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The Proactive Approach

Comparing the applications of proactive security by Dutch public and private security actors

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Abstract

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This thesis attempts to make a comparison between the applications of proactive security measures between private actors and public actors, and to relate this comparison to the inherent risk of ethnic profiling that accompanies proactive security measures. The thesis conducts extensive literature review of ethnic profiling and to operationalize risk factors and mitigating factors in relation to ethnic profiling, and public applications of proactive security in the Netherlands, and an in-depth interview with representatives of a number of Dutch private security companies that apply proactive security in combination with a questionnaire that was held among the personnel of these companies. The case for comparison between the public and private cases is based on the seminal Street Level Bureaucracy Theory (Lipksy, 1980).

The research comes to the conclusion that in relation to proactive security Lipsky's theory presents an acceptable framework for comparison between the public and private cases. In applying proactive security measures public and private actors face many of the same challenges, in particular in relation to ethnic profiling. Public security actors are at an inherent disadvantage regarding risk factors in relation to ethnic profiling, however, private actors do not appear to be capitalizing on their comparable advantage. Both parties could make strides towards combatting ethnic profiling in their own right.

Introduction

General

Security can be defined as the state in which one is protected or safe from harm. In a perfect world, the government would be perfectly able to prevent harm and crime from befalling its citizens. The government's acting branch, the police, would have the skills and resources to recognize and approach each and every potential criminal prior to the moment where they commit their crimes. The world would be a secure place. A perfect world would also allow its citizens near-perfect freedom to live their lives the way they choose to do so, equally. Each person would be free to live his or her life so long as it does not compromise the freedom of others.

It is the conclusion of criminologist Boutellier (2002) that this utopian fantasy exist among civilians, that the police can offer maximum safety and security and maximum freedom for civilians at the same time. This utopia implies that the police indeed would be able to perfectly discriminate between those citizens who are 'innocent' and those who are 'criminal'. The police would then only need to apply their freedom-encroaching methods to those citizens who commit crimes.

To facilitate this utopian secure state of Boutellier, where there is perfect security, there is not only the need for punishment and freedom-encroaching of those citizens who have committed a crime, but also those citizens who are certainly about to commit a crime. The police would have some supernatural, infallible ability to discriminate perfectly between the innocent and the criminal, much like in the well-known movie based on Philip K. Dick's short story: 'Minority Report' (1956).

In our non-utopian reality, however, we have not yet discovered a reliable method for perfectly discriminating between those who are certainly innocent, and those who are certainly criminal. In lieu of this certainty many Western governments have attempted to take measures towards a secure state not through certainty but through probability, in what Beck (1992) describes as the 'risk society'. There are many statistically 'predictable' risk factors that increasingly play a role in the application of policing. In a society where the collection and analysis of data of all sorts is increasingly a central process to many government activities, the 'information society', to increase the effectiveness of policing and security this knowledge is applied into practice (Ericson & Haggerty, 1997).

Much like in the prediction tools in 'Minority Report' this risk factor driven application of predictive policing and security can lead to unwanted outcomes. Innocent groups of individuals are being perceived as potentially criminal because they possess one or more criminal risk factors. There are increasingly reports and signals of the criminalization of race, culture and belief in Western society. Even in the Netherlands, often perceived as a beacon of social freedom and acceptance, this discussion is now a very common concern with commentary from the media, human rights organizations,

scientists, and even the police themselves. Amongst other things, the publication by Amnesty International of a report on Ethnic Profiling in Dutch police (Amnesty International, 2013) is a direct motivation for the topic of this thesis.

Research Scope

This thesis will focus on an aspect of this dilemma that has, as yet, been under-researched. In recent years the subject of proactive security measures has primarily enjoyed much attention and research in the context of the public domain, i.e. policing, customs and immigration (Landman & Kleijer-Kool, 2016 & Çankaya, 2012 for Dutch research, or Glaser, 2015 for a more international review). The attention has been far sparser in the private domain. This lack of research is evident in a larger-scale problem of the lack of evaluation in the growing field of preventative security measures (see for instance: Eijkman & Schuurman, 2011). Particularly in the context of Crisis and Security Management this is an interesting subject to consider: the manner in which public and private actors perform certain patterns of security management.

As such, this thesis will focus on the application of a particular type of proactive security measures. Although there are many applications of policing and security that have a preventative goal, the scope of this research will study those methods that are centered on individual security agents (public or private) who based on instructions from their superiors undertake some sort of non-voluntary interaction with citizens who have not yet committed a crime but who the security actor identify as potentially threatening.

This approach to security holds that citizens are likely to be affected by security measures before a crime is committed; the approach has a preventative focus. In the process of selection of which citizens to approach and which not to approach there is the danger that the method might be applied unequally between different subsets of citizens based on for example gender, age or appearance. This effect is apparent in research and messaging around the phenomenon of racial profiling (see for example Amnesty International, 2013).

The research will be limited to the case of The Netherlands for a number of reasons. Firstly, there is currently both great societal relevance of the subject in the case of the Netherlands with the discussion dominating the news on several occasions in 2016 (NRC, 2016; KRO-Brandpunt, 2016). Secondly, since 2013 there has been an increase of academic studies on the public application of proactive security measures in the Netherlands from a number of different sources and perspectives, this leaves a gap in academic knowledge on the private case in the Netherlands with rich source material to compare it to. There is also an insufficient body of knowledge that attempts to combine the phenomena of proactive security measures and ethnic profiling in both the public and private applications in The Netherlands, while the general interest for both subjects is only likely to grow.

Finally, in regards to the specific cases to be researched, which have already been established to be either public or private security actors the following is relevant for this research. There are

numerous public applications of proactive security existent in the Netherlands, however this paper will focus primarily on the Dutch Police as public security actor in this regard. This is partly because of the sheer availability of data and information at this time; the Dutch Police has been the primary focus of earlier research. The main reason for the focus, however, is that the Dutch Police is the largest actor in the executive branch that applies proactive security in such a visible manner.

Currently, much of the attention in media and academics towards this subject in the public sector is based around the claim that such proactive measures disproportionately affect people of color. This phenomenon has been named Ethnic Profiling, and most of the recent research and publications on the subject of proactive policing at least pays attention to this subject. There is, however, no consensus or data concerning the actual prevalence or specific causes of this phenomenon.

The ongoing process of the privatization of security holds that it is likely that preventative security techniques also occur in the private sector, and there is anecdotal evidence of this in recent media discussion (RTL Late Night, 6-9-2016), as well as some small academic enquiries (Hadidi, 2012), and of course numerous private security companies that actively promote proactive security measures as innovations and unique selling points (For example; Rijksmuseum in Security Management, SoSecure in Security Management, D&B, Schiphol). The novel cases central to this thesis are cases obtained in the private security domain, which will be compared to existing knowledge of public actors, i.e. the Dutch Police. The private cases are selected based on their public acknowledgement of proactive security practices and willingness to cooperate in the research.

Research Goal

Given the current state of academic knowledge on proactive security methodology in the Netherlands the goal of this research is to fill the knowledge gap in regards to the private sector to compare this to the public sector applications and observe how this relates to the current societal debate around this topic. To achieve this goal the research aims to answer the following research questions.

Main Research Question

How does the application of proactive security measures by private security actors in the Netherlands differ from the application by public security actors in the Netherlands, and is either application better suited to mitigate Ethnic Profiling?

Sub-Questions

1. What is Proactive Security?
2. What is Ethnic Profiling?
3. Can private security be compared to public security according to Lipsky's (1980) characteristics of Street Level Bureaucracy?
4. How does the Dutch public sector apply proactive security?
5. How does the Dutch private sector apply proactive security?

Methodology Outline

To answer these questions this thesis will apply a combination of different methodologies and sources. The thesis will include a literature review into the subject matter and Dutch public case, followed by qualitative research into the novel Dutch private case. This comparative case study consists of a comparative analysis between a literature review of the public case and interviews with a number of respondents in the private sector case.

Literature Review

The literature review will be focused on clearly defining a number of key concepts necessary for the later comparison of the public and private sector applications. A clear definition of proactive security will be constructed from the definitions applied in both settings. The characteristics of Street Level Bureaucracy will be identified, so as to have a framework in which the work of public and private security actors might be compared. Furthermore an in depth description of the current state of affairs in the Netherlands concerning the racial perception of crime at a societal level will be researched, along with a clear definition of Ethnic Profiling.

Qualitative Research

The qualitative research will be conducted in a number of carefully selected respondents from the private sector case. These respondents are private security companies in the Netherlands that clearly advertise proactive security as one of their products. Interviews will be conducted with representatives from the companies aimed at identifying the manner in which the companies perform proactive security and if the work environment shows the characteristics of Street Level Bureaucracy. In addition to this an employee questionnaire will be conducted among relevant staff aimed at identifying the same information for purposes of source triangulation.

Thesis Structure

This thesis firstly constructs a theoretical framework; it paints a picture of the context and defines a number of important theoretical concepts. The social context, the privatization of security, growing focus on crime prevention, the racial perception of crime and ethnic profiling are the central theoretical aspects that require clear definition.

After the theoretical framework has been constructed this thesis continues to describe the methodological approach to this research. Two particularly important methodological aspects are 1) the framework for comparison between the two main research subjects, and 2) an operationalization of risk factors pertaining to ethnic profiling in proactive security practice. Followed by a presentation of the results of the research.

The thesis comes to a close by drawing conclusions from the research results and presenting a number of recommendations for future research and professional practice.

The Modern Context of Proactive Security

Social Context

In order to analyze the application of proactive security by public and private actors in Dutch society, consideration should be given to the current social context within which these measures take place. Security, as governments provide it to citizens is always a nuanced interplay between the current threats and the security demands of a society at any given time. As such, any thesis analyzing a contemporary security method should include an overview of the state of affairs of the threat and security context in the case to be studied.

As such, consideration should be given to the security landscape in the 'Western world', and The Netherlands in particular, in what is often referred to in security literature as the "post 9-11 era". It is undeniable that the events of the 11th of September 2001 in New York City have had a large and lasting impact on many aspects of 'Western' life. Nowhere is the impact more tangible than in the realm of security, however. The general perception of society as being vulnerable to such high-impact attacks in combination with many governments' risk-based approach to security policy has forever changed the way in which policing and security are applied. The average citizen is far more accepting of much more intrusive security measures if they are perceived to create more resilience to threats (Hadidi, 2012).

The wider trend in most Western societies is a decline in crime and mortality in the broadest sense of the word. In The Netherlands, for instance, According to the Centraal Bureau voor de Statistiek (Central Bureau of Statistics, CBS) in 2014 36% of the Dutch population above the age of 15 had occasional feelings of insecurity. This number has been steadily declining since 2007. According to the same report only 2% of the same population had been a victim of violence in 2014, 13% had been a victim of property crime, and 7% had been a victim of the crime of vandalism. All of these numbers are either equal or slightly lower than 2013. This trend is also apparent in many other reports, for instance the FBI United States Crime Rate (FBI, 2016: Table 1) that also shows a larger trend indicating declines in violent and non-violent crime.

Frank Furedi, describes this as an 'age of insecurity' (Furedi, 2008; 645), going on to describe an increasing focus on *vulnerability*, rather than *resilience*. This is likely to have only become truer since the publication of Furedi's seminal work. With the average western citizen being safer from crime than ever, there is an increased fear of crime and threats, an increase in the sense of insecurity. In particular terrorist threat in Western society has contributed to this sense insecurity. Since 2001 there have been sporadic, but devastating, international terrorist attacks in Western Europe, such as the Madrid and London bombings in 2004 and 2005 respectively. These acts of international terrorism can be observed as having the same effect on the sense of vulnerability. This effect is continued through an increase of relatively simple, but high-impact, attacks in recent years (in Brussels, Paris, Nice and Berlin).

Furedi states that this sense of vulnerability causes an increased focus on *possibilistic* thinking, rather than *probabilistic* thinking in society, and in turn in security policy (Furedi, 2007). Security policy is often colored by 'What-if'-scenario's, threats that, although unlikely, would have great impact. Boutelier's (2002) security utopia is strained farther and farther by this possibilistic focus. It is interesting in this light to observe that although in 2015 and 2016 at long last there was an increase in international terrorism in Europe (Institute for Economics and Peace, 2016), this took the form of relatively low-impact scenarios, simple to execute scenarios. The move away from complicated scenarios such as bombings and airplane hijackings to more simple scenarios such as shootings and the hijacking of trucks illustrate this.

Privatization of Security

This thesis aims to compare the application of a particular type of security measure by public and private security actors. As such, consideration should be given to the growing dependence of western society, and in particular Dutch society, on private security. How has the privatisation of security progressed, what are the leading academic theories on privatisation in general and the privatisation of security in particular?

At the end of the 1980's policing in the Netherlands, after already having moved from a social-normative function to a police service, in the context of further reduction of government size launched the concept of 'Integrale Veiligheid' or integral security. What is also often referred to as *horizontalization* is the sharing of security tasks with lower governments, social organisations, citizens and business.

This has led to *responsibilization* of Dutch society in which the state shares responsibility for security with all of society, including citizens and business. (Peper, 1999; Bruinsma, van de Bunt & Haen Marshal, 2001)

Privatization in its broadest descriptive sense is applicable to many different situations and subjects. It may be described as 'the shifting of a function, either in whole or in part, from the public sector to the private sector' (Butler, 1991: 17). Privatization portrays a radical shift of responsibilities away from the branches and agencies of government and towards a market. This changes the manner in which citizens are able to promote, articulate and change their individual and shared interests. The phenomenon of privatization is in itself neither a good nor a bad thing. However, the manner in which privatization takes place, how accountability is enforced, and how individual interests are chased and promoted may change for the better or the worse. It is the differences in these factors that will be a central point in the comparison researched in this thesis.

Privatization is a process that is initiated under a number of different political underpinnings or societal causes. Feigenbaum and Henig (1994) offer a typology for the different perspectives that

should be considered when analyzing a process of privatization. Consideration in this sense should be given to the administrative, economic and political perspectives surrounding the privatization process.

The administrative aspect centers on the privatization process being motivated by government applying the privatization to make processes more effective through setting and reaching goals; the privatization can be seen as a tool. The economic perspective deals with the privatization process being concerned with, as the title suggests, an economic aspect. This could be at a macro-level, where government believes a certain government process to no longer be economically viable, or on a micro-level where bureaucrats or other interest groups see the possibility of turning a profit on a particular public service or good.

The political perspective is less clearly defined; it attempts to explain all other motivations not covered by the administrative or economic perspectives. The authors state that the political approach shows three distinct general strategies for using privatization to achieve political goals; these are the systematic, tactical and pragmatic approaches. Any of these approaches may be applied as is necessary to achieve a particular political goal for instance to win acceptance within a particular voting demographic

The systematic approach is called as such because it describes the approach taken when governments attempt to fundamentally change society as a whole through the privatization of a certain government function. The expectations placed on government in relation to oversight, responsibility and enforcement of the function are lowered.

The tactical approach is named as such because it describes the approach often taken to achieve certain (often short-term) goals of politicians, parties or interest groups. Such goals may be to reward or punish political friends or opponents, as well as to gain an advantage in winning an election.

