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Covert Participant Observation: Reconsidering The Least Used Method

by

Mitch Miller

"The goal of any science is not willful harm to subjects, but the advancement of knowledge and explanation. Any method that moves us toward that goal is justifiable"
(Denzin 1968).

Social scientists have virtually ignored the qualitative technique covert participant observation. This variation of participant observation is either not mentioned or described in less than a page's length in social science research methods texts. The majority of qualitative methods books provide a few illustrative examples, but scarcely more in terms of detailed instruction. Manifested in the selection of alternative field strategies, this disregard has made covert observation the truly least used of all the qualitative research methods.

It is unfortunate that covert research is so rarely conducted because a veiled identity can enable the examination of certain remote and closed spheres of social life, particularly criminal and deviant ones, that simply cannot be inspected in an overt fashion. Consequently, covert research is well-suited for much subject material of concern to criminology and the criminal justice sciences. Also applicable in some situations where overt designs appear the appropriate or only option, covert schemes are infrequently considered. Clearly, complicated ethical issues inherent to secret investigations have created a methodological training bias that has suppressed their application. New generations of researchers therefore remain unfamiliar with a potentially valuable research option.

This brief commentary reintroduces covert participant observation and presents the principal advantages of using the technique. Theoretical, methodological, and pragmatic grounds are offered for exercising covert research. Ethical matters long associated with the stifling of its use are also reconsidered in the context of criminal justice research. The ethicality of secret research, relative to other qualitative methods, is upheld for some research problems with certain stipulations.

Defining Covert Participant Observation

Covert participant observation is a term that has been used rather interchangeably with other labels: "secret observation" (Roth 1962), "investigative social research" (Douglas 1976), "sociological snooping" (Von Hoffman 1970), and most frequently "disguised observation" (Erickson 1967; 1968; Denzin 1968). Disguised observation has recently been defined as "research in which the researcher hides his or her presence or purpose for interacting with a group" (Hagan 1993:234). The distinguishing feature is that the research occurrence is not made known to subjects within the field setting.

Disguised observation is too inclusive a term often used in reference to those who simply hide in disguise or secret to observe, such as Stein's (1974) observation via a hidden two-way mirror of prostitutes servicing customers. Covert participant observation likewise involves disguise, however, the researcher is always immersed in the field setting. Additional elements - intentional misrepresentation, interpersonal deception, and maintenance of a false identity over usually prolonged periods of time are entailed. "Covert participant observation" is therefore a more technically correct term than "disguised observation" because it better indicates the active nature of the fieldwork essential to the technique (Jorgensen 1989).

Covert participant observation is essentially "opportunistic research" (Ronai and Ellis 1989) conducted by "complete-member researchers" (Adler and Adler 1987) who study phenomena in settings where they participate as full members. Admission to otherwise inaccessible settings is gained by undertaking a natural position and then secretly conducting observational research. Examples of the method include Steffensmeier and Terry's (1973) study of the relationship between personal appearance and suspicion of shoplifting involving students dressed either conventionally or as hippies, Stewart and Cannon's (1977) masquerade as thieves, Tewksbury's (1990) description of adult bookstore patrons, and most recently Miller and Selva's (1994) assumption of the police informant role to infiltrate drug enforcement operations.

The most pronounced example of covert research, however, is Laud Humphreys' infamous Tea Room Trade (1970). Shrouding his academic interest in sexual deviance, Humphreys pretended to be a "watchqueen" (i.e., a lookout) for others so that he might observe homosexual acts in public bathrooms. He also used this role to record his subjects' license plate numbers to obtain their names and addresses in order to interview them by means of another disguise - survey researcher interested in sexual behaviors and lifestyles.

