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Managing Trouble along a Continuum of Accountability: On Police Practices for Dealing with Mentally Ill Subjects

A Thesis submitted in partial satisfaction of the
requirements for the degree Master of Arts
in Sociology

by

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December 2021

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December 2021

Managing Trouble along a Continuum of Accountability: On Police Practices for Dealing with Mentally Ill Subjects

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by

André Buscariolli

ABSTRACT

Managing Trouble along a Continuum of Accountability: On Police Practices for Dealing with Mentally Ill Subjects

by

André Buscariolli

Law enforcement agencies have become increasingly responsible for managing the occasionally deviant conduct of mentally ill individuals over the past four decades (Teplin, 1983, 1984). That is not just a societal problem but an issue that officers confront as part of their daily work. Drawing from Conversation Analysis' contributions to the study of neurodivergent behavior (Maynard, 2019), action sequencing and other aspects of the procedural infrastructure for interaction (Schegloff, 1999) I argue that officers rely on a continuum of accountability in responding to deviant conduct and mental health-related phenomena, and in making sense of participants' agentic capacities for participating in encounters. Using video data from a large database of police encounters, I explicate officers shifting movement along a continuum of accountability across a range of socio-sequential contexts. At the level of action sequencing, I show how officers encountering conduct that resists comprehension as a form of social action or otherwise departs from commonsense understandings, may nevertheless work to incorporate elements of it in advancing a course of action. Further, I examine how these shifting orientations are consequential for officers' decisions shaping the trajectory of the encounter (e.g., toward arrest, hospitalization, etc.) by

showing officers how officers work to arrive at an accountable and reasonable outcome for the encounter’s project(s) (cf. Raymond & Zimmerman, 2016).

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I. Introduction

Around 5:30 am on a Tuesday, a police officer receives a radio call about a shirtless man breaking into a house and immediately leaving after being spotted by one of its residents. An officer in the area stops to talk with a man matching the description of the subject (line 1) and, instead of responding to the officer's query, the subject poses a question to him (line 3).

Extract 1

```
1      PO1   what's going on?
2            (0.4)
3      CM1   can I drive?
4            (0.2)
5      PO1   can you drive? no you can't drive.
```

This query is unusual in any number of ways. Civilians rarely ask to get *into* police cars. Moreover, the civilian's request would seem to suggest that he views the officer's arrival as an *opportunity for him* (to drive) rather than an *investigation of him*. What is going on here? And what should the officer do next? Although the particularities of this exchange may be unique, the troubles and dilemmas they pose for officers have been recognized as a routine of feature policing at least since Van Maanen's (1978) classic analysis of "the asshole."

According to Van Maanen (1978), officers seek to answer two questions in deciding how to deal with that sort of trouble: a) could the person have acted otherwise? And b) does the person know what they are doing? As his analysis establishes, the various categories officers may be said to encounter – such as "suspicious persons," "know-nothings," and "assholes" – can be understood to emerge from the ways that they answer these two questions. For example, officers categorize subjects as "assholes" when they view the latter's confrontational conduct as deliberate and knowing challenges to the officers' authority, and by extension their ostensible mandate to "protect" the moral order of the community. By contrast, if officers attribute apparently uncooperative behavior to circumstances beyond the civilian's control (e.g., hallucination, cognitive impairment, etc.), they may deem them mentally ill. In both cases, civilians' conduct may resist officers' commands and even appear confrontational. However, the degree to which civilians appear to choose their actions (as opposed to having them constrained by circumstances) and the whether they can anticipate how the officer will understand their actions varies.

In showing how officers' recurrently (and tacitly) use these queries, Van Maanen (1978) shows how the binary evaluations of civilians' agentic capacities that officers routinely make shape their actions and decisions in their encounters with the public[1]. As the title of is classic paper suggests, it primarily examines one side of this binary alternative: the asshole. This article builds on Van Maanen's framework by examining circumstances in which officers arrive at the opposite conclusion. In doing so, I recast this framework by proposing that we can better understand officers' categorizations of civilians' conduct by reference to a continuum of accountability – rather than a binary choice. That is, their practices for conducting the encounter (i.e., for questioning, requesting, directing, etc.) continuously ascribe their interlocutors contrasting degrees of accountability. Previous studies have discussed how law enforcement agencies have become increasingly responsible for managing the occasionally deviant conduct of mentally ill individuals (Livingston, 2016; Markowitz, 2006; Teplin, 1983, 1984). That is not just a societal problem but an issue that officers confront routinely as part of their job. When dealing with apparent mental illness manifestations, officers must progressively work out some accountable or reasonable way of resolving the encounter, raising practical problems: to what extent are civilians' conduct a police-able matter (see Raymond, Jungleib Zimmerman, and Jones, *forthcoming*)? How to respond to actions that seem to violate commonsense understandings?

---

[1] Towards the end of the chapter, Van Maanen (1978, p.319) includes a four-by-four table relating different outcomes with possible response combinations for the questions above.

In what follows, I propose that action sequencing and other aspects of the procedural infrastructure for interaction (Schegloff, 1999) provide an environment where officers can rely on a *continuum of accountability* to make observations about participants' agentic capacities and mental health-related phenomena. Thus, the analysis focuses on how officers' orientation towards mental health-related phenomena become visible *in* and *through* unfolding sequences of action (see also Maynard, 2019). The notion of a continuum of accountability captures how officers progressively adjust their conduct to meet their interlocutors' interactional competences. Furthermore, officers' orientations regarding one's competence are consequential for the officers' conduct, including a range of decisions that categorize their interlocutors and shape the trajectory of the encounter (e.g., toward arrest, hospitalization, etc.).

A. Literature Review

Bittner's (1967) fieldwork study represents the first attempt to conceptualize the *contextual background* where mental health-related emergency apprehensions occur. Bittner explains that police officers attend to three horizons of context while dealing with individuals they suspect to be mentally ill:

1. *Scenic horizon*, more or less stable features of the background in which police encounters occur - e.g., neighborhood characteristics, presence of bystanders, etc.;
2. *Temporal horizon*, the suspects' characteristics, and their history of previous interactions;

3. *Manipulative horizon* concerns elements of the immediate interaction, including practical considerations about the officers' job, including officer's and community safety.