The pragmatic approach is comparable to the administrative perspective; the main difference being that the short-term focus of the pragmatic approach often requires more discrete and context-dependent applications. The pragmatic approach seeks solutions to meet immediate problems, where the administrative perspective aims at efficiency for efficiency's sake.

An important development that has had a clear impact on the manner in which security has become a far more privatized function in modern western society is the 'commodification of security'. The public opinion of the concept of security has radically changed, particularly since 2001. A notable change in security as many governments apply it is the (often partial) abolishment of the traditional monopoly on violence held by western governments. This is a radical change, and a testament to the privatization of security (see for instance: *The Washington Post*, 5-12-2006). A strong example of this phenomenon is the application of so-called private military companies (or PMC's) in different warzones around the world.

The commodification of security hinges in a large part on observing security as a good that has a party commodifying it. This approach to defining security allows it to be defined at the individual level of the user, or perhaps client, of the security. Baldwin (1997) states that each individual definition

of security in this sense is dependent on how seven questions are answered: security for whom, security for which values, how much security, from what threats, by what means, at what cost, and in what time period. This definition of security is a long throw from more classical conceptual definitions of security, many of which were developed in a pre-privatized and international security context (see for instance: Ole Weaver, 2012). The definition is however uniquely appropriate to defining citizen's personal sense or definition of security, which at the national level is what will politically be most pandered to. In short; the definition of security most relevant to political choices at the national level, is the definition of security held by most individual voters.

Seen in this sense security is no longer a lofty philosophical state of being, but rather security is much more closely catered to individual people's perception of risk and security. Many more actors than just political actors therefor influence the perception of risk in modern times, with (mass) media in particular playing a significant role. And it was Beck himself who drew attention to the market potential of these new, modernization risks: "risks are no longer the dark side of opportunities, they are also market opportunities." (Beck, 1992: 46).

The marching increase of the private security sector is undeniable. For instance approximately 2 million people were employed by the private security industry worldwide in 2011 with a collective turnover of approximately some 100 billion Euros in the same year, the European figures for the same year were approximately 180.000 people and between 26 and 36.5 billion Euros (European Commission, 2012). The Dutch private security branch was estimated to have a collective turnover of 1.374 billion Euro in 2015 (European Commission, 2016). Analysis of the yearly revenue of the Dutch private security sector shows that, although it is not immune to the larger economic factors such as the economic depression that affected the Netherlands in recent years, the private security branch has shown remarkable growth even since 2003. This growth is contrasted sharply with stagnation, and flat projections for the Dutch Police. This growth is apparent with sector growth being larger than GDP growth worldwide (European Commission, 2012).

Preventative Focus

According to the Centraal Bureau voor de Statistiek (Central Bureau of Statistics, CBS) in 2014 36% of the Dutch population above the age of 15 had occasional feelings of insecurity. This number has been steadily declining since 2007.

According to the same report only 2% of the same population had been a victim of violence in 2014, 13% had been a victim of property crime, and 7% had been a victim of the crime of vandalism. All of these numbers are either equal or slightly lower than 2013.

Cumulatively 1 in 5 Dutch citizens over the age of 15 were victims of 'traditional' crime in 2014. This number has been noticeably decreasing since 2007, particularly in relation to violence and vandalism. These victims are more likely to be male, young, non-western immigrants and living in a

highly urbanised environment than they are to be female, elderly, ethnically Dutch or western immigrants.

As such, it can be concluded that objectively speaking the Netherlands is a relatively safe country. Most crime numbers have been steadily dropping for a long time.

Criminal events come to the forefront of public attention in a manner that not many other events do (Skogan and Maxfield, 1981). Criminal acts of all kinds receive remarkable attention in mass media, entertainment and, more recently, social media. Even without such a spotlight on them, criminal behaviour is something profoundly interesting to most. It entails conflict, debates about human nature and motivation, misfortune of the victims, and it sheds a light on social order and justice (or lack thereof). The very existence of crime in a relatively safe society, even though it is diminishing, can apparently still captivate and influence the citizens of the Netherlands. The absence of crime may lead to increased fear of crime; this is a strong motivation for measures that prevent crime.

A particular type of security measure that is becoming more and more common in both public and private security in The Netherlands is the application of security measures with a preventative focus. Historically both the police and private security might be described as having a reactive focus. Classic police work, is widely defined as being aimed at specific perpetrators and the detection of criminal offences (Johnston & Shearing, 2003: 15). This is a definition of police work that is closely bound to a classical interpretation of criminal law and a strictly penal mentality. In this classical sense the police might be interpreted as 'fire-extinguishers'; reaching the fire as quickly as possible, extinguishing it and waiting for the next report of a fire (Horn, 1993).

Racial Perception of Crime

According to the Centraal Bureau voor de Statistiek (Central Bureau of Statistics, CBS) in 2015 40.7% of the reported discrimination in the Netherlands was racial discrimination. With 1765 reported cases of discrimination this easily outstrips discrimination by age (472), gender (340) and disability (363) in the same year. Race has been the leading form of discrimination in the Netherlands for years, often by a larger margin than in 2015. (Coumans, 2016)

One way in which the perception of threat is influenced in the Netherlands is the societal perception of crime as a (at least partially) racial issue. This perception is fuelled by the manner in which mainstream media frame race and crime, but it is not surprising given that according to the Centraal Bureau voor de Statistiek (Central Bureau of Statistics, CBS) over 30% of people suspected of a felony in the Netherlands in 2013 were of non-western minority groups. This group accounts for only 11.7% of the Dutch population (CBS, 2015). It is possible that these numbers are exaggerated to some degree by police and justice policy and conduct in combatting crime, social economic realities of ethnic groups as well as urban and geographic displacement of ethnic minority groups. The numbers do not directly reflect some sort of natural tendency to crime for ethnic groups, but they do help paint the

reality that is displayed to society further influencing popular beliefs in regards to crime and ethnicity. It is to the backdrop of this that not only the media and statistics influence popular beliefs; there have been multiple instances of Dutch politicians conducting a discourse on the ethnicity of crime in very matter of fact tones (and this is not just a crime of the right-wing).

Former Dutch labour-party (Partij van de Arbeid, PvdA) leader Diederik Samsom said in an interview with a major Dutch newspaper about his experiences on the front lines of community policing and coaching, that Moroccan youths in Amsterdam have an 'ethnic monopoly' on street nuisance, and complained that the punishment for these infractions was too soft to be effective (NRC, 15-09-2011). Populist right wing Freedom Party (Partij voor de Vrijheid, PVV) leader Geert Wilders was recently found guilty of 'offending a group' (groepsbelediging) and 'incitement to hatred' (aanzetten tot haat) for his exclamation of 'we'll take care of that, then' in answer to the chant of 'Less! Less! Less' by a crowd gathered at a campaign event answering his question of: 'do you want more or less Moroccans in this city?'. Years earlier Hero Brinkman of the same PVV party stated that 'many cities are infested by an epidemic of Moroccan violence (Officiële Bekendmakingen, 9-10-2008). The conservative liberals (Volkspartij voor Vrijheid en Democratie, VVD) are also on occasion less than careful when handling the complicated matter of race and crime, speaking of a 'nation on fire' (Het land staat in brand, see: NRC, 11-10-2008) and inciting something of a moral panic in response to a single assault on a bus driver by a youth of an ethnic minority.

Theoretical Framework

Proactive Security

A paradigm shift has moved policing to a more preventative focus since the 1970's. Increasingly, the police attempts to combat and minimize security threats through a 'risk mentality' as opposed to the classical 'penal mentality' (Johnston & Shearing, 2003). An example of this new mentality in policing practice in the Netherlands is the 2001 'Tegenhouden' (Obstructing) strategy launched by the Projectgroep Opsporing (Detective Project Group) of the Dutch Police. In numerous studies since the first implementation of this 'Obstructing' strategy Dutch police has sought to redefine the nature of policing.

This paradigm shift is not only apparent in the application of policing, as in recent years the question of preventing crime has come to the forefront of many private applications of security. Nowhere is this more apparent than in the commercial airline sector. Although there is a general consensus that the commercial airline sector greatly increased the investment in security in reaction to 9/11, the air transport system has been a common target for varying types of attacks for many decades (Sweet, 2009). In fact, the amount of worldwide plane hijackings has dropped since the 1980's. However the scale and impact of the 9/11 attacks created the conditions and political support to completely reform airline security to what it is today.

Airports are the gateways through which crew, employees and passengers gain access to air transport. As air transport has proven to be such a preferred target, this leaves airports "constantly under threat [...] from a variety of sources" (Kirschenbaum et al., 2012). As such, nowadays, when entering an airport, one enters a complicated nexus of technological and human security measures aimed at mitigating any and all potential threats to air transportation.

Modern airports tend to be structured in a component-oriented fashion in this sense. Adapting the security nexus by 'patching' known weaknesses, often through technological means. Examples of this approach to security include such measures as cracking down on liquids & pastes, and introducing full-body scanners in reaction to plastic explosives. This security has in many cases been created in a very layered fashion with measures being introduced in many cases in direct reaction to specific incidents. As the security nexus evolves, the threats have shown to evolve with it, and will likely continue to evolve in the future. One might argue that in the arms race of security versus threat, security will always lose. "The best lesson the past has taught us is that next time it will be different" (Baum, 2011).

Given this inherent weakness in strategy it is not surprising that technological measures have not completely replaced the human factor in security. One way in which security may circumvent the arms race of threat is to focus less on "bad objects" and more on "bad people" (IATA, 2012). This is not a new approach to security; Israeli airports and El Al have been applying human-based security methods targeting human intentions rather than human means since the 1970's. In fact, the

'Behavioral Profiling' method of security was developed as a reaction to the 1974 Ben-Gurion Airport attacks by the People's Front for the Liberation of Palestine, through members of the Japanese Red Army.

The 1974 Ben-Gurion terrorist attacks were performed by Japanese members of the Japanese Red Army, in what can be seen as an early international cooperation between different terrorist organizations namely the Popular Front for the Liberation of Palestine. The Japanese terrorists managed to relatively easily circumvent El Al's racially driven security measures, which focused on people of Arabic identity or appearance. This shows that not only is a racial selection method in security measures (often referred to as racial or ethnic profiling) morally and ethically questionable, and possibly conflicting with equality rights, it is also clearly an ineffective focus in security creating obvious blind spots that can easily be taken advantage of (See for instance: Glaser, 2015; Çankaya, 2012; Amnesty International 2013; Hadidi, 2012).

Ethnic Profiling

It is a combination of the shift towards preventative measures in security and an increasingly racial perception of certain types of crime that creates a great risk for unequal treatment of racial minorities by public and private security actors in the Netherlands. In fact, there is reliable evidence that ethnic profiling is quite pervasive within the Dutch public context (see for instance Çankaya, 2012; Amnesty International 2013) as it is in the public context of many Western countries (see for instance Glaser, 2015). This thesis will focus in particular on one type of proactive security measure, sometimes referred to as behavioral or predictive profiling. It is the combined conclusions of the two previous chapters that form the basis of a possible negative outcome of proactive security in this form (behavioral profiling) in the guise of what is often referred to as ethnic profiling. However, in order to operationalize ethnic profiling in the context of this thesis, a definition of ethnic profiling should be explicitly selected and potential causes of ethnic profiling should be discussed.

Defining Ethnic Profiling

Ethnic profiling is a well-documented phenomenon that is fuel for heated debate in society. It would be impossible to research the applications of proactive security without addressing the issue. This following section will present different definitions of ethnic profiling, and select one to apply in this thesis. The terms racial and ethnic profiling are used rather interchangeably in this thesis and other research.

There are as many different definitions for what is known as racial or ethnic profiling as there are different entities that handle the subject. To come to a consolidated working definition of ethnic profiling the definitions held by a number of international organizations, the Dutch police and leading researchers are listed and compared.

The European Commission in its letter of July 7th 2006 gives one of the broadest definitions of ethnic profiling when it states that

racial or ethnic profiling is defined as 'encompassing any behavior or discriminatory practices by law enforcement officials and other relevant public actors, against individuals on the basis of their race, ethnicity, religion or national origin, as opposed to their individual behavior or whether they match a particular 'suspect' description'.

The Council of Europe's European Commission against Racism and Intolerance (ECRI, Recommendation N^o 11):

"The use by the police, with no objective and reasonable justification, of grounds such as race, colour, language, religion, nationality or national or ethnic origin, in control, surveillance or investigation activities."

The European Union Network of Independent Experts on Fundamental Rights seeks a more specified definition than is held by many other European institutes in two ways. Firstly, the network explicitly states that race is no scientific denominator but that racism exists in ideologies or policies based on the false assumption of the existence of race. Secondly, the network makes a clear distinction between ethnic profiling as a method applied by police and other public actors against individuals and certain other private or public practices that apply an ethnic profile of sorts. An example of this is a case delivered to the Dutch Equal Treatment Board (Commissie gelijke behandeling) in 2004 in relation to certain postal codes in Amsterdam having been classified as dangerous due to high crime rates. A television provider denied service to an individual living in one of these areas. The service was denied to protect the provider's staff and equipment. The Equal Treatment Board ruled that, although the security of staff is a legitimate aim, the effects of denying service to areas was not proportional, as it effected a disproportional amount of *allochtonen*, i.e. immigrants to the Netherlands, or persons with at least one non-Dutch or immigrant parent. With this in mind the European Union Network of Independent Experts on Fundamental Rights gives the narrow definition of ethnic profiling as:

“The practice of using ‘race’ or ethnic origin, religion, or national origin, as either the sole factor, or one of several factors in law enforcement decisions, on a systematic basis, whether or not concerned individuals are identified by automatic means.”

The European Union Fundamental Rights Agency (FRA), uses the term “discriminatory ethnic profiling” in their explanation of the description of ethnic profiling. This term is problematic from a point of view of combatting the negative effects of ethnic profiling, as it implies a form of ethnic profiling which is not discriminatory. The FRA states that ethnic profiling is present

“where a decision to exercise police powers is based only or mainly on that person’s race, ethnicity or religion.”

The Open Society Justice Initiative, an initiative of the Open Society Foundations, has over the past decade conducted and funded extensive research into the application and effects of ethnic profiling in Western Europe and the United States, as well as assisting in legal action against ethnically biased treatment by police. Over the many years of researching ethnic profiling and its impact on societies and individuals the Open Society Justice Initiative has developed a highly comprehensive definition of ethnic profiling. The OSJI defines the phenomenon of ethnic profiling broadly as

“the practice of using ethnicity, race, national origin, or religion as a basis for making law enforcement decisions about persons believed to be involved in criminal activity.” (OSJI, 2012, pg. 13).

This practice may result from a skewed form of decision making of individual officers, or from whole institutions and even societies within which they operate. OSJI goes on to expand the definition of ethnic profiling from the actions of police officers to ethnically skewed data gathering by law enforcement.

In a recent publication of two reports by the Dutch police, the opportunity was taken to clarify the definition that is held by the Dutch police in regards to ethnic profiling. The publication states that the Dutch police wishes to be “a police force for everyone’ and that this makes ethnic profiling an important subject. The publication goes on to state that ‘profiling is a part of police work, but should always take place based on a combination of factors. Such as location, vehicle and criminal profile. In this context someone’s physical features may of course be relevant. This is not ethnic profiling.” (politie.nl press release, 3-10-2016).