There are other versions of disguised or covert participant observation wherein certain confederates are made aware of the researcher's true identity, purpose and objectives (Formby and Smykla 1981; Asch 1951). The reasons for working with cooperatives are plain: to facilitate entry and interaction in the research site, to become familiar with nomenclature and standards of conduct, to expedite the happening of that which the researcher hopes to observe, and to avoid or at least

minimize potential danger. Such reliance may be counterproductive, though, in that observations and consequent analysis of the social setting may be tainted by confederates' values, perceptions, and positions within the research environment.

If only a few individuals within a research site are aware of the researcher's true identity, it is possible, indeed likely, that interaction will be affected and spread to others within the setting. Hence, data distortion can become a potential validity and reliability problem with the use of confederates. The researcher must be completely undercover to avoid this problem and utilize the covert role so as to optimally exploit a social setting.

The goals of covert participant observation are no different than the standard objectives of overt participant observation: exploration, description, and occasionally, evaluation (Berg 1989). Epistemological justification is similarly derived from an interpretive, naturalistic inquiry paradigm (Patton 1990). Most aspects of the methodological process, such as defining a problem, observing and gathering information, analyzing notes and records, and communicating results, are nearly identical to conventional participant observation as well. The covert approach may thus be considered a type of participant observation rather than a distinctive method.

There are aspects of the covert participant observation research cycle, however, that are unconventional. One controversial point is gaining entry to a setting through misrepresentation. It is the closed nature of backstage settings and the politics of deviant groups that negates announcement of the researcher's objectives and requires deception via role assumption if certain topics are to be examined.

The character of the participation is also much different and more demanding on the researcher. Covert role assumption means full participation in various group and individual activities, many of which contain risks. The direct study of crime by means of an undercover role can be doubly enigmatic to both the researcher's well-being and the inquiry. Assuming a role either as a criminal or in close proximity to crime for the purpose of research does not absolve the researcher from real or perceived culpability; thus moral decisions and the possibility of arrest and legal sanction must be considered prior to the onset of fieldwork.

The recording of notes from a clandestine position would divulge the researcher's cover and is obviously inadvisable. Extended periods of time in the field often yield rich and rare insight, but, without a chance to withdraw and log events, recollection of temporal/causal sequence can become muddled due to information overload and understandable fatigue. Resolves to this concern have been the use of mnemonics - a process of memorizing through abbreviation and association (Hagan 1993:195), taking photographs when possible, and the use of hidden mini-tape recorders and even body wires (Miller and Selva 1994).

The Ethics of Covert Observation

The ethicality of disguised or covert observational techniques has long been

controversial, as evidenced by the "deception debate" (Bulmer 1980; Humphreys 1970; Roth, 1962; Galliher 1973). Participants in this debate have tended to assume one of two polarized positions: moralistic condemnation or responsive justification. Deception is explicitly equated with immorality and is so unconscionable for some they would have covert observation banned from social science research altogether (Erikson 1967). The major objection is that deceptive techniques often violate basic ethical principles including informed consent, invasion of privacy, and the obligation to avoid bringing harm to subjects.

Critics further contend that misrepresentation not only causes irreparable damage to subjects, but also to the researcher, and to science by evoking negative public scrutiny and making subject populations wary of future researchers (Polsky 1967). Risk to the researcher, however, is a matter of individual decision. To set restrictions on academic investigations in an *a priori* fashion on the basis of potential harm is at odds with both the ideals of an open, democratic society (individual freedom and autonomy) and traditional social science precepts (free inquiry and, ironically, informed consent).

The argument of isolating future research populations is seemingly unsound as well. Many settings of interest to criminal justice researchers are essentially restricted and typically occupied with subjects already suspicious of strangers due to the threat of legal penalty associated with disclosure. Because researchers as outsiders will usually be distrusted and excluded from such settings, it is logical to assume that its occupants are already ostracized from researchers. The more substantial points that remain and must be confronted are interrelated: the use of deceit and the harm subjects may encounter as a result of the research process.