According to Meehan (2019), a crucial but often overlooked aspect of Bittner's scholarship is his emphasis on the situated and contingent nature of police decision-making. Bittner (1967, p.292) argues that "[t]he external characteristics of cases are not irrelevant for decisions, but *their import is always mediated by practical considerations* of what can and need be done alternatively" (emphasis added). Yet, research building upon Bittner's contribution has treated arrest outcomes as the most salient feature of police encounters, missing how officers progressively come to attribute some forms of interactional trouble to mental illness and work out arrest decisions. Two main theoretical and methodological positions underlie these caveats.

Firstly, previous studies have used taken-for-granted beliefs about mental health in an uncritical way. For instance, observational studies using video recordings of police encounters have relied on researchers' own discretion to identify mental illness manifestations. They propose that cultural norms influence typical ideas about mental health in American society – thus, likely to be held by police officers and researchers alike (Engel & Silver, 2001; Novak & Engel, 2005). However, these studies do not clarify what those typical beliefs are, nor do they provide evidence that participants in the interaction, notably the police as the ultimate decision-makers, orient themselves towards these behaviors or persons. Other studies have used officers' self-reports, official statistics, debriefing conversations, and fieldworkers diagnostic to identify police encounters involving mentally disordered individuals (Johnson, 2011; Markowitz, 2006; Schulenberg, 2016; Teplin, 1984). These methods treat the identification of mental illness as a problem for researchers collecting and coding cases, overlooking how interactional participants themselves make attributions about mental illness and the consequences of such attributions for the ongoing interaction.

Secondly, studies in social sciences tend to attribute mental illness to biological and genetic factors, treating immediate behaviors associated with it as un-warranting further sociological analysis (Freese, 2008). The assumption that the "inherent orderliness" of mental illness manifestations lies within the brain or the genome overlooks the study of behavior in interaction associated with mental illness[2] (Maynard, 2019, p.6). Consequently, most social science research has treated mental illness as a *post hoc* category used to explain a wide range of behaviors and outcomes. Furthermore, it eludes how mentally ill individuals' situated conduct can reflect an acute sensitivity to the ongoing interaction, being consequential for its unfolding.

Earlier symbolic interaction and ethnomethodological studies, on the other hand, have sought to elucidate the *social nature* of mental illnesses. Goffman (1971) argues that regardless of its genetic/biological causes, individuals commonly make attributions of mental illness by reference to the occurrence of awkward social norms violations. Whereas culture provides ways to classify deviant behavior (e.g., crime, bad manners, drunkenness, etc.), people often employ the "mentally ill" social category to classify abnormal behaviors to which society has no explicit label (Scheff, 1963). Maynard (2019) discusses mental illness attributions by reference to breaches *natural facts of life* (Garfinkel, 1967) – i.e., taken for granted everyday life experiences that render social life predictable. Likewise, Pollner (1974) explains that *mundane reason* assumes the existence of an objective and intersubjective shared world; treating apparent experiences of an altered sense of reality as symptoms of mental illness may explain otherwise nonsensical perceptions of the world. What is distinct about these approaches is that they propose that orientations to mental illness emerge as sources of trouble by virtue of the forms of social organization used to conduct encounters and invoked as explanations for those troubles (see also Smith 1978).

---

[2] For example, Engel and Silver argue that: "there needed to be 'some indication that it [*i.e., a mental illness manifestation*] is a chronic (continuing) condition, not one arising from the immediate circumstances'" (Engel and Silver 2001:234).

Conversation Analysis (CA) has significantly advanced interactional approaches to mental health-related topics by analyzing so-called neurodivergent behavior in interaction (Koskinen et al., 2021; Maynard, 2019; Maynard & Turowetz, 2017, 2019). Thus, further grounding mental illness manifestations in the forms of social organization governing everyday life and details of interactional practices and processes. Drew and Heritage (1992, p.21) explain that CA treats context as "inherently locally produced, incrementally developed and, by extension, as transformable at any moment" (see also Schegloff 1987, 1992). That is, socio-interactional reality is constituted by the participants' orientations, meanings, interpretations, and understandings of their context, including the conduct of others (Schegloff, 1997). Thus, CA demonstrates how the analysis of unfolding sequences of talk allows analysts to grasp participants' orientations to mental health-related phenomena (Maynard, 2019; Maynard & Turowetz, 2017). So-called "neurotypical" and "neurodivergent" conducts are "fundamentally embedded in its environment of embodied social activity" (Maynard 2019, p.6). Officers may use common-sense interpretations and categorizations of mental illness to justify their previous actions and shape the horizon of possible subsequent actions; in this way, "what counts" as mental illness must be locally produced and constituted in and through interaction.

Maynard (2019) uses the adjacency pair structure to demonstrate how police officers and medical doctors treat second position responses from persons identified with autistic spectrum disorder (ASD) as initiating sequences that violate commonsense knowledge (i.e., *transpositioning*). In social interaction, talk mostly occurs in sequences of pairs of actions (e.g., question-answer/answer refusal, greeting-greeting return, etc.). Once a speaker has uttered a recognizable first pair part, the next speaker is expected to produce a second pair part (Heritage, 1984a; Sacks et al., 1974). Each utterance derives its significance from the previous one while projecting a conditional relevant answer, thus, establishing a sense of *nextness* (Schegloff, 1968). Interactional troubles associated with mental illness disrupt this sense of nextness to the extent they deviate from the adjacency pair structure's normative character (Maynard, 2019). Once there is a discrepancy between expected and actual events, "persons engage in assorted perceptual and judgmental work whereby such discrepancies are 'normalized'" (Garfinkel, 1963, p.188). Previous ethnomethodological and conversation analytical research has discussed in detail the interactional work by which persons normalize the occurrence of atypical, unexpected conduct (for an overview, see Robinson, 2016). Of particular interest here is how people may use social categories to accomplish this normalization work.

Early research within CA recognized that speakers in conversations employ multiple but highly organized ways to refer to persons, places and objects in the social world (Schegloff, 1991). In this regard, Membership Categorization Analysis (MCA) discusses how interactional participants' use of social categories are consequential for social interaction (Sacks, 1972a, 1992). According to Schegloff (2007, p.469), social categories are inference-rich "They are the store house and filling system for the commonsense knowledge that ordinary people – that means ALL people in their capacity as ordinary people – have about what people are like, how they behave, etc." Moreover, they link different types and lines of action with associated members of a given category – i.e., category sensitive (Rossi

& Stivers, 2021) or category-bound activities (Sacks 1972) – serving as *local resources* to produce and interpret different forms of actions (Schegloff, 2014; Stokoe, 2009). For instance, Watson (1978) suggests that members invoke the "mentally ill" social category to mitigate the seriousness of persons' conduct so categorized. Ascribing category membership in this way can warrant or excuse behaviors that might otherwise be treated as blameworthy or objectionable. Further research showed how individuals recurrently rely on different accommodation techniques as a method to integrate and accommodate "troublemakers" into society. Instead of sanctioning individuals for disrupting social norms, purportedly competent members of society assume the burden of maintaining "normal" behavior and appearances (Lynch, 1983).