On the basis of this reasoning the Dutch police frames ethnic profiling under a different definition. The use of a person’s physical features, such as ethnic appearance, are fair game as long as they are somehow congruous or incongruous with other factors, such as time, location, vehicle and criminal profile. Through this reasoning the Dutch police has stated that stopping someone based solely on his or her appearance is unsound, unprofessional, ineffective and undermines the trust of citizens in the police. Through this ethnic profiling is defined by Dutch police as follows.

“stopping someone based solely on his or her appearance.”

In a very recent publication in ‘Politie & Wetenschap’ (Police and Science) (2016) titled ‘Boeven Vangen’ (Catching Culprits) Landman & Kleijer-Kool attempt to better understand ‘proactive police action’. In doing this, they too take into account a number of different definitions, which they orient in three different categories of definitions. Firstly, there are definitions emphasizing the meaning given to racial profiling by the police officers, such as Glaser (2014: 3):

‘Racial profiling is the use of race or ethnicity, or proxies thereof, by law enforcement officials as a basis for judgment of criminal suspicion.’

Secondly there are definitions that add to this the absence of an objective or reasonable justification, such as Amnesty International’s definition (2013: 5):

‘The use by police, without design and reasonable justification, of grounds such as race, colour, language, religion, nationality or national or ethnic background, in control-, security- or investigative activities.’

Finally there are the definitions that also take into account something called disproportionality. This is in itself a difficult element to add to the equation.

Ethnic profiling is also defined strongly as what it is not. Immediately it is pointed out that ethnic profiling focuses on law enforcement actions based on generalizations made about race, rather than individual behavior and objective evidence. The OSJI, like many other sources, clearly defines that ethnic profiling is also not the same as criminal profiling, suspect profiles or many other forms of 'profiling'.

The OSJI states that ethnic profiling, although fairly prevalent for many years it has increased in the EU in recent years. Factors are stated to have been rising concerns about illegal and undocumented migration and the post 9/11 terror threat, combined with the 2003 Madrid bombing, the 2005 London bombing. It is likely that the 2013 and 2015 Paris attacks and 2016 Brussels bombing may also have comparable effects.

According to the OSJI ethnic profiling is so prevalent because it is notoriously difficult to resolve. Police organizations and officers alike often feel that they are unfairly targeted as being racist. This is further evidence to the fact that many police officers do not perceive their actions as being driven by racist views.

The OSJI names a number of possible causes for the prevalence of ethnic profiling from the perspective of law enforcement agencies. Racist individuals are very direct deliverers of ethnic profiling in practice, but the habitual, unconscious and widely accepted negative stereotypes are likely to be a more pervasive reason for the continued existence of the phenomenon.

In certain cases, however, ethnic profiling is known to result from certain institutional policies that target particular crime types or geographic areas. This can, in practice, disproportionately impact minority communities. This holds with the definition that ethnic profiling may be a direct or indirect form of racism.

For instance, in 2010, the French Ministry of the Interior circulated an internal memo through law enforcement with the task of capturing and deporting to Romania persons who appeared to be Roma. This is an institutional policy that is clearly an infringement of human rights and constitutes a form of discrimination.

In summary the OSJI lists that ethnic profiling:

1. Is a form of discrimination
2. Refers specifically to law enforcement practices, including police, intelligence officials, border guards, immigration and customs authorities
3. Is not limited to the explicit or sole use of ethnicity

4. Can result from explicit targeting of minorities in certain law enforcement actions such as stop and search and immigration enforcement
5. Can result from racist acts of individual law enforcement officers, but is most commonly the result of reliance on widely-held stereotypes about the relationship between crime and ethnicity
6. Can result from management and operational decisions that target specific crimes or specific neighborhoods without considering the potentially disproportionate impact of these strategies on minorities

OSJI, p. 21

In summary there is clearly a diverse cloud of (partially) overlapping definitions of the practice of ethnic profiling. The numerous definitions incorporate in varying combinations such factors as selection, observation, control, security, investigative techniques or law enforcement action based in part, or completely on race, ethnicity, color, language, nationality, religion or appearance. The only aspect that all of these definitions truly share is that they pertain only to law enforcement officials. For the purposes of this thesis, the Glaser's definition will be modified to not exclude private security actors. Glaser's definition is preferable in this case because it is the broadest definition, and being aimed at identifying criminal suspicion is also already concurrent with behavioral profiling, the focus of this thesis.

In conclusion, the definition applied in this thesis is as follows:

'Racial profiling is the use of race or ethnicity, or proxies thereof, by any security actors as a basis for judgment of criminal suspicion.'

Causes of Ethnic Profiling

Ethnic profiling, as defined above, is an unwanted practice in policing and security. It is a form of discrimination and clearly a prohibited form of discrimination. The Open Society Justice Initiative (2012) lists numerous organizations, watchdogs and even international case law that suggest so. This includes the United Nations Committee on the Elimination of Racial Discrimination, the Council of Europe European Commission against Racism and Intolerance, the European Court of Human Rights and the United Nations Human Rights Committee. Anecdotal evidence, however, shows that ethnic profiling occurs nonetheless. Dutch Police Chief Ruud Bik (KRO Brandpunt, datum) confirms that ethnic profiling 'occurs often', but that it is an unwanted and inefficient practice that undermines citizens' trust in the police.

How then is it possible that ethnic profiling occurs? Openly racist individuals working in law enforcement may cause ethnic profiling. These individuals may certainly be a factor in the cause of Ethnic Profiling (see for instance: Ridgeway, 2006), but it is more likely to be so pervasive and persistent because of a more subconscious and habitual existence of negative stereotypes that are widely accepted pertaining to who appears suspicious (Glaser, 2014). As with many other systemic practices; ethnic profiling can be both conscious and unconscious, unintentional and intentional. As stated in *The Queen v Campbell*, Court of Quebec, Criminal Division (quoted in European Union Network of Independent Experts on Fundamental Rights, 2006: 7) "Racial Profiling by police officers may be unconscious."

This discussion is further muddled by the fact that ethnic profiling can also occur as a result of institutional policies. If a policy targets a particular type of crime, or targets a specific geographic area, this can have a disproportionate impact on minority communities. An example of such policies is the large-scale action in the center of Amsterdam dubbed *Lord of the Ring*, a part of which led to the stopping and checking of large numbers of Dutch-Moroccan youths because they drove scooters (Çankaya, 2012). This action was aimed at the geographic location of the center of Amsterdam and aimed at a specific type of crime (the so-called 'Italian Method' of breaking into cars and escaping on scooters). This led however to the perception (in particular in the media) that the police were focusing on Dutch-Moroccan youths, because in the center of Amsterdam scooters are a popular method of transport for that group.

This form of ethnic profiling is often not by conscious design, but it does often reflect larger public and political concerns, sometimes even public prejudices. On occasion these institutional policies are caused by an institutional culture in law enforcement agencies. In conclusion the cause of ethnic profiling can in any given situation be policy or the individual delivering the policy. Making this an interesting field of study in the context of both security and public management, however in order to objectively identify the relative susceptibility of the cases included in this research to ethnic profiling

practices an analytical framework needs to be operationalized based on existing literature on ethnic profiling. This framework is presented and discussed in the Methodology chapter.

A case for Comparison

Now that the main concepts of this research have been explored it is important to identify a theory through which the concepts might be viewed in such a manner that comparison is useful. The aim of this research is to compare in some fashion the application of proactive security measures and the related concept of ethnic profiling by public and private actors in the Netherlands. However, comparison between two such diverse fields of practice should not be performed lightly, without considering the differences between public and private security.

In a widely respected overview of ethnic profiling research in Western society and America in particular Glaser (2014) paints ethnic profiling as an issue unique to public actors. Racial or ethnic profiling is described as having its roots in criminal profiling, being based on the same principles but shifting the focus from investigative to projective. Ethnic profiling aims to identify perpetrators of as yet unknown crimes. Glaser does propose that airport security screening also applies ethnic profiling (a practice that is a public practice in America, but in the Dutch case is a highly privatized security practice), however he goes on to state that airport screening is fundamentally different from 'regular' ethnic profiling because it also heavily relies on random selection of passengers.

Other arguments against an equality between public and private applications of proactive security (in the context of ethnic profiling and stereotyping) is the argument can be made for the higher likelihood of stereotyping in relationships between high and low power individuals, more specifically police and citizens (Fiske, 1993; Vescio, Gervais, Heiphetz & Bloodhart, 2009). Individuals in positions of authority are particularly susceptible to stereotyping and racial profiling.

As such a theoretical framework is necessary that applies to both public and private security actors in order to responsibly facilitate any comparison between the two in this context. The choice of theoretical framework has fallen to viewing public and private security actors as Street Level Bureaucrats as described by Lipsky (1980).

Lipsky himself has states in his work that public security actors such as police officers are prime examples of Street Level Bureaucrats. Street Level Bureaucrats in general being defined as "Public service workers who interact directly with citizens in the course of their jobs, and who have substantial discretion in the execution of their work" (Lipsky, 1980: 3). It is exactly this discretion that is particularly substantial in relation to proactive policing as described above.

Street Level Bureaucracy is a theoretical framework that attempts to make sense of the differences that often occur between policymaking and the eventual delivery of public services. Street Level Bureaucracy accepts that the role of the individual in the public service is substantial. The theory

encompasses a number of facets that are applicable to Street Level Bureaucrats (SLB's). These include such matters as working conditions and patterns of practice.

Considering that the public service of security is being privatized to a certain extent to security companies, Street Level Bureaucracy presents itself as a possible framework through which the application of certain services might be compared between public and private actors.

In a recent review of scholarship and coverage of Stop & Frisk strategies in American policing Portillo & Rudes (2014) have observed a renewed interest in the classical theory of Street Level Bureaucrats as the ultimate policy makers. They state that Stop & Frisk procedures are particularly suited to the SLB theory as individual officers have high degrees of personal discretion but the procedures themselves are highly routinized and governed by laws, rules and regulations both formal and informal. The Stop & Frisk policies lead to disparate treatment of citizens because of routine policy deployment rather than the individual actions of officers.

This is entirely compliant with the conclusions of others including Amnesty International, Çankaya and the Dutch police stating that racist individuals do not cause ethnic profiling, but that it may rather be caused by more systematic factors. Portillo & Rudes suggest that SLB is an effective theory through which these questions may be approached: "Understanding how SLBs routinize policies and implement them in interactions with citizens helps us to understand how justice and injustice are constructed in street-level interactions."

The comparison of conduct between public and private security actors can be made through the framework of Street Level Bureaucracy only if private security actors working in the context of proactive security sufficiently meet the characteristics of their public counterparts.

Public security actors such as the police perform jobs that comply completely with the characteristics of Street Level Bureaucracy. These characteristics are as follows (Lipsky, 1980; 26-27):

1. High degrees of discretion
2. Regular interaction with citizens
3. Chronically inadequate resources relative to the tasks
4. Demand for services increases to meet the supply
5. Ambiguous, vague or conflicting goal expectations
6. Performance oriented towards goal achievement is difficult or impossible to measure
7. Clients are typically non-voluntary

Lipsky states that an analysis of Street Level Bureaucracy is most appropriate if all or most of the aforementioned characteristics are present. With the possible exception of the last characteristic these characteristics all follow the definition of Street Level Bureaucracy.

Any comparison of the conduct of two distinct actors performing similar services (in this case the provision of security through proactive measures) might be made based on the presence or

absence of these characteristics, differences in these characteristics between cases, and possibly the reasons for these differences.

For instance, the conduct of public defenders is expected to be different based on their caseloads. A public defenders office that only assigns a manageable amount of cases to its lawyers can expect the services offered to be of a higher quality than an office that due to the practically infinite demand for services assigns too many cases to a lawyer. This lawyer will work with inadequate resources (too little time), and is likely to handle cases in a different manner. The coping strategies of the lawyers in the two different firms is likely to dramatically change the way in which public defense services are rendered.

The Street Level Bureaucracy framework in this sense is useful as a comparison tool for the services rendered by different actors. As such, through the lens of SLB, public and private conduct as relates to proactive security can be compared based on conduct (coping strategies of individual actors) and working characteristics (the context of the services rendered).

Research Methodology

Introduction

This chapter contains the research methodology of this thesis. This entails a description of the research strategy, the research method, research design, research approach and a description of the data collection methods and tools. Furthermore this chapter provides insights into case selection, the process of the research, data analysis and any limitations of this research.

Research Strategy

This thesis research is applied to a new field, but not new in itself. A varied collection of previous academic research was taken into account regarding proactive security methods, public application of proactive approaches to security, not only for the Netherlands but also for the entire 'Western context', and the theory of street level bureaucracy. The research presented in this thesis is a new research, aimed at a new subject group and comparing it to an existing research subject.

Research Method

Qualitative versus quantitative techniques

To satisfy the research objective of this thesis a qualitative research was conducted. Qualitative research is a method that is well suited to analyzing smaller research samples, although outcomes and results are not measurable or quantifiable in the same way that quantitative research would allow.

Qualitative research does pose an advantage over quantitative research in this case because it allows for a more complete description and analysis of the subject matter, in part because the responses of subjects are not limited in scope. It furthermore allows for a greater focus on less tangible aspects of the subject, such as values, attitudes and perceptions. (Strauss & Corbin, 1990)

Research Design

This thesis aims to research if and in what ways the application of proactive security measures by private security actors in the Netherlands differ from the application by public security actors in the Netherlands, and whether either application is better suited to mitigate ethnic profiling. To do so, data will be gathered on both cases through in-depth interviews and literature review respectively. This data will be qualified according to an operationalization of Lipsky's Street Level Bureaucracy theory to assess the applicability of any comparison at all. Descriptions will be given of how proactive security measures

are applied, and in doing so further qualification of these applications will be performed according to an operationalization of risk factors of ethnic profiling.

The outcomes of these measures will inform the conclusion of this thesis. As will be discussed in this chapter ethnic profiling is notoriously difficult to measure and study for multiple reasons. It is worth mentioning that this thesis does not aim to research the actual performance of ethnic profiling in either case, rather the organizational and practical presence of risk factors that may contribute to racial profiling occurring in an application of proactive security measures.

Operationalizing Lipsky's Framework

Lipsky's theory of observing Street Level Bureaucrats (1980) as active shapers of policy through the application of discretion in its implementation is a seminal work in the field of public policy. The theory offers a framework for the study of public policy from a bottom-up perspective, as it considers that many forms of policy are greatly influenced by the individuals that apply it in practice.

The theory is a useful tool for comparing the two cases in this thesis. As stated police is a textbook example of Street Level Bureaucracy because they act on policy with great measures of autonomy and discretion under circumstances of limited resources and pressure to perform. The case of private security now being an extended (although indirect) arm of policy makes it an interesting subject for comparison through the indicators of what constitutes a street-level bureaucrat according to Lipsky. According to Lipsky street-level bureaucrats are "public service workers who interact directly with citizens in the course of their jobs, and who have substantial discretion in the execution of their work" (Lipsky, 1980: 3).

