasts Marcus' previous talk with a skeptical stance highlighting his failure to correctly reference the street his "friend Don lives on", the very street Marcus is claiming he just drove on which the officer lexically constructs as "whatever street" is before the trailer park. The officer's turn highlights the specific inadequacies in the driver's previous answer which is assumed to be within the epistemic domain of a driver: you should know the street where your friends live, especially if you are claiming you just drove on it. But, rather than treating the officer's formulation as a repairable, Marcus agrees with the officer's formulation (yep) which is then followed by a 1.5 second pause. The officer self-selects to continue his turn with a focus now on Marcus's actions (line 45) and asks "didja drive through the trailer park" emphasizing through. After a (1.0) pause, this is confirmed by Marcus (yeah) but he adds "when I came uhm from his house yeah" which posits the stance that upon leaving Don's house, the route he took was through the trailer park.

The officer then launches a new topic in Line 52 "how come your down the trailer park?" which is a *different question*—it positions Marcus as not just driving through, but doing something "down (in)" the trailer park. And Marcus treats it as a different question, but not before first soliciting a repair in line 56 where he asks "whatjamean?" which is a specific form of repair in conversation. "What do you mean?" and its variants have been shown to foreshadow disagreement in that it questions what the prior speakers turn assumes to be "common knowledge." (Hayashi, Raymond and Sidnell 2013).

¹⁹ For example, a female driver is stopped and the officer asks for her license registration and proof of insurance to which she replies "I don't have it with me I live right here." Although we learn "here" is at the corner just before the stop, the "it" is never specified. The officer then asks a series of wh-questions (where do you live, who does the car belong to, what's your name, where are you coming from) before asking "you don't have a drivers license on you or you don't have one?" to which she replies "I don't have it on me it's in the house." The officer then asks for her name and date of birth and then produces a so-prefaced formulation:

OF: kay-s-s(.) so your sayin you do have a val:;id driver's license you just don't have it with ya,

DR: I don't know if its valid or not I was suspended

OF: How long ago was that?

DR: about four months ago

Here, the so-prefaced formulation raises the issue of a "valid" license that has to this point, not been said, yet the claimably inferable from the previous requests to the driver. Later in the stop after the officer runs her information, her license *is* suspended and she has warrant for her arrest for failing to stop at an accident.

In line 56 the officer explicitly formulates the matter presupposed in his prior question: “didja stop and see someone in the trailer park?” Marcus answers in the negative: “no, I drove through the trailer park when I came from his house”—to which the officer in line 59 replies, after a 1.0 pause, “over all those speed bumps?” The officer’s turn is questioning “why would you do that—a reasonable person would not chose this as a reasonable route.”

Marcus’ next turn responds to the question’s understood meaning. He immediately proposes in lines 61–63 an epistemic stance which claims “no previous knowledge” of the speed bumps. *So, interrogating the epistemic status of driver in detail and monitoring epistemic stance is used to challenge the driver’s account of their behavior without directly saying—you are lying.* This is a consequential moment with important interactional upshot.

The officers have not observed Marcus stop and see someone at the trailer park—they have only seen him *leaving it*. There is an inference being made from his presence in the driveway that he must had some other reason for being in the trailer park.²⁰ So, what is Marcus doing in the trailer park? His account is “he’s just driving through.” But, the officers detailed area knowledge of the trailer park roads is deployed to *challenge* the driver’s epistemic status and account for his actions. The officer’s turn “o:ver all those speed bumps,” in line 61 questions why a reasonable person would chose this route, knowing there would be such obstacles. Officers employ a set of normative assumptions—a moral geography of how people use spaces. And the implication here is that one would never intentionally drive through an area you knew would slow you down. It implies that the driver’s answer defies commonsense. The officer’s turn and previous question further implies: if you are coming out of the trailer park, you are likely not *just* driving through, you had to have some other reason for being “down” there.