Nevertheless, the mere correlation between subjects' conduct and their ascription into fixed categories likely narrows the focus to only the most extreme mental illness cases and misses the various ways persons may be categorized along a continuum. In conducting police encounters, officers pursue routine action sequences in ways that exhibit an orientation towards a *continuum of accountability* according to the interactional competence they ascribe to their subjects' conduct. While dealing with individuals that display problematic, flawed, or tenuous understandings of the situation, officers may cast them as less than fully competent, adjusting their conduct to accommodate the extent to which civilians may struggle to comport with situational demands. The focus of CA on sequence organization allows us to observe how police officers make adjustments to this continuum of accountability, reflecting one way by which they manage the burden of maintaining normal behavior and appearances (Lynch, 1983). Building upon this notion, this article:

1. Identifies the procedural infrastructure for interaction through which police officers find civilians' behaviors problematic in particular ways, thus making them more vulnerable to the inference that mental health is *at play* in the encounter;
2. Evaluates how the relevance of this label or category becomes evident in and for the ongoing interaction;
3. Discusses the practices police officers employ to interactionally manage behaviors associated with mental illness.

II. Methods

An extensive database of dashboard videos (over 400) was obtained from an American West Coast city as part of a project that aims to identify interactional mechanisms to improve the quality of police-civilian encounters. Most of the recordings are between 10 to 50 minutes long. Having watched and coded over 80 videos for a different project, I have selected 9 of them where officers' conduct displays evidence that they are possibly oriented towards mental health-related phenomena.

Although police officers are generally tacitly oriented towards mental health-related phenomena (they rarely make explicit reference to mental illness), the presence of distinct design features in their utterances provides evidence that these are exceptional cases. In light of Watson's (1978) and Bittner's (1967) observations that mental illness can mitigate individuals' responsibility for their actions, violations that do not result in an escalation of the officers' scope of authority may indicate the officers' orientation to the civilian as being mentally ill. For example, my analysis will show that a subject's refusal to answer questions or comply with directives may serve as a basis for an escalation of the officer's scope of authority in routine encounters. On the other hand, in encounters where officers progressively develop a sense towards dealing with less-than-fully competent subjects, they may excuse conduct that would otherwise be considered blameworthy and a basis for escalation and possible use of force on the grounds that civilians were not aware of their situation**.** In these cases, officers can deploy a much wider range of next actions to incorporate or use subjects seemingly uncooperative conduct, and thereby seek to normalize and manage nonsensical conduct.

Thus, developing analyses of the granular forms of conduct associated with officers' categorization of subjects as "mentally ill" can be facilitated by comparing these encounters with others where officers treat civilians as fully competent and thus fully accountable for their conduct. Schegloff (1996) explains that assembling collections of cases in which the target phenomenon is recurrent in its many variations, including those that differ from our original inquiry, forces us to reflect upon its very distinctive features. For instance, Whitehead's (2020) recent study on implicit whiteness has shown how interactional features systematically observable across multiple distinct cases provide empirical support to suggest that participants are oriented to the relevance of a particular social category – even in instances where they do not explicitly use racial categories. Comparing cases expands the context in which any given case is examined, thus allowing us to grasp shared features of interaction and, consequently, more implicit forms of categorization (Whitehead, 2020).

III. Analysis

A. The continuum of accountability

In what follows, I will compare two cases to illustrate distinct practices by which police officers manage interactional troubles arising from civilians' conduct. Each of these practices reflects contrasting assumptions about civilians' competence for understanding their circumstances and following directives, which, in turn, presupposes different explanations for uncooperative conduct. The analysis then expands Van Maanen's (1978) contributions by closely examining how police officers' treatments of civilians as either "assholes" or "mentally ill" are progressively accomplished through sequences of talk.

In extract 1, a police officer casts the civilian's uncooperative conduct and successive complaints as a deliberate challenge to his authority, serving as a basis for making consecutive escalations of his control over the subject in his part (e.g., via handcuffing, placement, body positioning, etc.). There is a symmetry between the civilian's complaints/uncooperativeness and the officer's increase of authority. The officer initiates an investigatory encounter by reference to a jaywalking occurrence. According to the timestamp on the recording, their first contact happened at 3:54 am in a commercial zone near an intersection with no apparent vehicle or foot traffic. The dashcam captures the front of the car, and the very beginning of the encounter took place off-camera. The following extract demonstrates how the officer is increasingly oriented towards the "asshole" (Van Maanen, 1978) category.

<u>Extract 1</u>

```
1      PO1    how are you? (.) what's up with you crossing the street
2             (2.0) against the light?
```

```
3             (1.0)
4      CM1    yeah?
5      PO1    come on over here (.) get your hands out of your pockets
6             (0.5)
7      CM1    it's out of my pockets. what are you doing? (.)
8             ()[just came from my friend's house
9      PO1      [are you drunk?
10            a little drunk?
11     CM1    minorly
12     PO1    okay, just listen to me. you're not under arrest I’m just
13            putting you over here okay? ((Police officer grabs the
14            civilian’s arm and escorts him to the front of the vehicle))
15     CM1    you're putting me against the car don’t give me a bunch of
16            shit
17            (1.0) ((Officer gazes at the civilian))
18     PO1    Okay ((Officer beings handcuffing the civilian))
19            (.)
20     CM1    (excuse me) what are you doing?
21     PO1    interlace your fingers. Interlace your fingers (.) like
22            you’re praying
23     CM1    () what are you doing?
24            (3.1)
25     CM1    what are you doing? (.) uh there’s no way you’re taking
26            me to jail. For what?((leans toward the officer, figure 1))
27     PO1    I didn't say you were going to jail ((turns the civilian
28            away from him, figure 1))
29     CM1    yeah but you're- you're putting me in a cuff
30     PO1    well you're not being a very good listener
31            (0.5)
32     CM1    yeah but you're stepping up and out of your place
```

From the onset of the encounter, the misalignment between both participants' actions foreshadows a disagreement and possible confrontation. Upon contacting the civilian, the officer inquiries about his misdemeanor (lines 1-2), but CM1 does not provide the preferred second pair part to the officer's question – i.e., admitting to jaywalking and apologizing – producing a minimal response instead ("yeah?" line 4). The officer moves the civilian to the front of the car and asks him to keep his hands out of his pockets (line 5). Officers typically conduct stops in front of their vehicles so that the dashcam can record the interaction; furthermore, asking the civilian to keep his hands out of his pockets is practice ensuring subjects will not try to reach for weapons. Thus, the officers’ directives suggest an escalation of his authority as he begins relying on institutional practices to deal with his subject’s conduct. CM1 reciprocally escalates his uncooperative conduct by complaining about his interlocutor’s requests (“it’s out of my pockets, what are you doing?” line 7), and accounting for the mundane character of his actions (“I just came from a friend’s house” line 8).