Lipsky defines the jobs and professional environments of street level bureaucrats as having relatively high degrees of discretion with regular interaction with citizens. The jobs are also likely to present the following challenges:

1. Chronically inadequate resources,
2. Service demand that grows to meet the supply,
3. Ambiguous, vague and conflicting goals,
4. Difficulty or impossibility of measuring goal achievement in performance, and
5. Non-voluntary clientele.

Police and Security officers during the practice of 'proactive' policing or security are expected both to effectively identify potentially threatening situations and still treat individual citizens in a nuanced, unbiased fashion. This explanation of the job clearly fits the description of Street Level Bureaucracy. The societal demand to treat each individual in a nuanced, unbiased fashion is too time consuming. The supply of protection and security will never fully reach the demand. The goals of proactive policing

and security tend to be ambiguous and vague. The measurement of goal achievement is impossible, as one cannot measure that which has not occurred. Clientele is highly non-voluntary.

According to Lipsky (1980) Street Level Bureaucrats will develop coping mechanisms to find a way to come to terms with the paradoxes of the job. Street Level Bureaucrats are expected to exercise discretion in the practice of their work; they are likely to process clients through routines, stereotypes and other mechanisms that aid the Street Level Bureaucrats in performing their work under the constraints of inadequate resources.

This can, as Lipsky describes (1980:140), lead to adaptations of the job that may be criticised as compromise solutions by clients and outsiders, but which from the workers' perspective are desirable and necessary components of the work environment. This is, seemingly, an inherent challenge in Street Level Bureaucracy. The street-level bureaucrats must find, often at a personal level, some sort of realistic working ethic to cope with the challenges and unattainable goals of the job.

Lipsky describes this psychological dissonance as follows:

"First, street-level bureaucrats modify their objectives to match better their ability to perform. Second, they mentally discount their clientele so as to reduce the tension resulting from their inability to deal with citizens according to ideal service models. In short, street-level bureaucrats develop conceptions of their jobs, and of clients, that reduce the strain between capabilities and goals, thereby making their jobs psychologically easier to manage." (Lipsky, 1980: 141)

Taken as such, Lipsky's theory offers a viable theoretical framework through which the public and private application of security (namely Policing and Private Security) might be compared. The application of security policy through individual bureaucrats is greatly influenced by the working conditions and environment, it is these factors therefore that through comparison could offer insights into the differences and similarities between public and private security policy as performed by individual actors in those systems.

Researching Ethnic Profiling

Numerous reports have attempted to gather information on the prevalence of ethnic profiling in policing. Most of these reports are forced conclude, however, that although ethnic profiling is a factor in policing, it is hard (if not impossible) to collect reliable quantitative data on the subject without higher-level support from police (Çankaya 2012, Amnesty International Nederland 2013, Glaser, 2014).

Legomsky (2005) reasons that the profiling of certain ethnic groups such as Arabs or Muslims may be considered rational in the context of security (and particularly counter-terrorism). However, Legomsky also insists that although ethnic profiling is a logical method, it is paired with all sorts of social harm and human rights violations and is therefore probably best avoided. Legomsky goes on to

make three recommendations that might help strike a balance between the costs and benefits of ethnic profiling.

Firstly, the ethnic profiling is likely to be based on appearance. This leads to people who merely look like they fit the ethnic profile that is targeted being selected for additional screening. This is a waste of time; but not necessarily an issue in rare cases where people offer their identification willingly, such as an airport (Hadidi, 2012).

Secondly, ethnic profiling as a policy can provide racist individuals who enforce policy with an official excuse. This is a harmful matter that might be ameliorated by careful supervision of selection process (Hadidi, 2012).

Thirdly, in balancing security and civil rights it is important to distinguish between voluntary and involuntary applications of profiling. Involuntary interviews as a result of profiling might for instance lead to such things as deportation, detention, etc. Considering the potential civil rights infringements it is advisable to only apply ethnic profiling in voluntary contexts. Hadidi (2012) makes the case that air transport security is such a case of a voluntary interview, as it is a minor inconvenience, over a short period of time. There are many reasons for this difficulty, but an apparent unwillingness of police in effective cooperation of the collection of quantitative data on the subject, for whatever reason, is a major factor.

A study conducted in 2011 by Svenson, Sollie & Saharso combined an observational study of police work and a survey among young citizens that were part of the target group of the proactive work being conducted. The study concluded that although there was no clear indication of ethnic profiling observed in the observational study, the survey showed that there was at least the perception of unequal treatment. There were differences in the answers of Dutch and non-Dutch youths in regards to frequency of proactive police contacts and the quality of treatment by police. The study goes on to conclude that there is an indication for different treatment between these groups, but that this should not be observed as ethnic profiling. Rather, the study lists a number of other possible causes for the discrepancy such as discrepancies in average amount of time both groups spend in the public domain, as well as general differences in behaviour shown by both groups stating that non-Dutch youths are more likely to show 'hang-group behaviour' and delinquent behaviour.

More research in 2014 that consisted of solely an exploratory observational study of police work in The Hague concluded that there was very little evidence of any ethnic profiling practices. There appears to be a great divide between the conclusions of any observational studies of police practices and any survey studies of those who are affected by proactive policing when it comes to the existence of ethnic profiling.

It is remarkable that in 2016, in the middle of a heated public debate on the subject in the Netherlands, an internal police research paper was published that presented quantitative data, although indirect, on the subject. Although it did not include any direct numbers of police interactions with citizens of Dutch or other descent or appearance it did include a survey of police asking how often

a citizen's ethnic appearance influenced the decision of whether or not to undertake action against that citizen. Only 6% of the officers questioned stated that a person's ethnic background may never be a reason to undertake action. The internal report concludes that the general conclusion is that most officers who filled in the questionnaire allow ethnicity to play a role that is too large and are convinced that this method of selection is justified (Nationale Politie Eenheid Oost-Brabant, 2015). As the latest entry in a series of different research papers on the subject, there is ample room for discussion of earlier research. The author concludes that the discrepancy in earlier research may be caused by a lack of insight into measure in which police officers have of ethnic profiling and its effects.

Ethnic profiling may in fact be hard, if not impossible, to completely prevent due to the nature of human thought. Glaser (2014) poses that explicit ethnic profiling is rarely discovered, most likely because it is actually rare. On the other hand stereotyping, prejudice, bias and other implicit causes of ethnic profiling are more or less universally existent and hard, if not impossible, to suppress. These implicit biases are well documented, and predict discriminatory behavior. Particularly police work, which deals with great measures of uncertainty and pressure, creates an environment where such unconscious biases lead to unintentional, but no less racist, ethnic profiling.

Operationalizing Risks of Ethnic Profiling

Considering the apparent difficulty in researching the presence of ethnic profiling in the context of this thesis it is unlikely that the conundrum of the difficulty of ethnic profiling research will be solved through the modest means of research. However, through the careful consideration of previous research on ethnic profiling it is possible to construct a framework of factors that are considered to possibly lead to or facilitate the occurrence of ethnic profiling within organizations.

The main question of this thesis is to not only compare the application of proactive security applications between public and private security actors, but also to specifically judge whether either application is more susceptible to ethnic profiling than the other. To make this comparison possible it is necessary to operationalize the risk and mitigating factors of ethnic profiling. This is done based on the tabletop research that has been conducted into the existing knowledge on ethnic profiling. The following table lists risk and mitigating factors that this research will measure the public and private cases by.

A comparison of risk and mitigating factors between the public and private cases is reliant on both applications being comparable through some kind of methodological common ground. In the case of this thesis the comparison will be made based on the analysis of both cases being congruent with the Street Level Bureaucracy theory. These factors were gleaned from the research papers of Çankaya, 2012; Hadidi 2012 and Glaser's 2014 book; *Suspect Race*. Each of these papers named either risk or mitigating factors to ethnic profiling, which were added to the table below. The factors gleaned from the papers were placed across from their generated logical opposites to complete the table.

Risk Factor of Ethnic Profiling	Source
Overreliance on 'professional intuition' rather than empirical knowledge	Çankaya, Glaser
Goals or instructions that employ explicitly or implicitly ethnic indicators	Çankaya, Glaser
Selection based on appearance or criminal profile	Çankaya, Glaser
Goals or instructions that are vague, unreliable and general	Çankaya, Glaser
No structural monitoring or registration of proactive selection	Çankaya, Glaser
No structural evaluation of proactive measures	Çankaya, Glaser
Absence of explicit prohibition of ethnic profiling	Glaser
Involuntary interventions that lead to 'social harm'	Hadidi

Table 1: Risk Factors of Ethnic Profiling

Research Approach

The research in this thesis follows an inductive approach. Starting with specific observations in a number of cases, attempting to generalize these to existing theories and drawing comparative conclusions from there.

This approach was selected because there was no previous research suggesting that the research subject could be linked to the general theory, and attempting to compare the new research to similar research on different subjects required some sort of framework through which to do so. As such an inductive approach to the small sample of cases was the most convenient way towards drawing any sort of conclusion within the limits of this thesis research. (Strauss & Corbin, 1990)

Data collection methods and tools

For the purposes of this research a triad of data collection methods were applied; literature review, in-depth interviews and a questionnaire. Each of these methods will be described here.

Literature Review

Literature review was applied in the form of desktop research in an attempt to gather an informed view of the theoretical backgrounds of security privatization, proactive security, ethnic profiling, proactive policing in the Netherlands and the case for comparison between public and private applications of proactive security. This knowledge is necessary to facilitate reflection of the novel data gathered through other means.

The desktop research was conducted to identify relevant concepts and theories regarding proactive security in both the public and private application of proactive security, as well as researching the framework through which they might be compared. This was achieved by consulting both thesis & professional advisers, by conducting relevant searches in academic databases and a technique that can be described as '*snowballing*' wherein the sources of identified relevant literature are consulted in the cases where they are relevant to this thesis.

In-depth Interview

The in-depth interview is a qualitative research method that centers on a question-driven conversation between an interviewer and a participant that is both personal and unstructured. The aim of such an interview is to identify such matters as the opinions, feelings and emotions of the interviewee regarding the research subject.

As a qualitative tool aimed at a highly complete view of a research subject the unstructured nature of the in-depth interview offers great advantages. Although the interview aims to gather data on a specific subject, there is very little disruption of the flow and flexibility of the interview. This leaves room for the generation of conclusions that otherwise may have not been derived on the research subject, as the interviewee is left quite free to follow trains of thought, and the interviewer is free to pursue new and interesting subjects that come up during the interview. This does, however, present the risk that the interviewer deviates from the subject and aim of the research. (Gill & Johnson, 2002) It is for this reason that the interviewer should have the skills that are necessary to conduct an interview successfully.

Furthermore the social and interactive nature of the in-depth interview greatly decreases the amount of non-responses to the research's attempt to gather data.

The data-collection tool itself was based on a semi-structured questionnaire. This is a list of questions that serves as a guide for the interviewer, with the goal of keeping the interview both open and creative, as well as 'on-track' in regards to the interview subject and research goals. This questionnaire contains a number of prepared questions, but the interview structure allows for additional questions outside of those prepared. The interview schema can be found in the appendices of this thesis.

Employee Questionnaire

In addition to the primarily qualitative & phenomenological approach of the literature review combined with the in-depth interview of management personnel an additional questionnaire was distributed among relevant employees of the participating private companies. The questionnaire is designed as a descriptive survey in the form of an 8-question digital questionnaire. The sample size differed per participating organization depending on availability of staff and willingness to participate.

The questionnaire was a far more structured collection tool, showing none of the free form answering of the in-depth interviews. This fits the goal of the questionnaire, as the questions posed of the employees was important as an indication of consensus between the qualitative interpretation presented in the in-depth interview and the practical interpretation of the relevant employees.

The questionnaire was designed in the online program 'Typeform. Typeform was selected as a questionnaire tool because it represented acceptable ease of use for both researcher and subject for free. Typeform questionnaires required minimal programming skills to design. The research subjects were presented with a questionnaire that was visually pleasing and easy to fill in on home computers as well as mobile devices. In particular the possibility for the questionnaire to be filled out on mobile devices was attractive as it is likely to have increased the amount of respondents.

11 members of personnel spread across the three participating companies completed the questionnaire. The full results of the questionnaire are available as an appendix to this thesis. The questions posed in the online questionnaire can also be found in the appendices of this thesis

Interviewee Selection

The interviewees that are included in this research were selected through purposive sampling. Purposive sampling is a form of nonprobability sampling. This method is common to qualitative research, particularly if the research is relevant to a very specific group. As the research proposed in this thesis is both qualitative and the 'population' of private companies to be studied is relatively small the purposive sampling method appears to be a sound method of case selection.

Purposive sampling, sometimes referred to as judgmental sampling, holds that the researcher bases selection on judgments in regard to which samples the researcher deems appropriate for the study. Any application of nonprobability sampling holds that making inferences based on the results of a study is impossible, as the method of case selection does not meet any statistical criteria to do so. However, nonprobability sampling is common in qualitative research and does allow for the generation of grounded theory through further iterative nonprobability sampling research until theoretical saturation is reached (Strauss & Corbin, 1990)

The interviewees selected in this research each had extensive experience and knowledge in the field of proactive security applications in the private field in the Netherlands. They each propose to be experts in the field and hold great experience in the application of proactive security. They are well known companies in the niche of proactive security and either through their extensive experience or active participation in publication and sharing of knowledge regarding the application of proactive security on the Internet or in professional publications in the Netherlands.

The published version of this thesis has redacted the names of the companies and managers interviewed for ethical considerations listed in this thesis. The interviewees selected for this research were the following companies:

Company 1

Company 1 is the Dutch branch of the Dutch based Mother enterprise. Company 1 and the mother enterprise are subsidiaries of the international holding, founded in 1982. This makes company 1 a rather experienced security company, having applied proactive measures such as profiling since long before the popularity increase in recent years. Company 1 is a company that operates internationally in many different countries in the EU and Asia, focusing primarily on security in air transportation, both cargo and passenger. Other subsidiaries of the mother enterprise are in Russia, in Portugal, in Spain, in Italy, in Germany and in Japan. Company 1 considers itself the founder of profiling, having deployed profiling for customers since the early 1980's. Company 1 as an entity has been active in the Netherlands since April 23rd 2007, and currently employs more than 800 trained security professionals, all of whom have been instructed in profiling techniques.

Company 1 primarily performs its solutions in the Netherlands at Schiphol Airport. The services provided at Schiphol airport include a number of technological solutions, but the most visible function of company 1 at Schiphol Airport is the large number of human security personnel. This personnel performs general guarding duty, passenger air-travel specific guarding duty, security-driven baggage handling services, and specific screening duties on so-called High-Risk Flights.

Company 2

Company 2 is a Dutch company that offers integrated facility services ranging from receptionists, cleaning staff, facility management, mailroom staff, office support and catering to security services.

Company 2 offers Security services with a strong emphasis on the quality and client friendliness of their approach. They boast a relatively young workforce, fluency in two languages, the Dutch security diploma and four additional courses (including Predictive Profiling), a lower than average rate of sick leave and even tailor-made suits by a famous Dutch designer for all their security staff.

The company emphasizes that Predictive Profiling, as modeled after the Israeli method, is a human-driven approach to security that is highly compatible with a client friendly approach to security. The decision-making is placed squarely in the hands of security staff, rather than having staff simply follow procedures and security technology.