ASSERTING EPISTEMIC AUTHORITY

In response, Marcus proposes the bumps are new--until he drove through that day, he was not aware of the bumps. In line 65, the officer asserts in overlapping talk that the bumps have been there for a while, and after receiving no uptake, asserts the epistemic priority of *his* area knowledge in line 67: the bumps have been there

²⁰ The officers suspect he likely did stop and see someone in the Trailer Park. The search of his pants found \$55, a fact noted by OF1 later as “quite a bit of money.” In another set of questions, the OF1 learns that Marcus does not work currently, but is going to school at a local Community College. He also tells the officer that he was arrested before (in Bigcity) “on a street called Harvey” (which is the correct street name in Bigcity located a half mile south of the Avenue) which is known among officers as a drug area. Indeed, when Marcus was describing his arrest on Harvey to the officers, he says “he had nothing, but the corner is a drug infected area”

for a while, to which Marcus replies with an “oh” knowledge-receipt response indicative that he is treating this as news (Heritage 1984).

But, the officer pursues the matter further in line 69 proposing that Marcus *must have known* the bumps have been there: “since the last time you were in there.” His turn implies that the officer knows when Marcus was last in the trailer park—and it is followed by a one second pause after which the officer unsuccessfully pursues the driver’s agreement with his previous turn (“ya know?”). This is followed by a longer, two-second pause harkening back to Bittner’s observations of officers in Larimer: “The silences are quite useful because, during the silences, the man has to wrack his brain trying to figure out what the officer knows.”

In line 73, Marcus denies being in the trailer park previously: “thisis my las time in there I didn’t uh::.5) go in the trailer park.” This turn literally claims that when the officer saw him today, “this is” his last time in the trailer park—that there is no “since the last time.” Further, he states “I didn’t go in the trailer park” which is a claim contradicted by his presence in the trailer park driveway and his earlier report that he “drove through the trailer park” on the way from his friend’s house.

The driver is in a dilemma: to defend himself any further is to indict himself further in this sequence. Like Bittner’s officer in “procedures of interrogation” the situation is structured so that the temptation to lie or hide something is created here. The formulations of place are a resource in this investigatory sequence which elicits specific forms of area knowledge that are made consequentially relevant for participants in this setting. No further elaboration ensues after a (.5) silence, nor does OF₁ pursue the matter further here or any other time in the encounter. Marcus’ account for his presence in the trailer park driveway (i.e., he is driving through) has been challenged and problematized by the officer leaving Marcus’ last utterance-contradictions and all-as the last words on this topic. A topic with no resolution.

OF₂ switches topic in Line 76 to Marcus’ arrest history and proceeds to offer a “deal” to Marcus (transcript not shown): if Marcus will tell him if he has any drugs in the car and where they are, he will go “easy on him.” Marcus replies there are no drugs in the car, after which OF₂ conducts a very thorough search of the vehicle (visible on the video) but finds nothing. OF₁’s computer search of Marcus’ record while they are talking reveals his license is currently suspended, he has a current warrant for failure to appear in court for DWLS and a seat belt violation, and he has not had a valid license for close to three years. Marcus will be arrested for Driving While License Suspended 2nd offense—technically, a felony, but not one that is particularly valued as an “arrestable offense”.²¹ His car is towed and

²¹ In this jurisdiction, DWLS is considered among the lowest and weakest arrest without extenuating circumstances (for which you are accountable to peers), although at the time of this arrest, a DWLS 2nd offense provided an overtime opportunity for officers as it required that they appear in court the

he is taken to jail. It is at this point that the encounter becomes contentious as noted earlier.

CONCLUSION

Monitoring epistemic territories is a fine-grained conversational practice which can be quite consequential in a traffic stop. Specifically, examining location formulations and so-prefaced formulations demonstrates the officer's situated use of area knowledge to excavate and problematize the "unsaid" in an investigatory sequence to challenge the epistemic status of the driver and imply some other reason (e.g., engaging in drug dealing) for the driver's presence in a place he is perceived as not belonging. While those activities are not what the driver is ultimately held legally accountable for (i.e., he is arrested for not having a license), how the officer uses the Marcus' location formulations of where he was (his friend Don's house which is before the trailer park), and where he was first seen by the officer in the pre-stop phase (in the driveway leaving the trailer park) cannot be overlooked. The importance of area knowledge is not that it is an array of facts or a scheme of interpretation. The importance and consequentiality of speed bumps is specific to this stop, to this driver's account, to this officer's use of area knowledge in situ and the conversational practices to expose the "unsaid" in the citizen's talk.