The officer entertains a possible explanation for the civilian’s apparent uncooperativeness (“intoxication,” see lines 9-10), but the latter provides another minimal response (line 11) without accounting for or acknowledging anything problematic in his conduct. The officer returns to his last project – moving the civilian to the front of the car (this time, grabbing him by the arm, indicating another escalation of his authority). Even though the officer assures CM1 that he is not under arrest (lines 12-13), the civilian challenges such claims by pointing out the mismatch between the information it comprises and the course of action he just initiated (lines 15-16). Openly confronting the officer’s prior action marks a clear departure from the officer’s social agenda – the civilian is questioning the basis of the officer’s authority, thus indicating he is not committed to complying.

Notice that the civilian can distinguish the course of action the police officer has initiated (i.e., moving him to the front of the car as a recognizable institutional policing practice), which PO1 appears to treat as evidence that his interlocutor is competent enough to comply with him and yet has *chosen* not to. From that point onwards, the officer positions himself behind his interlocutor and either does not respond to CM1’s queries or provides minimal responses (see lines 24 and 27). When the civilian turns his upper body in the officer’s direction, PO1 grabs his shoulder and turns his body away from him, indicating he is unwilling to participate in the interaction. CM1 pursues the same question a few times (lines 22, 24-25) before PO1 finally provides a reason for having handcuffed him: the civilian was “not being a very good listener” (line 29). By pointing to his interlocutor’s absence of action, the police officer complains about the civilian’s lack of compliance (Schegloff, 1996), indicating the apparent purposeful evasions and resistance as grounds for escalation (i.e., to handcuffing).

In brief, at the beginning of the interaction, PO1 gives his interlocutor opportunities to provide an account or excuse for his misconduct, even entertaining the possibility that the civilian was intoxicated. This explanation could have possibly mitigated his uncooperative behavior and account for the misdemeanor leading up to their encounter. However, the officer's successive escalations in control cast the subject’s conduct as uncooperative and deliberately challenging (Van Maanen, 1978), thus, closing down opportunities for participation. For his part, the civilian begins displaying increasingly defiant behavior in response to the officer’s actions, eventually telling PO1 he was “stepping out of his place” (line 33), reciprocally escalating the dispute.

Extract 2 parallels the previous case in one way – in both, police officers have to deal with interactional troubles arising from a civilian’s seemingly uncooperative behavior. However, in what follows, the officer does not treat his interlocutor’s conduct as deliberately challenging but instead as strange or puzzling, casting the civilian as in need of assistance. It depicts the case presented earlier in the introduction – that is, an officer questions a break-in suspect, but the latter asks if he could drive the officer’s car.

<u>Extract 2</u>

```
6      PO1   what's going on?
7            (0.4)
8      CM1   can I drive?
9            (0.2)
10     PO1   can you drive? no you can't drive.
11           (1.3)
12     PO1   step back. come over here. ((sound of doors closing)) comer
13           Over here s[it-
14     CM1              [can I::
15     PO1   what are you doing out here?
16     CM1   I don’t know
17           (0.5)
```

```
18     PO1   (whadda) ya mean you don't know? go ahead come here an’
19           sitton- seat on my bumper for me. Got any ID on ya?
20           (0.7)
21     PO1   sit over- sit right there on the on thuh: black part (.)
22           come over here. come on, sit right there (.)
23           [co::me o:n,
24     CM1   [i don't (have any ID)
25     PO1   huh? come here. come on. sit up.
26     CM1   Do you have any idea what it's like to be pulled and [pushed
27     PO1                                                         [arigh-
28     PO1   aright. come on. (.) Go back up. (.) Sit down,
29     CM1   okay I’ll believe you
30     PO1   what's the matter? ((Figure 2))
31          (1.0) ((civilian attempts to raise up, but the officer
32           prevents him from doing so))
33     PO1   >na na na na na na na no. Have a seat on the bumper< for me.
34           aright? turn around, turn around (1.0) have a seat (.) put
35           your butt on the bumper
```

Upon approaching the civilian, the officer asks what was going on (line 1). Instead of addressing the officer’s question, the civilian’s response initiates a different course of action: requesting to drive the officer’s car (“Can I drive?”, line 3). By asking if he could drive, the civilian seems to suggest that the officer’s arrival is *for him* instead of *about him*, thus displaying a problematic understanding of the ongoing circumstances. That is, he fails to understand the course of action the officers’ action initiate (Pomerantz, 2017). PO1 repeats the request before delivering a straightforward dispreferred response (line 5), indicating the inappositeness of the request (Bolden, 2009). Likewise, after inquired about what he was doing, CM1’s answer does not provide an account: “I don’t know” (line 11). PO1 then initiates a repair sequence after a brief pause: “What do you mean you don’t know?” (line 13). The use of “what do you mean” followed by a repetition of the previous speaker’s utterance sanctions the latter for failing to incorporate relevant background knowledge into their actions (G. Raymond & Sidnell, 2019). In this way, the officer treats the civilian as morally obligated to have known what he was doing, and thus his claim of not knowing raises questions as to his competence.