Company 2 has been offering Predictive Profiling since 2011, and cooperates with an American firm with Israeli roots called 'Chameleon Associates' in regards to their training staff. According to

their website all of company 2's security staff are licensed as 'Threat Mitigation Officers', a license offered worldwide by Chameleon.

Company 2 offers security services to such customers as the World Trade Center in Amsterdam, and telecom firms Ziggo and T-Mobile in the Netherlands.

Company 3

Company 3 International is a company that specializes in many different forms of proactive security. The focus of company 3 has historically been to support their customers through training and consultancy in the field of proactive security measures, rather than hiring out their own security guards. However, recently company 3 has begun to hire out their own people as 'implementation managers' to manage and audit the implementation of proactive security in client companies.

The company was founded in 2004 and it has been its mission from the start to improve private security in The Netherlands by bringing scientific insights in the subject closer to professional experience with the product. In this time it has developed and commercialized numerous different products such as OGRI (in English: ORRI: Observation, Recognition of behavior, Risk assessment, Intervention), Predictive Profiling, Red Teaming and Security Intelligence.

Research Process

Meetings and interviews with management staff from each company were held in early 2017 at the convenience of each of the companies. The researcher contacted representatives from each of the companies beforehand, briefly explaining the goal, scope and nature of the study before requesting participation. All respondents agreed to participate under the caveat that any published work be redacted in such a fashion that the individual names of the companies and representatives not be public information. This caveat allowed all of the respondents to speak more freely in regards to specific procedures and instructions.

The interviews with managing staff took place at the offices of the companies and in one case an interview was conducted through a telephone call. The interviews lasted between 1 and 1.5 hours, and were recorded and documented in full at a later moment for in-depth analysis. 1 interview was conducted with each of the companies, with two companies (company 1 and company 3) freeing up 1 interviewee each (both general managers of their companies), and the third company (company 2) freeing up 3 interviewees (both operational and strategic management).

Interviewees were free to discuss the topics presented, as well as explore other topics and trains of thought that naturally occurred during the interviews. The interviews and conversations proceeded cordially and smoothly, and all respondents were interested in future outcomes of the research.

Respondents also agreed to circulate the online questionnaire among some of their relevant staff. The questionnaires were filled out over a period of 5 days, garnering a total of 11 responses spread over all three cases, which is 58% of responses as compared to unique visits to the questionnaire.

Data Analysis

The data collected from in-depth interviews with private cases was analyzed through content analysis. Moore & McCabe (2005) describe this analysis technique as the process in which data is gathered and then categorized according to themes and sub-themes. This thematic indexation allows for a measure of comparison between data gathered from different sources. This approach to analyzing the data is particularly suited to the in-depth interviews as it cuts the mostly unstructured data in the primary source down into units of analysis (the themes and sub-themes). These reduced and simplified units of analysis help the researcher structure the qualitative data gathered in a fashion that is aligned with the research objective.

Consideration should be given, in this analysis technique, to the high measure of potential human error. The simplification of the gathered data into categories is dependent on the interpretation of the researcher and therefore fallible. Content analysis is prone to generating false and unreliable conclusions (Krippendorff & Bock, 2008).

Attending to this risk of human error and false or unreliable conclusions the data gathered through the questionnaire presented to the company employees is categorized according to the same themes and sub-themes of the content analysis. By comparing the outcomes of the interviews and the questionnaire it is possible to benchmark whether the researcher's interpretation of the in-depth interview is at least concurrent with the employees interpretation of the same themes. This functions as a lacquer test of the reliability to enrich the conclusions generated by the in-depth interviews. The questionnaire is by no means a robust foundation to increase the reliability of the content analysis conclusions.

Ethical Considerations

The study is subject to a number of ethical issues. All participants reported their acceptance to participation in the research verbally, as is recorded in the interviews. All participants were therefore aware that participation in this research was entirely voluntary and that they were free to withdraw from the research with or without reason at any point. Participants were informed of the research goals and objectives.

All participants were reassured of the protection of their professional procedures and opinions by the assertion that the publicly available final product would be redacted and source materials would be redacted. As such this research records the participating cases and interviewees as follows:

1. Company 1
 1. Interviewee A: General manager
2. Company 2
 1. Interviewee B: Strategic Manager
 2. Interviewee C: Strategic Manager
 3. Interviewee D: Operational Manager
3. Company 3
 1. Interviewee E: General manager

The data collection was conducted as much as possible in a friendly, comfortable and respectful fashion. None of the participants in this research were harmed or abused in any way (physically, psychologically or economically) during the conduction of this research.

Research Limitations

This thesis, as is true for any research, has limitations. The research and conclusions of the public case are based on research conducted by other researchers. Most of the research used is qualitative in nature, and due to the sensitive nature of some of the conclusions, likely not free from bias. The effects of this were mitigated in some measure by researching both police research and police-critical research.

The research sample is limited in size, with three companies agreeing to participate. It was a challenge to identify companies in the field of research that had both the expertise on the subject and were willing to participate in the thesis research. A larger sample size would be beneficial to the reliability of the conclusions of this research.

The reliance on qualitative research and inductive reasoning will lay a heavy burden on the reliability of any research outcomes. Any conclusions are influenced by interpretations and personal judgments by the researcher. The outcomes of qualitative research should never blindly be considered as reflective of the entire wider population (Strauss & Corbyn, 1990).

Results / Analysis

Introduction

In the following chapter the findings of the different data collection processes are presented for each case in a descriptive manner, categorized uniformly in the following fashion:

1. How does the case apply proactive security?
2. What does the selection procedure of individual security actors look like?
3. A description of each of the Lipsky Framework categories

The presentation and structuring of the collected data in this fashion provides the reader useful insights into the reality of these cases, and structures the data in such a way as to make the final analysis and conclusion straightforward. By describing each case separately in the same fashion, this chapter also becomes highly readable and informative in its own right.

1. Proactive Security in the Dutch Public Sector

1.1 How does the Dutch Public Sector apply Proactive Security?

Proactive Security measures as defined in the context of this thesis, that is to say those methods that are centered on individual security agents (public or private) who based on instructions from their superiors undertake some sort of non-voluntary interaction with citizens who have not yet committed a crime but who the security actor identify as potentially threatening, is common practice within Dutch policing. This is in practice a highly contentious matter as the police is an arm of the government of a democratic 'rechtsstaat' and should therefore serve and protect its citizens, and investigate criminals "without regard to the person" ("Zonder aanzien des persoons"). This is essential for the embedding, societal legitimacy and effectiveness of the police (Politie in ontwikkeling, 2005; 39).

Proactive security measures are potentially conflicting with this basic principle of policing. The Dutch police, nonetheless, do apply several forms of proactive security. In increasing measures the police is granted broader and broader means to approach, check and otherwise interact (in an official manner) with citizens before there is any concrete sign of an actual crime; proactive policing. These expanded measures and large discretionary space are deemed necessary for Police to react adequately and alertly in a complex field of work (Naeyé et al., 2006: 19). Examples of legal embedding of these broader means are the "Uitgebreide Identificatieplicht" or broadened obligation to identification (implemented in 2005), preventief fouilleren (similar to Stop & Search in the UK, or US) and the Wegen-, en Verkeerswet (WVW, Dutch traffic laws).

1.2 What does the selection procedure of individual security actors look like?

All of the aforementioned means of proactive security by Dutch police are of interest to this thesis as they consist of non-voluntary police interaction with citizens without citizens being criminal suspects in the legal sense. Considering the nature of these proactive security measures in the context of human rights and rule of law, in particular in regards to equal treatment, there is great interest in, and a fair body of research on, the practical application of these methods by public actors (See for instance: Amnesty International, 2013; Portillo & Rudes, 2014; & Çankaya, 2012). In assessing the legality or equality of these measures the specific reasons or indications that are applied by police officers in practice need to be assessed. This thesis applies desktop research of existing literature and other publications on this subject to gain this insight.

The Dutch government has publicly stated in this regard that: “The police, regarding this, invests in acting based on objective selection criteria. The police trains her employees to focus on objective selection criteria, making officers aware of their actions and their potential prejudices and to remove these. Within the application [of proactive measures] a focus on deviant behaviors is an important factor.” (Opstelten, 2012).

There is evidence contrasting this message, however, presented in a study by Van de Vijver in (2012). This research concluded that the Dutch police prefers to decide based on ‘the compass of their own experience and “professional” intuition than on (scientific) knowledge’. The Dutch police, Van de Vijver states, greatly values experience and intuition over other, more objective, criteria.

Çankaya (2012) researched decision-making mechanisms in the Amsterdam-Amstelland police force and is the first explicit documenting of the selection process that police officers follow in proactive policing. Çankaya broadly describes two different ‘methods’ of selection in proactive policing: the policeman as a ‘deviance seeker’, and the policeman as a ‘where-is-Waldo seeker’.

The ‘where-is-Waldo seeking’ method is the method of selection that is closest to the Dutch government’s description of selection: based on objective selection criteria. A policeman applying the ‘where-is-Waldo’ method selects citizens for a proactive approach based on a set of characteristics, or a profile, that have been instructed or briefed to constitute a ‘suspicious person’. Waldo, in this analogy, is a symbol for the archetypical construction of a criminal.

According to Çankaya, Dutch police officers apply many different ‘Waldo’s’, profiles or archetypes in practice. Examples of these typologies are ‘Doelgroepen’ (Target groups), ‘Patsers’ (Show offs), ‘Naffers’ (Short hand for North Africans), ‘Oostblokkers’ (Eastern Europeans), ‘Pisvlekken’ (Urine Stains), ‘Eencelligen’ (Amoeba), ‘Noordklonen’ (Youth from northern Amsterdam), ‘Tokkies’ (Lower Class), ‘Kakkers’ (Upper Class), ‘Zuigers’ (Deliberately Annoying People), ‘Negers’ (Black people), ‘Junks’ (Junkies), ‘Dealers’ (Drug dealers) and ‘Zwerfers’ (Homeless). Some of these titles are entirely ethnic in their descriptions; others combine factors such as gender, age, lifestyle, social class, intellectual

capacity and stance towards the police. The most dominant typologie, 'Doelgroepen', has a variety of meanings but generally does refer to young Moroccans and people from Central- and Eastern Europe. The title of 'doelgroepen' is created as often these are the typologies that will be a part of the daily police briefings.

The 'deviance seeking' method is closest to Amnesty International's critique of proactive policing methods in the Netherlands. A policeman applying the 'deviance seeking' method selects citizens for a proactive approach based on incongruences in a certain context. The method revolves around police officers' notions of normality and abnormality, depending on the context of time and place (Sacks 1978:190).

There is further evidence supporting the opinion that Dutch police applies a combination of 'Where is Waldo' Seeking and Deviance Seeking. In his written reply to the Tweede Kamer Ivo Opstelten (2012) lists the following behaviors as examples of normal and deviant in the context of Utrecht Central Station:

The following is considered normal behavior:

1. Travellers; all behaviors that have a direct relationship with going to travel by train, or having travelled by train
2. Passers-by; all behaviors that are aimed at a short stay in a train station

The following is considered deviant behavior:

1. All behaviors that have no relations with train travel, or a short stay in a train station. For example; excessive interest in other people's luggage or snooping on people using ATM's (if one is not a familiar of the person using the ATM).

It is interesting to note that although the question only explicitly asked for which behaviors are considered deviant, Opstelten mentioned of his own volition that appearance signs also play a role. These appearance signs are not explained.

Ivo Opstelten also insists that citizens approached in this context are approached with 'klantvriendelijke bejegening' (client-friendly treatment), and are explicitly not approached as a suspect in the sense of art 27 of the Dutch Wetboek van Strafrecht (Criminal Code).

Two very interesting questions in the specific context of this thesis were posed:

Question 6: Are private organisations involved with these [training] exercises? If yes, which ones?

Question 10: What does the detection 'Search, Detect, React' method consist of? Are the need and necessity of that method proven?

The reply to these questions is interesting, because although question 6 is answered negatively, stating there was no private involvement in this public exercise of proactive security, the

answer to question 10 states that the 'Search, Detect, React' method is the basis of the police conduct at Utrecht Central Station.

Search Detect React (SDR) is a private security company in the Netherlands that is run by the same management as The International Security & Counter-Terrorism Academy in Israel.

If the Dutch Police uses SDR methods as a basis for their 'spottersmethodiek', there is at the very least influence of the private security sector in Dutch public proactive security. The companies that participated in this thesis research are all influenced by the Israeli method, either through SDR, Chameleon Associates (and Israeli-American firm), or by association.

In conclusion Çankaya's two decision-making mechanisms are concurrent with earlier research into decision making by Brown (1981:170). Brown concluded there are three procedures police apply to determine whether a citizen is 'suspicious'; incongruence, prior information and appearance. Çankaya's two-method interpretation might be seen as the two methods that apply to proactive policing, as there is often no prior information such as subject descriptions to base decisions on.

So, according to Çankaya, Dutch police officers use either a criminal profile or archetype as a selection indication, or some sort of incongruence. Neither of these strategies is a very clear, reliable or specific indicator of future crime.

1.3 Lipsky Framework Categories

High degrees of discretion

Police officers in general are considered to have working conditions with relatively high degrees of discretion in decision-making. "Policemen decide who to arrest, and whose behavior to overlook." (Lipsky, 1980:13). The work of police officers is so completely specified by regulations and rules that a selective application of the law is necessary. It would be impossible for a police officer to make arrests for each infraction of a law that is observed.

In the context of proactive policing these levels of discretion are further compounded as not only are police officers expected to decide which law-breakers to approach and not approach, but also which *potential* lawbreakers to approach and not approach. This leads to the population that is to be selected from increasing immensely, without a significant increase to the amount of people a police officer is able to process during a working day. Which inevitably increases the already high degree of discretion afforded to police officers.

Regular interactions with citizens

Police officers in the Netherlands perform many duties in their daily work. These duties can be categorized roughly into three categories: crime fighting, maintaining order and emergency response. The Duties of Dutch police are governed by article 2 of the 'Politiewet' of 1993. The description of the

Dutch police's task in society is deliberately clear and general, because the day-to-day reality of policing is complex.

Policing is a frontline task of government, with the regular interaction with citizens being evident. Historically policing has occurred in what can be popularly described as a 'firefighting' type of policing. With police performing the 'classical' and repressive duties of policing specific perpetrators and detecting punishable offenses (Johnston & Shearing, 2003). This is akin to firefighting as it is the reactive task of reaching the source of the fire and putting it out as quickly as possible before awaiting the next fire to be called in (Horn, 1993).

However, as discussed earlier in this thesis, policing has in recent years undergone a change to a more proactive focus in policing, in concurrence with such public administration-wide movements as the Risk Society (Beck, 1992) police officers are increasingly expected to approach citizens that are considered a 'risk' to society, in order to mitigate or prevent these risks.

Demand for services increases to meet supply

Classical policing, or the repressive reaction to crimes committed with the goal of identifying and punishing criminals (Johnston & Shearing, 2003) is a task that already taxes the Dutch police to full capacity. This is evident as not all reported crimes are solved, and not all criminals are prosecuted. Adding to the classical policing the new, risk-based, proactive policing in which police officers are expected to actively identify potential crime with the goal of preventing it has created a theoretically infinite demand for services that the police can never truly supply.