The topic of dishonesty in covert research is not as clear as opponents of the method suggest and nebulous in comparison to the frequent disregard for ethical standards demonstrated in other qualitative deviance research. Klockars' award winning *The Professional Fence*, for example, describes research conduct far more offensive than the duplicity intrinsic to covert participant observation. This case history of a thirty year career of dealing in stolen goods was enabled by an intentionally misrepresentative letter in which the researcher admittedly lied about: 1. his academic credentials, 2. his familiarity and experience with the subject of fencing, 3. the number of other thieves he had interviewed, and most seriously 4. the possible legal risks associated with participating in the project (Klockars 1974:215). Klockars deception is reasoned in near blind pursuit of his research objective:

"I thought the claim would strengthen the impression of my seriousness" and "the description of what I wanted to write about as well as the whole tone of the letter is slanted...and did not warn Vincent (the research subject) of his rights" (*Ibid.*)

Surprisingly, Klockars book and similar projects have not produced

controversy on par with covert strategies. The terms "case history" and "personal interview" simply do not provoke the interest and suspicion generated by the labels "covert" and "disguise." Covert methods can be considered, relative to the exercise of some techniques, forthright in that the level of deception is predetermined and calculated into the research design (Stricker 1967). The decision of whether or not to use deception to gain entry and thus enable a study can be made based on the ends versus the means formula described below.

A Basis for Covert Research?

Justifications for the use of covert techniques have been presented on various levels. The most common practical argument is that those engaged in illegal or unconventional behavior, such as drug dealers and users, simply will not submit to or participate in a study by overt methods. Likewise, those in powerful and authoritative positions have been considered secretive and difficult to openly observe (Shils 1975). Police chiefs, white-collar criminals, prison wardens, and drug enforcement agents benefit from the existing power structure which inhibits study of their behavior in these official roles. A covert design is often the only way to conduct qualitative evaluation research of certain enforcement and intervention programs closed to principal participants.

Beyond a "last-resort" rationale, there are other reasons, methodological and theoretical, for employing the covert technique. An evident reason is that of qualitative methodology in general - the desirability of capturing social reality. By concealing identity and objective, researchers can avoid inducing a qualitative Hawthorne effect (i.e., a covert approach can minimize data distortion). Covert participant observation is justified theoretically by dramaturgical and conflict perspectives. If Goffman (1959) is to be taken seriously, then all researchers should be viewed as wearing masks and the appropriateness of any inquiry viewed in its context. Following Goffman, Denzin has also argued that ethical propriety depends upon the situation:

"the sociologist has the right to make observations on anyone in any setting to the extent that he does so with scientific intents and purposes in mind" (1968:50).

Dramaturgy also provides a theoretical framework from which to assess topics of concern to the covert observer. The duplicity of roles already present in criminal settings under analysis (e.g., undercover police, fence, snitch, racketeer) are only multiplied when such a role is assumed with the additional post of social scientist.

Consideration of the well known consensus-conflict dialectic also provides logic supportive of covert research. Conventional field methods, such as in-depth interviewing and overt observation, are based on a consensus view of society wherein most people are considered cooperative and willing to share their points of

102 Covert Participant Observation: Reconsidering the Least Used Method

view and experiences with others (Parton 1990). This assumption is highly suspect, however, in stratified and culturally diverse societies. To the extent that acute conflicts of interests, values, and actions saturate social life to the advantage of some and not others, covert methods should be regarded proper options in the pursuit of truth.

This rationale should resonate with critical criminologists as it is in sync with the accepted view of much crime and delinquency as definitions and labels unjustly assigned to persons and events by operatives of an oppressive criminal justice system. John Galliher, well-known for commentaries on research ethics, supported a critical approach to covert research at a recent meeting of the Society for the Study of Social Problems by qualifying "upward snooping that might expose institutionalized corruption."