As in the prior case, PO1 encounters trouble moving CM1 to the front of the car (in a place to enable a video recording of the encounter). However, the officer treats his failure to comply as grounded in incompetence rather than deliberative non-cooperativeness. For example, after the officer issues this directive for the first time (lines 13-14), the civilian sits on the car's hood but does not move. PO1 recycles his previous turn replacing the word "bumper" for "black part" (line 16) – this word replacement treats the recipient as unable to recognize a commonplace object. As the civilian does not respond to the repair, the officer points to the bumper while summoning CM1's attention (lines 18 and 20). Tulbert and Goodwin (2011) explain that during routine activities with young children[3], parents often use expressions such as "come on" and "okay" conjoined with physical and gestural markers (see lines 17-18, and 23) as boundary markers indicating that the previous activity has ended and a new one ought to start. Thus, the use of boundary markers and more granular practices for describing his commands operate as coaxing strategies – they cast the recipient as needing help understanding what a competent recipient could be presumed to know. For instance, while requesting the civilian to sit down, the officer describes what the very act of sitting down implies: "put your butt on the bumper" (lines 29-30).

After the officer fails to get the civilian to sit down on the bumper, he grabs CM1 by the arm and escorts him to the correct place. The civilian's utterance in line 21 ("you know what it's like to be pulled and pushed?") refers to what the officer is doing. It indicates that he can grasp some sense of the officer's behavior, but not necessarily the focal action it is implementing (i.e., directing him to sit down for further inquiry). Furthermore, the participants' body postures illustrate a) the civilian's apparent inattentiveness to the situation;

---

[3] Interestingly, both Watson (1978) and Pollner (1974) argue that the “child” and the “mentally ill” categories mitigate individuals’ responsibility for their acts.

and b) the officer's effort in maintaining the projected trajectory of this interaction. As the officer escorts CM1 to the front of his car, his interlocutor turns his head in multiple directions without establishing a joint focus of attention. PO1 thus has to position himself to meet the civilian's field of vision (Figure 2), which is different from the officer's body posture in extract 1 (Figure 1). Comparing both body postures illustrates contrasting efforts to maintain a projected trajectory for the interaction, reflecting the extent to which officers may cast their interlocutors as combative or requiring assistance.

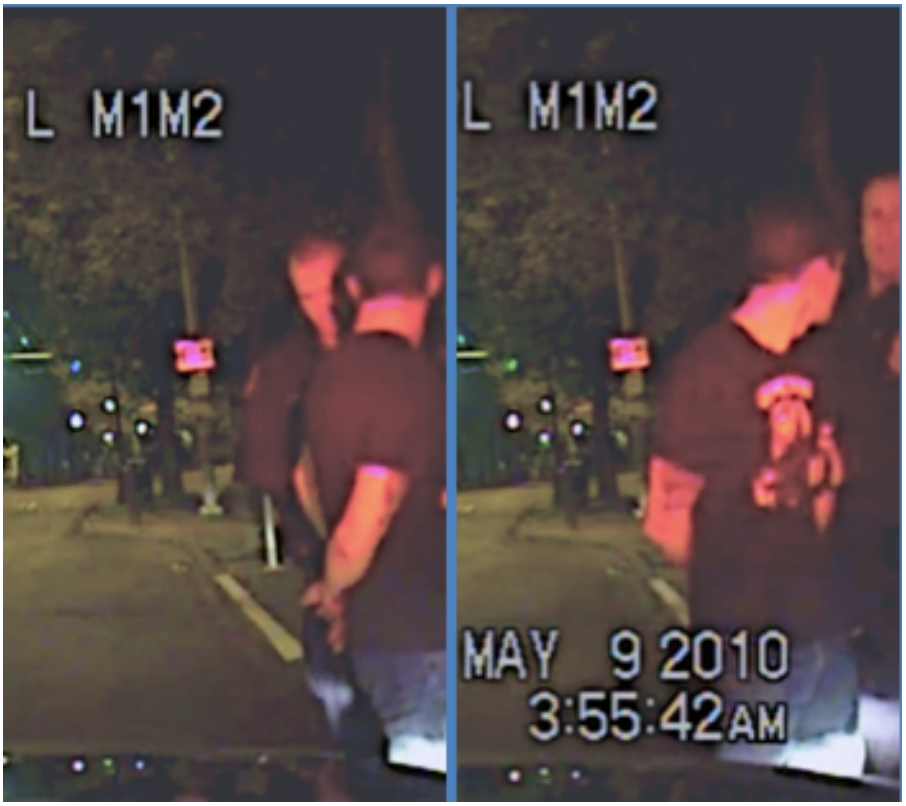

Figure 1. Extract 1, lines 26-28.

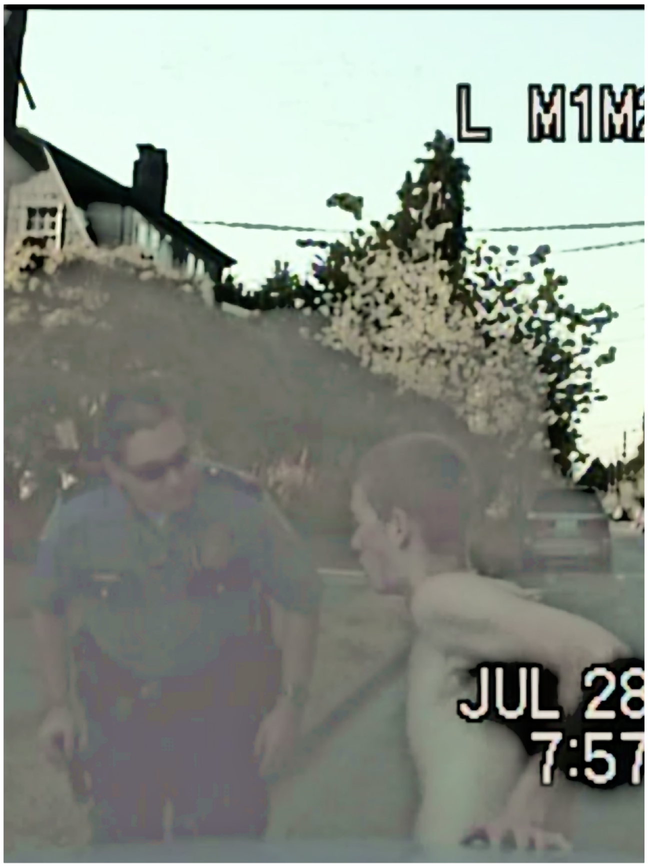

Figure 2. Extract 2, line 25.

In brief, the two cases I have examined demonstrate how officers' conduct during the sequences they initiate *reflect movement along a continuum of accountability*. Where they find civilians merely combative – i.e., "assholes" (Van Maanen, 1978) – they may exercise greater control over them, moving up in the continuum, closing down opportunities for participation, and narrowing the officer's range of possible next actions. Once officers have increased their scope of authority, subsequent challenges are recurrently met with further escalations. By contrast, moving down in the continuum, they treat a subject's noncompliance as the product of circumstances beyond their control – i.e., being not fully competent, possibly mentally ill. In such cases, officers use other practices that also treat recipients as less than capable, for example, by explaining common sense terms. Moreover, by shifting the gradient down, conduct that otherwise would be considered blameworthy is more easily excused, opening up a wide range of possible next actions.