Ambiguous vague or conflicting goal expectations

The goals of proactive policing are not always clearly defined. One might argue that they are inherently more vaguely defined than the goals of classical, repressive policing. Classical policing is highly procedurally based, with penal laws clearly defining police goals. In addition to this crimes reported by citizens offer a clear goal for police to solve.

Proactive policing has the inherently vague goal of minimizing risks, or preventing crime. In addition to this the police might struggle with the paradigm shift from repressive policing to preventive policing; as the goals in both types of policing are wildly conflicting but neither takes clear precedent procedurally (Kop et al. 1997).

Performance oriented towards goals achievement is difficult or impossible to measure

With the goals of proactive policing being ill defined, the measurement of goal achievement would be complicated. However, the measurement of goal achievement in proactive policing is in practice impossible in the Netherlands, as the Dutch police do not gather quantitative data on their proactive policing activities (Çankaya, 2012; Amnesty International, 2013).

Clients are typically non-voluntary

Police officers interact with citizens on both voluntary and non-voluntary bases. A call for police aid, for instance, would institute a voluntary interaction. Proactive policing methods like Stop and Frisk, however, are by definition non-voluntary interactions (Portillo & Rudes, 2014).

2. Proactive Security in the Dutch Private Sector

2.1 How does the Dutch Private Sector apply Proactive Security?

The interviewees independently and collectively agree that the phenomenon of proactive security is an Israeli invention, possibly popularized by the American security market. Particularly the security methods that this research focuses on, namely security guards selecting persons for additional security measures based on some sort of threat or risk indicators, are reminiscent of the Israeli method of 'Behavioral – or Predictive Profiling' (hereafter: Predictive Profiling) (Interview company 1 & 2; SoSecure, 2015)

The Israeli government (Israeli Defense Force) and airline (El Al) developed Predictive Profiling in the 1970's as a reaction to a particular failure of security. On May 30th 1972 a terrorist mass shooting took place at LOD International Airport (now named Ben-Gurion International Airport) near Tel Aviv, Israel. The so-called 'Lod Airport Massacre' consisted of three members of the Japanese Red Army, who were recruited by the Popular Front for the Liberation of Palestine to conduct the suicidal mission.

The shooting claimed the lives of 26 American, Israeli and Canadian citizens, injuring some 80 more. This left the Israeli government and airport security to analyze how it was possible for the attackers to slip through their security unnoticed, to learn from their mistakes and improve.

The three Japanese men landed at the airport, conservatively dressed and carrying violin-cases. They raised no suspicion from airport security, as the focus of airport security at that time was on a Palestinian threat. The Japanese attackers simply did not meet the "profile" of the Palestinian threat, as this was based on primarily appearance signals (i.e. having an 'Arabic' appearance) and identity cues (i.e. having a Palestinian, or other suspicious passport).

The general consensus is that Predictive Profiling was developed as a method that accounts for the blind spots that are created in a security system that focuses on the easily predictable factors of appearance and identity. As one interviewee put it:

"Sometimes that [the old Israeli method] constituted Ethnic Profiling: Every Palestinian out [of the queue], every Arab too. Pretty black-and-white. And every Dutch person too, like you and me, they would suddenly ask them all sorts of questions. "Where are you going?" or "What time are you going?", etc. The guys who started [Company 1] commercialized that El Al product. [...] Our mother company started doing that. Through the years it has changed, innovated. [...] But that's our origins, our origins are profiling: Recognizing that red dot in the black sea. [...] And that's the art of profiling: Seeing

deviant behavior, deviant things. This is how, let's call him the bad guy, this is how the bad guy betrays himself to the security personnel."

This places the first application of the predictive profiling method in the Netherlands somewhere in the early 1980's, and strictly in the air transport security sector mirroring the Israeli development of the method.

The Dutch application of proactive security methods has developed under many different names such as (Predictive, Behavioral or Security) Profiling, Search Detect React, OGRI, H3S, and probably many more. And although all of these methods point to Israel and the air transport security sector as their (intellectual) basis the method has spread to many different applications in the private (and also public) sector.

Profiling changed in order to search for something that all criminals apparently share: criminal behavior. As Company 3 put it:
"What they do is, through knowledge and skills regarding the threats specific to their organization, recognizing deviant behavior. And they can react to that so that they might stop it in an early stage. Being able to anticipate, and then stop it."

Company 2 states on their website that "Profiling is often associated with the ability to detect behavior that is suspicious, but profiling goes farther than just the signaling of suspicious behavior. Profiling is aimed at detecting any information that is deviant from the norm. In this not only behavior is observed, but also the story that someone tells, the situation, contextual factors, properties, appearance signs and possibly documentation that someone carries. Every person is capable, it seems, of estimating whether some information is deviant from the norm." (Company 2's Website)

The method is not without its critics. In 2013 Dutch investigative journalists (ARGOS, 2013) attended a large-scale training exercise conducted by Dutch police at Utrecht Central Station. The resulting radio documentary was critical of the need and effect of the method, as well as critical of the claim that the method is free from racial bias. This critique is understandable because as the police and many private companies proudly advertise the method as being non-discriminatory in regards to ethnicity, they also often speak of both behavioral and appearance cues.

This critique is mirrored in what little literature exists concerning (semi-)private applications on proactive security methods. Hasisi (2012) conducted a large survey on passengers who had just passed through passenger screening at Ben-Gurion airport, measuring people's perceptions of how they were treated, and how they were treated in relation to how they thought security personnel treated others. The survey was conducted among a large group of travellers evenly divided between the ethnic backgrounds of being Israeli Jews, Israeli Arabs or 'Foreign'.

This study indicated that security personnel selected Arab passengers for additional screening most often. This is likely to have led to the far lower measured perception of fairness of the procedure by the Israeli Arab passengers. This was true for the other group of 'Foreign' passengers, but the correlations were not as strong.

In conclusion, contrary to the claim by many private companies in the Netherlands that work with profiling, or profiling-adjacent methods, there is a strong indication that Israeli air transport security screening in fact still does apply a form of ethnic profiling (as 40% of Israeli Arabs' were subjected to additional screening, as opposed to only 9.8% of Israeli Jews).

Profiling, it can be concluded, has been an important influence on the manner in which the proactive security methods have developed in the Netherlands. The method that many iterations of proactive security in the Netherlands are based on is Israeli air transport security profiling, which is not explicitly free from aspects of ethnic profiling.

Ethnic profiling is potentially damaging in many ways, and it is prudent to gather data on how Dutch private companies apply and interpret these methods, make a comparison to the far more researched case of Dutch public implementations of proactive security and infer if lessons might be learned.

2.2 What does the selection procedure of individual security actors look like?

The participants in this research described the indications that are applied to discriminate between innocents and potential criminals as both appearance and behavior signs.

"That is a procedure in which we have described a number of guidelines concerning, here it is again: *appearance and behavior*, it's behavior. We see the behavior. [...] You have the passenger in front of you, and his passport because I ask for it, I have his ticket because I ask for it, I see his luggage because it's there and I can see his demeanor and behavior."

Company 1

"You often see it in their clothes, how they carry themselves. But it's never a guarantee."

Company 2

"What is deviant behavior? It's not based on skin color, I don't know, but more based on certain features of the person who comes in. Deviant behavior could be walking up and down six times. Someone who's secretly taking pictures with his or her phone. Someone who's transpiring heavily. That's deviant behavior to me. Someone who comes in with a baseball bat, that's deviant behavior."

Company 2

"We have our general instructions, the known general instructions that apply to everybody. And we have specific instructions that apply purely to the location. Those are dependent on which location, which risk susceptibility, and there are also other factors. So for instance at [Company 2 Client] the instructions would be completely different from say, a retail client."

Company 2

"We get a lot of delivery guys walking around here, and then it's key for us to react to things that are out of the ordinary. For example, he's walking around with a package, but there's no visible logo on it. That should compel you to approach him. It's trying to get ahead of the game. It's the kind of thing you would get around here. Somebody who's walking around in a business suit, but he's transpiring heavily, that's not right. Those are things that are out of the ordinary, so you approach them and inquire.

Deviant behavior"

Company 2

"So it's the [security] goals of an organization that indicate what you want to prevent. Then you observe the group of perpetrators, you collect the ways in which the crime occurs. You translate this to the way in which you might recognize it. And it's those two matters together, the indicators and modi operandi, that form the working component of your behavior. I mean the behaviors that our people work with."

Company 3

"These indicators are specific to the context. They ensure that people, the security guards, can recognize it [the threat]. It is different for different organizations, of course. In a museum you might be interested in people who show no interest in the art, and if you're at a tram, waiting for a tram, you might be interested in people who deliberately hang a jacket over their arm. What you look for is context specific."

Company 3

The indications applied by the private sector appear at first sight to be similar to the selection strategies presented by Çankaya (2012); 'deviance seeking' and 'where is Waldo seeking'. However, far more than presented by Çankaya, there is a marked interest in a more objective analysis of the criminal or potentially criminal behavior in regards to a specific context, or in relation to a specific type of crime. This conclusion is strongly backed by the results of the questionnaire in relation to this aspect; all but one of the proactive security guards that filled out the questionnaire stated that behavior is the primary reason for selecting someone for a proactive intervention.

Approximately half of the personnel that partook in the questionnaire stated that somebody's ethnic background (e.g. Moroccan, Romanian, etc.) had an effect on whether to approach them. This is

an indication that there is at least an effect of criminal archetypes alive within the private security sector.

2.3 Lipsky Framework Categories

High degrees of discretion

From the description of the proactive security measures that the companies participating in this research apply (amongst others, Predictive Profiling) the expectation would be that individual security guards have high degrees of personal discretion in which citizens to approach for additional security measures. The interview participants responded to this subject as follows.

“Interviewer: So there is a list [of indicators], so to speak. But is there also a reliance on personal interpretations?”

Company 1: Absolutely. Seeing for yourself. And with... Like you and I would do it when crossing the road. If you're not sure, you don't cross. So if there is a doubt, we escalate [security measures].”

Company 1

“Company 2: A transport carriage that is left behind in the hallway. Packages. Schoolchildren aren't allowed in, in principle. Those kind of things are determined on paper to be disallowed. But we also want, naturally, if someone is in our area for a very long time and doesn't have an apparent reason, that we must approach someone like that, but [it's not determined on paper] how we do that. That's something that's handled in training.

Company 2: Yeah, but what you say is there is discretion.

Interviewer: Is there a lot of personal discretion?”

Company 2: Yes.”

Company 2

“It's not like we only approach people who display deviant behavior, the power is also evident in the unpredictability of security. So our people are allowed to approach anyone. But if there is deviant behavior, that is connected to a threat, to the way in which the perpetrator might work, how they might recognize that. Then they will always immediately approach.”

Company 3

In summation it appears that the employees of the private companies that were approached for this research do apply these methods in an operational context that is heavy with client interaction and leaves the discretion on when to apply additional security measures to the employee. If this is the case for all proactive security guards in The Netherlands the case could be made that there are high degrees of discretion in this work.

Regular interactions with citizens

From the description of the proactive security measures that the companies participating in this research apply (amongst others, Predictive Profiling) the expectation would be that individual security guards have regular interactions with the citizens that they decide to approach for additional security measures. The interview participants responded as follows.

“Our job is so cool! We’re at Schiphol Airport: international place. There’s thousands of passengers coming by today. We observe whether what they’re doing is ‘normal’. And if they’re doing something that’s not ‘normal’ we say: ‘Hold on. I’m going to get my big brother’. And they come in and handle it.”

Company 1

“The customer? Yes, I think the customer doesn’t experience it in a way where they see a security guard, they don’t know that term. We work in a particular segment. So you’re really talking about a security host, or just the host. I think our customers, most customers, see us as an extension of their own organization. The first point of contact when you visit. Whether it’s a receptionist behind the desk, or a security host in front of it. That’s part of the experience. They’ll also say: there’s a bit of a feeling of security there as well.”

Company 2

“What I find very important is that the people are very active on the floor. They have to see and hear the needs of the visitors. And whether that leads to a service action or a security action, the action is aimed at the visitors. That automatically leads to either a service action or a security action. But there is a need for an active dynamic on the floor.”

Company 3

Based on the information offered by interview participants one can conclude that there is in fact a heavy reliance on regular interactions with citizens in the proactive approach by private security guards. In fact, all of the participating companies noted the importance of these regular interactions, and the subjective experience of the approached citizens. Stating that it is an important part of proactive security that in the case that an innocent citizen is selected that there is no unpleasant effect, or social harm.

Demand for services increases to meet supply

From the description of the proactive security measures that the companies participating in this research apply (amongst others, Predictive Profiling) the expectation would be that individual proactive security guards have perhaps greater resources than ‘normal’ security guards, in the sense

that the additional training and education can be perceived as additional resources. The interview participants replied as follows.

“Interviewer: Do your security guards have enough resources to perform their jobs well? Time? Information? Training? Education? I mean you’re talking about thousands of people a day.

Company 1: Yes. An unqualified yes. But on the other hand I want to say, yes, it could always be more.”

Company 1

“Interviewer: At airports the throughput of passengers is very important. Do the security guards experience this pressure? In their work?

Company 1: Yes. Consciously and unconsciously. Because if the lines are getting longer I could tell you twenty times: ‘Take it easy. Just do what you’ve got to do.’ But unconsciously you’re going to feel that pressure. ”

Company 1

“Interviewer: Theoretically you could say that each passenger receives a certain amount of seconds of ‘security from your guards?

Company 1: Yes.

Interviewer: Does that increase or decrease if it’s busy or quiet?

Company 1: It should stay about the same. But we know from experience that seeing these long lines places unconscious pressures on our staff. That might cause them to work faster. That’s not always good.”

Company 1

“Company 2: Yes, but it happens physically, with the presence of personnel, but also in other ways.

Interviewer: With cameras as well?

Company 2: And that is what governs them. That’s where we send a security guard if necessary.

Interviewer: Because with 20 people.. That’s a lot of ground to cover here.

Company 2: Exactly.”

Company 2

“The answer is, I believe, no. The way I see it. We work according to a certain method, but there’s a commercial interest. And that commercial interest makes us have to sell the method effectively, but also make it substantively sound. What I mean is the more you train, the more you inform people, the better the product is going to be. The more you inform people about the threat they have to prevent, the more they are concerned with the method. You can also use Red Teaming to stimulate the motivation. Red Teaming is meant to keep people alert. It’s a sort of training, an evaluation in practice. With all these practices you can create better quality for your people, for your organization.

The answer is of course that you think you’re people are going to get enough support, and the answer is no. When selling the method to a customer, money always plays a part.”

Company 3

“The client will always have to invest in that, but it costs money, and they find that difficult. That leads to the upkeep, the training, the maintenance of a state of alertness and the knowledge and skills of people losing priority.”

Company 3

The thesis that the additional education and training constitutes more adequate resources holds up. However, if the resources are observed relative to the task (preventing crime) there is still a discrepancy. The task is theoretically infinitely large, and the resources are limited. Participants mentioned resource constraints such as time, upkeep of skills and alertness, and manpower.