Perhaps the most compelling basis for the use of disguise in some research, however, is "the end and the means" position first stated by Roth (1962), then Douglas (1972) and Homan (1980), and most recently Miller and Selva (1994). Employing this reasoning in defense of covert observation, Douglas (1972:8-9) notes:

"Exceptions to important social rules, such as those concerning privacy and intimacy, must be made only when the research need is clear and the potential contributions of the findings to general human welfare are believed to be great enough to counterbalance the risks."

That the purpose may absolve the process has also been acknowledged by the British Sociological Association, which condones the covert approach "where it is not possible to use other methods to obtain essential data" (1973:3); such is the case in many criminal justice research situations. The benefits of investigating and reporting on expensive, suspicious, and dysfunctional facets of the criminal justice system, then, may outweigh its potential costs. Failure to study how various initiatives and strategies are actually implemented on the street could condemn other citizens to misfortune and abuse should the behavior of the system be inconsistent with stated legitimate objectives.

To rule out study of covert behavior, whether engaged in by the powerful or the powerless, simply because it cannot be studied openly places artificial boundaries on science and prevents study of what potentially may be very important and consequential activities in society. The propriety and importance of research activities must always be judged on a case by case basis. Drug enforcement's use of asset forfeiture, for example, has been questioned by the press and media with such frequency and intensity that scholarly evaluation is warranted. The very nature of the allegations, however, have prompted the police fraternity to close ranks, thus compelling covert analysis. Abandoning such a study because it can not be carried out overtly would mean that potential misconduct and betrayal of public trust by government officials would remain unexposed.

The means and end rule, of course, requires the subjective interpretation of plausible harm to subjects, what exactly constitutes benefit, and who will be beneficiaries. To assess the balance between these elements it is necessary that they be highly specified, a requirement that is not easily met. The means and end formula is thus ambiguous and the choice to use a covert technique must be carefully deliberated. Certainly, deceptive observation carries ethical baggage less common to other qualitative methods, yet its ethicality is negotiable through detailed purpose and design.

Conclusion

The study of crime invites and sometimes requires the covert method as does examination of the clandestine nature of many facets of the formal social control apparatus. How other than through covert participant observation can topics such as undercover policing and inmate-correctional officer interaction be fully understood and evaluated? Those in the criminal justice system, as well as criminals, have vested interests in maintaining high levels of autonomy which require degrees of secrecy. This is evident in various labels such as "police fraternity", "gang", and "confidential informant."

The very things that make a criminal justice or criminological topic worthy of investigation and suitable for publication in a social science forum can preclude overtly exploring it. Methodologically sustained by the theoretical foundations of qualitative inquiry, covert designs tender opportunities to reach relatively unstudied topics.

The solidification of criminology and criminal justice as independent academic disciplines have resulted in a greater number, breadth, and specification level of refereed journals-all of which may indicate a general research surplus (Vaughn and del Carmen 1992). This is a debatable point for new technologies and the ever evolving nature of the criminal law present still developing and unstudied forms of deviance; but it is also true that the last thirty years have witnessed the near-exhaustion of most obvious crime oriented research foci. It is not uncommon to hear the sagely professor remark how much more difficult it is to now market one's intellectual work in choice outlets (e.g., *Justice Quarterly*, *Criminology*) than in years past. Covert research is simply one particularly inviting means by which to meet the expectations and competitive realities of today's social science arena.

This comment has briefly surveyed the methodological, theoretical, and practical reasons to utilize covert participant observation in criminal justice research. The most difficult facet of using this method will undoubtedly remain ethical factors that must be dealt with on a case by case basis. But these too can be overcome with caution, conviction, and adherence to established scientific guidelines for qualitative research (Glaser and Strauss 1967). The spirit of selecting methods on technical merit and relevance to research objectives rather than ethical pretense is an outlook consistent with the goals of social science. To the extent that

104 Covert Participant Observation: Reconsidering
the Least Used Method

this perspective thrives, covert participant observation may well become more commonplace: perhaps to the point of no longer being the least used method.

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