B. Establishing and maintaining intersubjectivity

To deal with less than fully competent subjects poses police officers a practical problem: how to design actions so that they will be recognizable by their interlocutors? Participants achieve and maintain intersubjectivity via the procedural infrastructure of interaction, cooperatively shaping social reality through the built-in recognizability of their conduct (Garfinkel, 1967; Schegloff, 1992b). When subjects struggle to make sense of their interlocutor's actions, thus displaying a tenuous understanding of their ongoing interactions, their conduct poses a challenge to interpretations of purposeful social action. This "breakdown in intersubjectivity" (Schegloff, 1992b) associated with a more pervasive knowledge imbalance – that is, officers cannot readily assume what their interlocutors know or are capable of knowing.

This orientation towards a diminished epistemic status (Heritage, 2012) reflects in the practices by which law enforcement personnel attempt to establish a common territory of knowledge using pre- and post-sequences. In extract 3, police officers were dispatched to investigate a man making growling noises near a school. The video starts with the civilian sitting on the bumper of a police car while three officers are standing next to him. When he begins making growling sounds, one of the officers addresses the unusual behavior. However, instead of directly addressing the problematic conduct, the officer initiates a pre-sequence expansion establishing the civilian's understandings of the situation:

Extract 3

```
1     CM1   ((Civilian makes growling noises))
```

```
2           (1.1)
3     PO1   hey %name you you know where you're at right now?
4           (.)
5     CM1   yeah
6           (.)
7     PO1   okay. you know you're in front of a school right?
8     CM1   I didn't realize it was a school. I thought it was-
9     PO1   so hey look, I- I- understand what's going on with you.
10          it's probably not easy but there's a lot of kids in there
11          and I don't want to freak them out okay? so can you do me a
12          favor and try to keep it together as best (as we can)?
13          (0.5)
14    CM1   (all right).
15          (0.3)
16    PO1   okay. do you understand what I'm saying?
17          (.)
18    CM1   yeah.
19          (.)
20    PO1   don't want to- we don't want to freak any kids out do we?
21          (0.4)
22    CM1   no
```

This extract demonstrates how Bittner's (1967) horizons of context are reflexively linked and indexed in how the officer conducts the encounter. What makes the civilian's conduct (*manipulative horizon*) troublesome is his location near a school (*scenic horizon*) at a time where children are present (*temporal horizon*) – i.e., children could get scared of the growling noises. The officer refers to the scenic and temporal horizons while complaining about the civilian's conduct and treats the civilian's apparent inattention to these elements as grounds for establishing a diminished degree of competence. The pre-sequences in lines 3 and 7 invite the subject's recognition of his current location as a way of requesting him to bring his conduct in alignment with what it demands. Although the civilian demonstrates his ability to answer the question with a type-fitted second pair part (lines 5 and 8), he fails to recognize the project initiated by the officer's question (Pomerantz, 2017). For instance, in line 8, CM1 admits he was not aware of his location; yet, instead of adjusting his conduct accordingly, he begins explaining where he thought he was.

In lines 9-12, the officer directly elaborates on his interlocutor's problematic conduct. PO1 first empathizes with the civilian ("look, I- I understand what's going on with you it's probably not easy," lines 9-10). And upon requesting his interlocutor to stop making growling noises, he fosters a collaborative project ("can you do me a favor and try to keep it together as best as *we can*?" lines 11-12). These utterances serve to mitigate the civilian's responsibility for his misconduct, attributing it to factors CM1 struggles to control. After getting an agreement from his interlocutor (line 14), the officer initiates a post-sequence expansion design to assess or ensure CM1's understanding of the situation (lines 16) and further persuades him to follow along with his requests (line 20). Notice the use of a tag question (do we?) which highlights the persuasive character of this turn (Hepburn & Potter, 2011).

The use of pre and post-expansion sequences demonstrates the officer’s extra work in establishing and maintaining intersubjectivity – that is, ensuring that his interlocutor has correctly understood his requests and is apt to comply with them. Because these expansions address facts that people would have readily known and taken into account (e.g., knowing one’s location), their very occurrence cast the civilian as in need of assistance.

C. Address terms in response to problematic conduct

Up to now, the analysis has focused on unfolding sequences of talk to demonstrate how officers shift orientations towards their subjects’ conduct. When police officers move their exercise of authority along a gradient of accountability, that orientation appears in the different locus of organization, including *within turn components*. The use of address terms exemplifies that.

As aforementioned, when civilians act in ways that seem to resist their given directives, their conduct comes under scrutiny. Participants deploy address terms near or at the beginning of misaligning actions, serving as markers for the *broken contiguity* of the interaction and as a new action formation aiming to reestablish social alignment (Butler et al., 2011; Clayman, 2010). Therefore, the employment of different address terms demonstrates how officers attribute civilians different degrees of accountability while encountering resistance. Extracts 4 and 5 present two cases of how officers typically use address terms while dealing with purportedly competent recipients’ complaints and uncooperativeness. In the first of these cases, the officer responds to an accusation of racism. The second is a continuation of extract 1; after handcuffing the civilian, the officer commands him to sit down while checking his wallet, but his interlocutor refuses to comply.

Extract 4

1 CM1: So yeah () “oh I’m gonna go play with the black guy”, right?
2 (0.2)
3 PO1: Eh-
4 CM1: [() don’t tell me ()
5 PO1: [That’s ignorant **sir** on your part]

Extract 5

46 CM1: Maybe you’d like to take out my key card as well?
47 (.)
48 CM1: May- maybe you'd like to take out my
49 fucking long[shoreman card.
50 PO1: [Sit-
51 PO1: Sit do[wn.
52 CM1: [How about my fucking (union) card?=
53 PO1: =Sit down **sir**.