Chronically inadequate resources relative to the task

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Ambiguous vague or conflicting goal expectations

From the description of the proactive security measures that the companies participating in this research apply (amongst others, Predictive Profiling) the expectation would be that individual security guards have goals that are differently defined than the goals of non-proactive security guards. The goal is to prevent certain crimes, and in order to do so proactive security are informed of how to identify criminals.

“[The goal is] that everybody follows procedures 100%. It sounds strange to say it that way, but that is a necessity. Because if you follow procedures 100% you can never be wrong.”

Company 1

“Interviewer: Is there a description of these deviancies?”

Company 1: No of course there isn’t. That’s.. Well that’s the art of a good security guard. Because I could write 300 down, and he could study all 300, but tomorrow number 301 might show up. Because the bad guys are always a step ahead of us. And the trick is to keep that step as close as possible. But they always have the initiative. So what we have is guards who are very good at it, they have that fingerspitzengefühl. We have a few who follow procedures to 100%, if I explain completely to them what they should and what they shouldn’t.. Well then I’m never going to catch these guys. Not on their shift. So we give them

examples, but we leave what we mean a little gray. Because I would rather they speak to someone innocent ten times to many than one time to few."

Company 1

"Company 1: The security guard has a very specific goal at the airport. Passengers. Full stop. The police is out in the public domain, they have everything. They meet someone who is breaking and entering, they meet someone who's doing a plofkraak, they meet someone who's shoplifting, they meet fraud. They're in that whole public conundrum. Everything. Everything. You can't tell a policeman; can you just prevent all of that? It has to be governed very specifically.

Interviewer: And it is very specifically governed for you?

Company 1: It's specifically governed for us because we're only concerned with passengers. We only do a small part. It's a very big part in numbers, because it's 25, 30, 35 thousand people a day. But it's very specific.

Interviewer: You're always looking for the same things?

Company 1: Yes. And the police they walk around, or drive around in their cars, and they get a call from God-knows-who and have to go somewhere. And the worst thing is, by then it has already happened."

Company 1

"So everybody knows what's expected of them. What are the risks, you're told that. Because the [client], I've said it before, is completely different risk location from an Albert Heijn, where your primary issue is theft. So there is very different aspects and risks. And they [the security guards] know that."

Company 2

"Yes, so it's dependent on the location. If you look at the [client]. The risks here, we're close to the train station. The [client], even just the name. We are in the top 3 risk sensitive locations. So that is instructed to the guards specifically. Our specific profiling trainings are conducted [at the client], because that is the risk sensitive environment where it is possible. [...] So be aware of, I mean I just have to mention New York and everybody knows what they have to do. That's a trigger that they all have. And then there's also the day-to-day things, anything could happen here. There's a hotel downstairs, anything could happen there. It's also a thoroughfare. It's not hard to get in here from the hotel. So those are all things that we think about explicitly."

Company 2

"I think the power of the method is that we instruct our people in as clear and transparent a fashion as possible about: what are they expected to prevent, how do they recognize that, how does the adversary group function, and what they should do. I think the effectiveness of the method is partly based on how we inform the people in as short and adequate a way about their work."

Company 3

This question garnered very different responses from the interview participants. With Company 1 stating that there is both the expectation of following procedures 100%, based on *appearance & behavior* signs, as well as the expectation that well-trained proactive security guards are

capable of discretion outside of the procedures to identify non-defined deviancies in appearance or behavior.

Company 2 has stated that there are no specific procedures stating the prevention goals or indicators of potentially threatening individuals or behavior. Stating instead that this knowledge exists through the location-specific training courses and practical experience.

Company 3 is much more adamant in defining goals and indicators based solely on knowledge of potential future actions of adversaries. Company 3 values the transparency and clearness of communicating these goals to employees.

Approximately half of the proactive security guards that replied to the questionnaire stated that there was no procedure specific to their proactive security task, and half stated there was. This reply appears concurrent with the observation that goal expectations are vague or conflicting. The wide spread of answers across the scale of agreement to the statement 'It is clear to me which threat (which behavior) I am expected to prevent' also fits the conclusion that goals are considered vague.

Performance oriented towards goals achievement is difficult or impossible to measure

From the description of the proactive security measures that the companies participating in this research apply (amongst others, Predictive Profiling) the expectation would be that the goal achievement of individual security guards is difficult to measure. This is partly because the goal of prevention is a non-event, which is always a challenge to measure without the possibility of control groups. The interview participants had the following to say to this.

"Yes, of course. If you measure it yourself by putting an improvised explosive device in your suitcase, and pass through yourself, or you perform a mystery guest. Yes, that measures your people."

Company 1

"People often ask me that. And I think that's very stupid, but I don't tell them that. 'How much cocaine slips through?'"

[...] I don't know. Look: as a security guy, of course I'll say 'Nothing.'. But 100% doesn't exist, not on the one side and not on the other. We can get our security completely right, but then there's a guy in the Amsterdamse Bos that takes out a plane with a man-pad."

Company 1

"Company 1: Yes look: Germanwings. We can do our security to the best of our abilities. But if the pilot says: 'I'm taking it down'.

Interviewer: Although, theoretically, he did pass through security that day.

Company 1: Yes. But we can't tell if the pilot is crazy."

Company 1

“That’s a hard question. I always use this example of retail; I worked in the retail branch for seven years. Is theft measurable? On the one hand it’s measurable yes. But is it the security guard who reached that result, if theft goes down, or are there other factors?”

Company 2

“I think it is very hard to measure at this location. Because it’s the physical presence that does everything. Approaching people proactively. [...] People are discouraged to do anything here. Because if I’m outside and I think ‘It’s nice and warm in there, I’m going in.’ And you see our boys that are performing their jobs very actively you might just walk over to our neighbors in stead. I can’t measure that.”

Company 2

“When you want to measure. When you want to measure what you prevent. I think that is a struggle and a challenge to develop a method to measure the proactive work. That’s pretty complicated. What we do, is we work according to a method, and the vision of our company is that we combine empirical science with our evaluated experience. And that’s a success in the sense that our interventions are empirically based. That’s already a form of measurement, the empirical base.

On the other hand it is important that when we conduct proactive security, when our security consultants, that they take their own initiatives to register their actions. Even if nothing happens, but when they perform an intervention they log it in the app. It’s a digital form, you might say, and they use that to register their interventions. And they register the solution, or how they handled the situation, and when you analyze that it does give you insights into the efficiency, the effectiveness of your people.”

Company 3

The companies do attempt to measure the conduct of their employees. Through Red Teaming, or Mystery Guests or fake bombs it is possible to test the reaction of (a sample of) employees. However, all the participants agree that the nature of prevention makes goal achievement hard to measure. Even in situations where a before and after measurement might be possible, the responses indicate that causality in these security effects are too diffuse to report on reliably. Company 3 is the only company that attempts to perform quantitative measurements of proactive security conduct. These results were unavailable to the researcher, however.

Clients are typically non-voluntary

From the description of the proactive security measures that the companies participating in this research apply (amongst others, Predictive Profiling) the expectation would be that individual security guards have both voluntary and non-voluntary interactions with citizens. The combination of hospitality and security has made these security guards important public contact points for their employers. It is likely that citizens will approach these guards of their own volition for reasons of service. The proactive security interventions, however, are still non-voluntary interactions. The interview participants had the following to say regarding this subject.

"Yes it is absolutely mandatory to him. And people experience it as such. And then it's our job to, when they leave, that they realize that we're really there for them. You know, if people come up to security and say: 'I'm not the bad guy, so why are you standing here? You shouldn't talk to me you should talk to that guy over there in the djellaba. Or in the beard, or in the I don't know, the dark guy.'" We put them through the process, and we do what we have to do, it would be nice if that man or woman thought: 'Well [that was okay].'

We are always an obstacle, clearly. Somebody at the check-in desk, [...] You know they give you something. You get a better seat, or you have a few kilograms too many in your suitcase and they [make an exception]. Wheeling and dealing.

With us, he doesn't get anything. We touch his junk. We touch her boobs. People don't like it. We touch your luggage, there's stuff in it, it's out in the open. People don't like that at all. So we have to be discreet. And when people leave they might say, "They did that well."

Company 1

"Yes, they [experience it] as voluntary. Often when you approach people you introduce yourself, you shake hands. You ask them if you can help them in any way. That usually breaks the ice."

Company 2

"[It seems voluntary] because we approach the visitors in a very customer friendly manner, this creates a measure of acceptance. People find that a very pleasant way to make contact. And the feedback you give in the contact generates the acceptance of our method."

Company 3

The interview participants are in full agreement with the fictional character of Mary Poppins who once said: "A spoonful of sugar helps the medicine go down". Security guards have both voluntary and involuntary interactions with citizens, but the manner in which these interactions take place are highly important to the success of the private application of security. With all companies in agreement that a polite, discreet and cordial approach at least mitigates negative perceptions of the intervention, with companies 2 & 3 going so far as to state that citizens even experience the approaches as pleasant if performed well.

Conclusions

The main research question of this thesis is as follows;

How does the private application of proactive security measures by private security actors in the Netherlands differ from the application by public security actors in the Netherlands, and is either application better suited to mitigate Ethnic Profiling?

In order to answer this main research question, this thesis has already answered a number of sub-questions in earlier chapters.

1. What is Proactive Security?
2. What is Ethnic Profiling?
3. Can private security be compared to public security according to Lipsky's (1980) characteristics of Street Level Bureaucracy?
4. How does the Dutch public sector apply proactive security?
5. How does the Dutch private sector apply proactive security?

All of these sub questions have been extensively answered in earlier chapters, with the exception of sub question 3, which will be answered here before the main research question can be tackled.

Can private security be compared to public security according to Lipsky's (1980) characteristics of Street Level Bureaucracy?

The basis for a comparison between the application of proactive security by police and by private security is based on being able to consider both of these groups of actors as Street Level Bureaucrats that perform the proactive security measures as a part of the policy of their superiors. Public police is considered a prime example of Street Level Bureaucracy (Lipsky, 1980; Portillo & Rudes, 2014), but will also be judged by each characteristic for good measure.

Both cases can be described as front-line security actors with high levels of personal discretion in their regular interactions with citizens. Both classical policing and classical security are considered to be reactionary and repressive, and the shift towards proactive security has drastically increased the already high levels of discretion. The shift towards proactive security has also increased the amount of non-voluntary interactions between citizens and security actors. Although these actions are often less repressive in nature.

In the context of proactive policing these levels of discretion are further compounded as not only are security actors expected to decide which law-breakers to approach and not approach, but also which *potential* lawbreakers to approach and not approach. This leads to the population that is to be selected from increasing immensely, without a significant increase to the amount of people a security

actor is able to process during a working day. Which inevitably increases the already high degree of discretion afforded to security actors both public and private.

There is always discussion regarding the resources of police forces, and whether they are adequate. However both Dutch police and the sample of Dutch private companies are delving into the realm of threat prevention through proactive security. This causes a philosophical impossibility of task achievement, because as one interviewee put it: "100% security is impossible". This means that although a state of security may be achieved at any point, there is an infinite demand for enduring vigilance to prevent future threats. It appears based on the analysis in this thesis that both Dutch police and Dutch private security are often forced to make proactive security decisions based on outdated, vague or conflicting information.

The goal of threat prevention is often vague as it is unclear exactly which threat should be prevented and how a security actor might reliably recognize such a threat. This is particularly true for security actors that operate in variable operational surroundings, where the threat to be prevented is changeable.

The vagueness and conflicting nature of the goals that are generally set to both public and private security actors make goal achievement and related performance hard to measure. The outcome measure of a prevented threat is more often than not an immeasurable non-event, and in most cases public and private actors don't quantitatively gather data on proactive security operations.

Based on the above this thesis concludes that both the Dutch police and the sample of Dutch private security actors in this research may be considered Street Level Bureaucrats, and therefore a comparison of the application of proactive security measures will prove useful.

How does the application of proactive security measures by private security actors in the Netherlands differ from the application by public security actors in the Netherlands?

This thesis concludes that the Dutch police apply a number of different strategies in regards to the selection of citizens to undergo proactive policing interventions. The strategies that may be used by police can be broadly defined in two different ways: 'deviance seekers' and 'where is Waldo seekers'. That is to say in some cases a police officer might base the decision to conduct a proactive approach to a citizen based on their behavior or appearance being different from whatever 'norm' a police officer might construct in a certain context. This could entail a person's behavior being deviant from the expected behavior in a certain location at a certain time, as is alluded to in the case of the 'spottersmethodiek' in Utrecht. This could also entail a person's appearance being incongruous from a certain geographical location, or incongruous from a certain vehicle (Çankaya, 2012).

In other cases a police officer might base the decision to conduct a proactive approach on a citizen based on a 'criminal archetype' or specific information alluding to the appearance of potential criminals. These archetypes might be based on information given to officers in briefings (based on criminal intelligence both new and dated), or they might be based on perceptions or misconceptions of crime and groups that exist in society, police culture or within the individual police officer. Examples of these archetypes are both based on ethnicity and nationality, as well as wealth, class and age (Çankaya, 2012), but also on behavioral profiles such as a train traveller or passer-by in a train station (Opstelten, 2012).

It is fascinating to conclude that it is highly likely that the public application of proactive security is at least to some degree influenced by the same private company that has influenced the private sector greatly. The police application of methods such as 'spottersmethodiek' and SDR are (or at least in 2012 were) instructed by the same private security company that introduced the proactive security techniques to the Netherlands in the 1980's (Interview, Company 1). The similarities between the methods and selection procedures between the Dutch police and the private sample are therefore unsurprising.

Based on the interviews with the companies in the sample there are striking similarities with the selection methods that the police applies. The companies generally rely heavily on the personal judgments of security officers in regards to which citizens are and are not selected for additional measures. These judgments are informed through training, procedures or professional experience (*fingerspitzengefühl*). And indicators that may be related to a potential threat could be both appearance and behavior indicators. Some companies conceded that security guards also base judgments not just on the 'deviance seeking' method, but there are similarly criminal archetypes that are relevant to private security. Examples that were discussed during interviews were archetypes pertaining to nationality, race and perceived wealth. Although all three companies agreed that the proactive security method should not be used in a discriminatory fashion, none but one of the companies claimed to collect quantitative data on selection procedures to gain insight into the occurrence of this.

In conclusion, both the public and private cases in this research base their proactive selection methods on indicators in appearance and behavior. Selection methods range from 'deviance seeking' to 'where is Waldo seeking'. There is a reliance on both professional experience and objective knowledge in regards to suspicious indicators; with a general tendency in most cases towards professional experience over objective knowledge.

Is either the public or the private application of proactive security better suited to mitigate ethnic profiling?

The following table lists factors that are a risk or a mitigation to ethnic profiling in proactive security practice. What follows is a comparison of the public and private application of proactive security in the Netherlands as researched in this thesis based on these factors. The outcome of this comparison grants us a valuable insight into the individual risks and mitigating factors of either approach.