This paper presents a challenge to present-day criminology and police studies to recognize the important EMCA underpinnings in Bittner's work. The important question of *how* the field can study *actual* police-citizen interactions made possible by technologies now routinely embedded in the patrol cars (dashboard cameras) and on officer's bodies (body-worn cameras) should take into account the direction already provided by one of its acknowledged intellectual giants, Egon Bittner, and the rigorous approaches of Conversation Analysis and Ethnomethodology. The current dominant approach to studying police-citizen interaction are

next morning. It is not clear in this stop, what factors are contributing to the arrest decision. In the conversation between OF₁ and Marcus, at the point where Marcus' driving record is returned on the computer and it is clear there are legal issues, Marcus reports that "Mister Pataine" a detective in the Special Investigations Division (SID) which investigates drug dealing, "helped him" get papers from his vehicle the last time it was impounded. In response, OF₁ immediately asks Marcus "what are you doin for Pataine? Anything?" to which Marcus first replies "what am I-whadja mean? And the officer repeats with explicit emphasis "what are you doing for Pataine? Anything? Is he-are you helping him out with anything?" to which Marcus replies "awwnahw nuh." After a two second pause, OF₁ declares "well you're suspended. This suggests that Marcus is "a snitch" working for Pataine. Snitches are instructed to not tell other officers if they are working for SID as a means of protecting the officer's information and assets. Further, snitches often do not carry drugs on them or in their car (as is the case here) knowing too that another drug arrest will violate the terms of their agreement with the SID officer.

grounded in Balesian observational schemes (see Mastrofski 1998, Schulenberg 2015) which code observed interactions—missing the significant interactional detail a good ethnography of the police as represented in Bittner’s Larimer Tours captured. It is proposed here that Bittner’s understanding of police practices can and should be advanced by recognizing that the theoretical and methodological path for a linguistic turn²² in the field has already been charted by Bittner.

The benefits of using applied conversation analysis to the institutional setting of the traffic stop context also carries with it the promise for addressing important issues in the field of criminology like race relations between the police and community (Duck 2017, Rawls and Duck, forthcoming) and procedural justice (c.f. Lowrey-Kinberg and Buker 2017). For example, Marcus’ claim of mistreatment is itself oriented to the details of police practices and action (i.e., “you know that’s not why you pulled me over you made a whole U turn you know you couldn’t even hear my car”). And this is just one of a number of complaints of mistreatment found in this traffic stop encounter.

But it is also important to understand too Marcus’ turn-by-turn contributions to the interaction in ways that increase officer’s suspicions by not being able to produce the expected and accountable information associated with epistemic status. We should reasonably ask what level of detail *is* a driver expected to “know” and be able to articulate when asked? Are officer’s expectations of precise answers unreasonable or do they violate the interaction order level of race relations (Rawls 2000, Rawls and David 2006)? Under what conditions do officers afford the benefit of the doubt and to whom and importantly, what do these encounters look like interactionally?

This last question is often explained by citing the role of “officer discretion” “differential treatment” or more recently in cases involving persons of color, “biased policing.” Typically, such explanations are based primarily on encounter outcomes with little focus on the details of the interactional processes which are constitutive of those very outcomes. There is a focus on process found in the procedural justice literature which argues that officers should actively give citizens a ‘voice’ in the interactional process to increase citizen’s perceptions that they have been treated fairly. However, what that process of “giving voice” looks like interactionally has yet to be examined using the *actual* interactions between police and

²² Shon (2002) provides a good theoretical argument for a linguistic turn which uses CA but combines it with a semiotic and post-modern analysis (see also Shon 2003). While focused on actual police-citizen interaction, in my view, part of the problem Shon’s work faced was that it a) used data ostensibly drawn from the television show *Cops* combined with a small number of privately recorded traffic stops by one of his students which appeared to be for speeding or other moving violations not investigatory stops; b) his use of CA is overly structural/deterministic and; c) his knowledge about police practices (i.e., “unique adequacy.”) suggests a limited amount of time spent in the setting where his data was collected.

citizen (c.f. Lowrey-Kinberg and Buker 2017). These are some of the important questions and issues to be addressed in future research using an ethnomethodological and conversation analytic approach to the study of police-citizen interaction inspired by Egon Bittner's observations about conversational practices of the police in the Larimer Tours.

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