In extract 4, the police officer uses an address term while disagreeing with the civilian’s accusation that his actions were racially motivated (“That’s ignorant sir on your part,” line 5). Likewise, in extract 5, the police officer uses the same address term while recycling his command (line 53). Whereas "sir" is a typical sign of respect, when employed in contexts where police officers are doing actions vulnerable to being heard as disrespectful, it mitigates the seriousness of their offenses on the one hand. On the other, in more conflicting situations, police officers can index aggressiveness by doing the very opposite of being aggressive – i.e., demonstrating restrain. Implicitly projecting that they are "holding themselves" indicates that they are on the verge of adopting a more forceful response – in fact, shortly after the interaction in extract 5, the officer tackles the civilian on the ground.

Given the sort of global communicative troubles posed by interacting with persons perceived to be less than fully competent, we might expect to see orientations to this status emerge in a range of other practices of turn design and action formation. For instance, extract 6 depicts another sequence from the case presented in extract 3. In this part of the interaction, three officers are trying to get the civilian to stay sit at the bumper of a police car while they check his background; the latter, however, resists their order:

Extract 6

1 PO1 you have to sit down as long as we are talking to you
2 okay?
3 (0.57)
4 PO2 what's your name **partner**?
5 (0.04)
6 CM1 %name.
7 (0.11)
8 PO2 %name? hey **%name** in order for us to kind of help you out and
9 get this figured out it's best for you to have a seat for
10 us okay? thank you. Otherwise- and then we could get done
11 with this and move
12 right along. How about that?

Before requesting his interlocutor to sit down, the officer asks the civilian's name. Notice the use of "partner" (line 4) instead of "sir." Whereas the latter seems to index a tension with the deontic status (Heritage, 2013; Stevanovic & Peräkylä, 2012), "partner" categorizes the civilian as a non-combative subject. Even though CM1 has clearly disobeyed the officer's actions, this address term invites collaboration and projects a joint project. Having learned the civilian's name, the officer uses it while explaining why he has to stay sitting down (lines 8-13). Using a turn-initial first name is a practice for securing a recipient

(Lerner, 2003), which seems consistent with the officer's orientation to the civilian's potential non-availability as a recipient. Although that is a regular feature of conversations, the civilian is ostensibly directly engaged with the officer and lacks any reasonable basis for not being available as a recipient. In the middle of his turn, the officer appears to begin discussing the possible consequences of the civilian not complying with them ("otherwise" line 10), but quickly abandons his turn and instead projects the completion of the encounter (lines 10-11). This shift possibly indicates his orientation towards diminished responsibility and accountability on the civilian's part.

Similar to the use of boundary markers, officers may employ address terms while trying to establish a joint focus of attention, not necessarily to a physical object, but to a common interactional project: finishing the encounter. Whereas "sir" projects an escalation of their authority – the use of terms like "partner" or "buddy" addresses the broken contiguity of the encounter by projecting an alignment between both participants' agendas.

D. Shifting orientations

In the first section of the analysis, I compared two cases to illustrate how officers ascribe civilians contrasting degrees of accountability. However, the distinction between a fully competent individual and a mentally impaired one is not always clear-cut; police officers may change their orientation as the interactional unfolds. Thus, one's ascription into the "mentally ill" category (or into the "asshole" category for that matter) is not a rigid and definitive assessment but an *ongoing interactional accomplishment*.

In extract 7, a police officer begins to change his orientation as the civilian, initially evidently categorized as mentally ill, demonstrates increasingly, and apparently deliberate, uncooperative behavior. Still, the officer maintains a degree of permissiveness even though he begins to escalate his scope of authority. In this case, a police officer was dispatched, along with firefighters, to assist a man rolling in the middle of the road. Upon arriving at the scene, the officer finds the subject sitting down on the side of the road. Another civilian's car is parked right in front of him – presumably, to prevent him from going back into the middle of the street. While parking his car, the officer addresses the civilian. Given the very nature of the dispatch call, the officer seems to entertain the possibility of dealing with a mentally disordered individual from the onset of the encounter. Upon contacting the civilian, the officer says: "Hey *buddy*, what's going on?" (not in the transcript); thus, using an address term that seems to ascribe a diminished degree of competence to the civilian (as discussed in the previous section). Amidst a sequence of queries, however, the officer begins shifting his orientation. The following extract is divided into three main sections reflecting officer's orientations towards a) dealing with a case of mental illness; b) the civilian's increasingly uncooperative and combative conduct; c) moving the continuum of accountability up, and categorizing the civilian as an "asshole" (Van Maanen, 1978):

Extract 7

```
FF1   what's your name?
      (5.0)
FF1   you know which city are we in?
CM1   eh?
FF1   which city are we in?
      (1.6)
      ((cross-talk))
FF1   which city are we in right now? (.) Like Chicago
      Philade::lphia Seattle:, Arizona: (.) do you know where
      you're at?
      (2.0)
CM1   I don't know. you want some action?
      (1.1)
FF1   what kind of [action do you (have)?
PO1                [you want to fight with a fireman?
      (.)
CM1    I'm a saints fan. always have been for years and years
and
      years
FF1   saints fan. Nice. (1.0) well that's cool.
      (0.1)
```

A

```
21    FF3    hey partner. do you- do you take any medication by chance?
22           (2.2)
23    FF3    did you take any medicine?
24           (0.2)
25    CM1    yeah.
26    FF3    well what, what kind?
27           (0.5)
28    CM1    what do you mean?
29    FF3    what kind of medicine do you take?
30    CM1    the crazy shit.
31           (0.2)
32    FF3    okay. what's it called? Do you know?
33           (1.2)
34    PO1    you don't have any weapons, do you?
35           (0.3)
36    PO1    ()-
37    CM1    do I look dangerous to you guys?
38    PO1    sir everybody's dangerous to me (.) I'm just a little white
39           guy (.) people scare me.
40           (2.4)
```

B

```
41    PO1    let me ask you something- >you're not gonna le:ave< until
42           We get some questions answered. first of all, do you have
43           any ID?
44    CM1    yeah [I got ID.
45    PO1         [I need to see it please.
46    CM1    do you know what I'm gonna to tell you? I will leave anytime
47           I goddamn time I feel like it.
48           (2.9)
49    PO1    okay. well you could accept that you're not. I need to see
50           Some ID sir.
```

C

As the civilian displays increasingly uncooperative behavior, the officer's project shift *from* establishing whether the civilian needs help and, if not, getting him to move along *to* pursuing investigatory queries that cast the subject as potentially suspicious or detainable. These distinct projects demonstrate how the officer shifts the continuum of accountability upwards after facing apparent challenges to his authority.