Risk Factor of Ethnic Profiling	Source
Overreliance on 'professional intuition' rather than empirical knowledge	Çankaya, Glaser
Both police and private security are concluded to base decisions on both of these factors. The consensus is that the police has a preference for professional intuition over empirical knowledge. It is also stated that empirical knowledge of relevant threats is more easily analyzed in the private security as security guards often work in within the same context and threat environment for prolonged periods. The apparent preference for professional intuition and complexity of empirical knowledge required for proactive policing rather than proactive security place the public application at greater risk in this context. However there is not structural registration or analysis of the knowledge basis of proactive approaches in either case to speak of.	
Goals or instructions that employ explicitly or implicitly ethnic indicators	Çankaya, Glaser
Both cases show signs that implicit or explicit racial traits are used as indications of potentially threatening individuals. These racial traits are seldom the only indications in a given situation, given the profuse application of criminal profiles in both cases. Although both the public and private cases argue that there is also reliance on purely behavioral or neutral traits, there is only one private company in this thesis that denied the use of ethnic indicators.	
Selection based on appearance or criminal profile	Çankaya, Glaser
Both cases show signs that selection can be based on criminal profiles or archetypes, but also based on behavior or criminal activity. Although often the selection based on behavior is based on deviant behavior rather than explicitly objectified suspicious behavior. The private companies were more easily able to explicitly define suspicious behaviors than the police, but there was little evidence to suggest that selection was based solely on behavior rather than a criminal profile, with the exception of one private company.	
Goals or instructions that are vague, unreliable and general	Çankaya, Glaser
The goals and instructions given to police in regards to proactive policing are both general and vague, because they need to be applicable in many different contexts. In addition to this they are often	

conflicting with classical repressive goals. The goals and instructions given to private security guards in regards to proactive security are likely to be less general and clearer because they are aimed at a more limited context.	
No structural monitoring or registration of proactive selection	Çankaya, Glaser
There is no structural monitoring or registration of proactive selection processes in any of the private companies but one. The Dutch police force has on multiple occasions opted against structural monitoring or registration of proactive selection, for example through so-called 'stop-forms'.	
No structural evaluation of proactive measures	Çankaya, Glaser
There is no structural monitoring or registration of effect measures of proactive security processes in the Dutch police. However two of the private companies have stated to regularly and structurally test the effectiveness of their personnel through f.e. mystery guest visits or Red Teaming. The Dutch police force has on multiple occasions opted against structural monitoring or registration of proactive selection, for example through so-called 'stop-forms', combined with arrest numbers.	
Absence of explicit prohibition of ethnic profiling	Glaser
<p>The Dutch police's definition of ethnic profiling qualifies it as being ethnic only if ethnicity is the only reasoning. This prohibits an explicit prohibition of ethnic profiling in the context of how ethnic profiling has been defined in this thesis.</p> <p>The private sector case is comparably vague in this regard. There is of course no decided upon explicit definition of ethnic profiling, although all interviewees indicated that ethnic profiling is prohibited. Oversight and enforcement of such a prohibition is not clearly present though.</p>	
Involuntary interventions that lead to 'social harm'	Hadidi
All proactive security interventions are in essence non-voluntary, however the social harm posed by security guards performing an intervention in a non-public space is much smaller than a police intervention in a public-space is. In addition to this all of the private companies have stated the importance of ameliorating perceived harm through extensive customer-driven approaches.	

Table 2: Analysis of Risk Factors of Ethnic Profiling

In conclusion it might be stated that on most factors neither the public nor the private applications researched in this thesis have a clear preference for risk or mitigation of ethnic profiling. Both the public and the private applications have their inherent challenges to face in regards to the equal treatment of those being subjected to the selection procedure.

On the whole however, it seems that the limited scope of operations that are related to the private application (either through limited geographical scope, or limited scope of threats to be prevented), and the reduced social harm involved in the private application put the private application at a marked advantage in regards to mitigating the possibility of ethnic profiling. It should be noted however that none of the private companies participating in the study were able to present any solid evidence of taking advantage of this advantage.

Recommendations

Based on the research conducted in this thesis, and the conclusions presented above the author makes a number of recommendations both for future research and for professional principles and procedures.

1. *Any party that practices proactive security measures, be they public or private, should register and analyze the selection procedures and intervention outcomes.* This research and the broader applicability of its conclusions are severely hampered by a lack of quantitative knowledge and data regarding the tens of thousands of proactive security interventions that occur in the Netherlands each year through both public and private actors. This recommendation, the form of so-called 'stop-forms' is a recommendation that is shared by Amnesty International and many other researchers. Not least because 'stop-forms' have proven to be an effective tool in reducing ethnic profiling and increasing effectiveness of proactive policing. The application that Company 3 uses to register proactive security is promising, but currently lacks available outcomes.
2. *Any party that practices proactive security measures, be they public or private, should base decision making only on the behavior of citizens, and not their appearance.* A pilot project in Fuenlabrada, Spain, based on just this measure resulted in significantly fewer interventions and a remarkable increase in successful interventions (interventions that uncovered crimes or misdemeanors).
3. *In stead of risk- or criminal profiles or archetypes being used in proactive security empirical knowledge of crime and threat should be applied in a fashion that is as concrete, specific, reliable and individually applied as possible.* To reduce the negative side effects and social harm caused by selection based on the appearance of a citizen the use of risk- or criminal profiles and archetypes should be minimized as much as possible.
4. *Any party that practices proactive security measures, be they public or private, should transparently release measures of effectiveness of proactive security measures.* Considering the non-voluntary nature and potential harm to individuals it is important to be transparent in the effectiveness of the interventions being applied, this increases acceptance of the method in society.
5. *Future research should attempt to more accurately, perhaps quantitatively, measure the concurrence between the practical application of proactive security measures and the narrative offered by company officials in qualitative research like this thesis.* The Street Level Bureaucracy theory is based on interplay between the street level bureaucrats and the 'higher-ups'. SLB's apply different coping strategies when confronted with the challenges of their work, which may lead to an application of policy that differs from the intentions of policy makers.
6. *Both the Private and Public applications of proactive security would do well to consider the risk factors relating to ethnic profiling, and aim to improve upon this in order to mitigate the effects of ethnic profiling.* The analysis of risk factors in this thesis concludes that the Private sector has an advantage over the public application in this regard, due to the nature of their work. However, the private sector does not capitalize actively on this, perhaps because the social pressure is lower on

private security to outlaw ethnic profiling. There are many ways to combat the risk factors included in this research; in particular the written works of Çankaya's and Glaser that heavily influenced this work provide practical advice. In particular working to make ethnic profiling explicit and making proactive security in general more transparent.

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Appendices

Interviews

The interview source material is available for review at request of the author:

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Interview Scheme

Interviewschema:

Titel: The Proactive Approach

Introductie

Veel dank voor de investering van tijd en moeite die u doet om mij te helpen bij mijn onderzoek. Mijn naam is Neal Conijn, ik ben uw interviewer en de uitvoerder van dit onderzoek.

Mijn onderzoek voer ik uit als onderdeel van mijn Masterscriptie Crisis & Security Management aan de Universiteit Leiden.

Mijn onderzoeksdoel is om inzicht te krijgen in de overeenkomsten en verschillen tussen proactief politiewerk en proactief beveiligingswerk.

Om hier inzicht in te krijgen voer ik dit interview met managers of beleidsmakers binnen verschillende bedrijven die doen aan vormen van proactief beveiligingswerk, zoals Profiling, Spotten, OGRI, etc. Het gaat er om dat beveiligers in hun werkzaamheden bepaalde discretionaire ruimte of beslissingsvrijheid krijgen in welke mensen ze wel of niet vanuit hun functie aanspreken.

Heel concreet wil ik weten op welke manier deze beveiligers hierin geïnformeerd en gestuurd worden, en wat de effecten zijn.

Het interview duurt ongeveer een uur. Bij iedere vraag ben ik op zoek naar uw *perspectief*, er zijn dus geen goede of foute antwoorden. Alle antwoorden zullen ook geanonimiseerd worden, en niet te herleiden zijn naar u of uw bedrijf. Dit is belangrijk omdat het voor mijn onderzoek waardevol is als u openhartig en eerlijk kunt spreken over de werkzaamheden van proactieve beveiligers. Hierbij geldt dat ik mij dien te houden aan bepaalde eisen van geheimhouding en anonimiteit.

Graag zou ik dit gesprek opnemen. Het is heel lastig om goede aantekeningen te maken, en tegelijk aandachtig te luisteren. Ook zou ik onderdelen van uw antwoorden letterlijk willen opnemen in het

eindproduct. Bent u ermee akkoord dat ik dit gesprek opneem? De opname blijft in mijn bezit, en er wordt vertrouwelijk mee omgegaan.

Heeft u verder nog vragen voordat wij beginnen?

Zullen wij beginnen? 1 Persoon en Bedrijf

Naam:

Functie:

Naam Bedrijf:

2 Introductie en geschiedenis

Wat voor proactieve beveiliging past het bedrijf toe?

Hoeveel 'proactieve beveiligers' heeft het bedrijf in dienst?

Wanneer begon het bedrijf met proactief beveiligen?

3 Kenmerken werkomgeving

Op wat voor locaties/contexten wordt proactieve beveiliging uitgeoefend?

1. Soorten locaties (openbare ruimte, semi-openbare ruimte, bedrijven)
2. Sociaal-economische kenmerken
3. Demografische kenmerken (etniciteit, leeftijd)
4. (On)veiligheid, typen criminaliteit
5. Rol van beveiligers t.o.v. organisatie en 'klant/bezoeker/burger'

Wat is kenmerkend aan deze locaties en contexten?

4 Kenmerken werkomstandigheden

1. Hebben de beveiligers voldoende middelen (tijd, informatie, training/opleiding, etc.) om hun werk goed uit te voeren?
1. Zou het werk van de beveiligers makkelijker worden/doeltreffender zijn als deze middelen er wel voldoende waren?
2. Zijn de doelen van u als werkgever in de context van proactieve beveiliging voor de beveiligers duidelijk? Niet ambigu, vaag of tegenstrijdig?
3. Zijn de prestaties richting het behalen van deze doelen makkelijk meetbaar?

4. Beschouwen de mensen die door proactieve beveiligers geselecteerd worden de opvolgende procedure of maatregel als iets vrijwilligs?

4 Voorbeelden controles

Kunt u mij meer vertellen over hoe een controle in zijn werk gaat?

1. Wie wordt er benaderd?
2. Waarom wordt deze persoon benaderd?
3. Wat gebeurt er tijdens de benadering?
4. Waartoe kan de benadering leiden, wat is een mogelijke uitkomst?
 1. Inschakelen Teamleider/Politie?
 2. Aanvullende maatregelen?
 3. Uitzetten?
5. Hoe reageren personen op deze benadering?
6. Wat voor resultaten hebben de benaderingen?
7. Welke informatie wordt aan de gecontroleerde persoon meegegeven?
8. Wordt de controle vastgelegd, wordt er verslag gedaan?
9. Gebeurt de controle in overeenstemming met de wet of het huisreglement?

4B

1. Waar wordt op gelet? Wat trekt de aandacht? Waar wordt rekening mee gehouden?
2. Wanneer wordt een persoon verdacht gevonden?
3. Wanneer wordt gedrag verdacht gevonden?

5 Toepassing van controles

1. Hoeveel controles hebben er vorige week ongeveer plaatsgevonden?
1. Hoeveel controles hebben er vorige week tot een aanvullende maatregel geleid?
2. Welk doel hadden deze controles?
3. Waar worden de controles voor gebruikt, welk doel dienden ze?
4. Wat is het resultaat van deze controles geweest?
5. Hoeveel controles zijn gemuteerd, vastgelegd?

6 Uiterlijke/visuele kenmerken

1. In hoeverre beïnvloeden uiterlijke/visuele kenmerken van een persoon de beslissing om te controleren? Bijvoorbeeld huidskleur, haardracht, klederdracht, etc.
1. Zo ja, welke uiterlijke kenmerken beïnvloeden het beslissingsproces?

7 Mutatie, registratie

2. Wanneer wordt er een melding gemaakt van een controle?
 1. Wanneer wel/niet?
3. Zijn de meldingen gemakkelijk te maken, op welke manier gebeurt het, welke informatie wordt geregistreerd?

8 Beleid, instructie

1. Hebben de medewerkers bepaalde richtlijnen, instructie of beleid *specifiek* aangaande de proactieve controle?
2. Wat is de relatie tussen deze *specifieke* instructie en de uitvoering?
3. Wat is de rol van leidinggevendenden bij controles?
4. Wat is de invloed van andere collega's bij controles?
5. Wat leren collega's onderling van hun controles?
 1. Vertellen zij elkaar over controles?
 2. Nemen zij dingen van elkaar over, of wijzen zij dingen af?

9 Wetgeving

- Wat zijn de regels of wetten die gelden om iemand te kunnen controleren?

10 Training

- Welke training of opleiding hebben medewerkers gehad over het *hoe* en *waarom* van controles?

11 Effectiviteit

- Hoe draagt de uitvoer van proactieve controles bij aan de doelen van de organisatie?

12 Bredere context

- Wat is de invloed van politieke of maatschappelijke discussies?
- Wat is de invloed van de media?

13 Etniciteit

1. In hoeverre denk je dat personen worden gecontroleerd op basis van hun etnische achtergrond?
2. Vind je dit gerechtvaardigd?

14 Afsluiting

1. Veel dank voor je medewerking aan het onderzoek. Ik benadruk dat de antwoorden geanonimiseerd worden en dat ik vertrouwelijk zal omgaan met de opnames.
2. Hoe vond je het gaan?
3. Heb je algemene opmerkingen?
4. Zijn er vragen die ontbreken?
5. Tips voor de interviewer?

Verwachte afronding onderzoek Q1 2017. Participant wordt op de hoogte gehouden.

Questionnaire

Questionnaire results are available for review with the author:
n.p.conijn@gmail.com

Questionnaire questions

The questions in the online questionnaire were as follows:

1 Who is your employer, what is your job, how long have you worked in this job?

2 What type of education or training did you receive for this job, how many days was this education or training?

3 Somebody is selected proactively based on:

1. Appearance
2. Behavior
3. Interactions
4. Other; namely: _____

4 Indicate how much you agree with the following statement:

"The decision to conduct an intervention is completely my own."

[Followed by a 5-point scale from Completely Disagree to Completely Agree]

5 Is there a procedure that describes how you, as a proactive security guard, should decide who and who not to approach?

1. No, there is no procedure
2. The 'suspicious' behavioral cues are described
3. The 'suspicious' appearance cues are described
4. It describes how I decide to approach somebody
5. It describes how I should perform a proactive approach
6. It describes what I should do if someone is deemed innocent
7. It describes what I should do if someone is possibly nefarious

6 What are possible additional measures that you can apply to find out whether a person does or does not have nefarious intentions, or that you can apply in the case that the suspicion of nefarious intent exists?

1. Security Questioning
2. Contacting a team leader
3. Contacting the control center
4. Additional (technological) screening
5. Denying access
6. Other, namely: _____

7 Indicate how much you agree with the following statement:

"It is clear to me which threat (which behavior) I am expected to prevent"

[Followed by a 5-point scale from Completely Disagree to Completely Agree]

8 How much influence does somebody's ethnic background (e.g. Moroccan, Romanian, etc.) have on your decision to approach them?

[Followed by a 10-point scale from No Influence At All to A Lot Of Influence]