Upon contacting the civilian, one of the firefighters uses an evaluative query (i.e., asking about the civilian's location, line 3). After the civilian does not respond to the first two questions, the firefighter provides him with alternatives to choose from, which illustrates the question's evaluative character. Although the civilian initially says he did know where he was (line 12), in lines 17-18, he adds: “I’m a Saints fan. Always have been for years, and years, and years" (possibly referring to the football team New Orleans Saints). Interestingly, the police officer’s list is composed of three cities and one state: Arizona. It just so happens that this matches how football teams are identified – mostly with cities, but with some exceptions, including the Arizona Cardinals. Referring to a sports team seems to indicate that the civilian’s response is still tied to FF1’s previous question, but only tenuously so. That is, his response declines to respond to the surface request for information and addresses a tangential action import of the query ("what's your football team?"); however, in no way that was the action import for the firefighter, demonstrating an incongruity between both participants’ orientations. Before responding to the firefighter, CM1 asks if he wanted “some action" (line 12), which PO1 treats as an invitation to start a fight[4]. Despite the threatening character of this turn, PO1 downplays its seriousness. The use of a question format to respond to a threat (“*You want fight with a fireman?*” line 15) ascribes the civilian’s action as surprising or out of place character, which gives the civilian the option to back down.

After that, another firefighter asks the civilian if he took “*any*” medication “*by chance*” (line 21). Because taking medication is not something that happens “by chance,” this formulation mitigates his orientation towards the civilian’s inappropriate behavior. That is, it establishes the firefighter’s query as a “guess,” downgrading the degree to which it could be seen as a negative evaluation of the subject – it uses an optimistic question design for a pessimistic project (C. W. Raymond & Heritage, 2021). The civilian provides a minimal response (line 25) and appears reluctant to provide more information (line 28), but in line 30 he seems to suggest he takes serious prescription drugs ("the crazy shit"). This turn marks an initial escalation in the encounter. The officer asks if the civilian has a weapon with him ("you don't have any weapons, do you?" line 34). The absence of institutional procedures typically employed to ensure civilians do not have a weapon with them (e.g., frisking) suggests that the officer is not entirely committed to that possibility; furthermore, the use of a tag question anticipates a confirmation of his negative assessment (Raymond, 2003). Still, explicitly asking about a weapon suggests an incipient change in his orientation – now the officer is beginning to entertain the possibility of dealing with a dangerous subject. Notice also that in line 38, the officer uses the address term "sir", which is distinct from "buddy" employed at the beginning of the encounter, thus potentially marking a change in his orientation.

---

[4] One of the grounds that people can have for challenging another person is that they are not locals, or they represent another city or football team. This may account for the civilian’s

In line 41, PO1 begins what appears to be a pre-sequence to a question ("let me ask you something") but abandons his turn shortly after and instead tells the civilian he is not going to leave before answering their questions[5] (line 41-42). This turn asserts the officer's authority more directly, clearly establishing the civilian's responsibilities in the interaction. It constitutes an escalation of the officer's scope of deontic status, displaying his orientation to a shift in accountability concerning the civilian's conduct. Moreover, soliciting the civilian's ID (line 42) demonstrates how the officer now relies on an institutional practice to handle uncooperativeness (similar to extract 1). Still, despite this incipience change in orientation,

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prior query – ("you want some action?" line 13) – i.e., he could have been trying to establish whether the inquiry about his location was preliminary to a challenge or invitation to fight.

[5] Because the windshield frame blocks the dashcam, it is impossible to see what may have prompted the officer to abandon his previous turn and initiate a different course of action.

the officer maintains a degree of permissiveness. For instance, after the civilian says he would leave the encounter anytime he wants to (line 46-47), CM1 overlooks this challenge to his authority and repeats his previous question (lines 49-50). By not projecting the possible consequences for not cooperating with him, he maintains a relatively wide range of possible next actions.

In brief, this case shows how the “asshole” (Van Maanen, 1978) and the “mentally ill” categories are not necessarily mutually exclusive and nor are they “set in stone” once established. Instead, officers continuously evaluate civilian’s conduct in relation to a continuum of accountability as the encounter unfolds, making one’s categorization as mentally ill susceptible to change, and to being combined with the “asshole” category according, to the interaction’s emerging trajectory.

IV. Discussion

Early research on policing has discussed officers' strategies to deal with uncooperative behaviors and apparent mental illness manifestations (Bittner, 1967b; Van Maanen, 1978). Notably, these studies adopt a nuanced interactionist view by discussing how officers ground their decision-making on situational factors, especially in respect to civilians' actions. This article builds upon and advances these contributions by examining the sequential antecedents and consequences of uncooperative conduct. It demonstrates how distinct forms of interactional trouble breach the procedural infrastructure of interaction in particular ways, presupposing different explanations for their occurrence and influencing how police officers categorize their subjects. Moreover, the analysis of conduct warranting mental illness categorizations contributes to CA literature by demonstrating how participants deal with "non-responses" – i.e., responses that depart from relevancies established in the first position, thus disrupting the orderliness of social interaction. In this way, this article has analyzed sequences of actions that seem to lack an "inherent intelligibility and accountability" (Heritage, 1984b, p.5; Sacks, 1967).

When dealing with conduct resists interpretations of purposeful social action at a fundamental level – i.e., conduct that appears random or nonsensical – officers shift the continuum of accountability down, adjusting their conduct to accommodate their interlocutors' situational demands and assume the burden of maintaining appearances of normal behavior (Lynch, 1983). The range of actions by which officers support their interlocutors varies according to the extent they attribute civilians' a diminished degree of competence. In extract 2, the officer used hand gestures and boundary marker expressions (Tulbert & Goodwin, 2011) to direct his interlocutor's attention to a *physical object* – the bumper of his car. On the other hand, in extract 3, the officer initiated a series of questions to invite the civilian's recognition of his *current situation* (i.e., his localization near a school with children nearby) and bring his conduct in accordance with what it requires. Each of these strategies presuppose a different degree of accountability on the civilian's part, thus warranting special treatment from officers.

In sum, whereas previous social studies have attributed "mental illness" to stable, chronic conditions associated with genetic factors (Freese, 2008), this article demonstrates how officers' categorization of civilians as mentally ill constitutes an interactional achievement (Maynard, 2019). It advances previous CA literature on the topic by examining how these categorizations are not definitive but changing according to interactional contingencies. As civilians initially categorized as mentally ill display an increasingly combative attitude, officers may adjust their conduct and ascribe them more accountability for their uncooperative behavior, in turn adopting a different set of practices for dealing with it.

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