

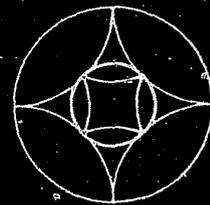
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Workshop in Political Theory and Policy Analysis

Department of Political Science
Indiana University
Morgan 121
Bloomington, Indiana 47401



COMMUNITY, PUBLIC SERVICES AND RESPONSIVENESS:
ON THE DESIGN OF INSTITUTIONAL ARRANGEMENTS FOR THE
PROVISION OF POLICE SERVICES

by

Elinor Ostrom
Workshop in Political Theory and Policy Analysis
Indiana University

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ABSTRACT

COMMUNITY, PUBLIC SERVICES AND RESPONSIVENESS: ON THE DESIGN OF INSTITUTIONAL ARRANGEMENTS FOR THE PROVISION OF POLICE SERVICES

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Developing institutional arrangements that will facilitate responsive conduct is a problem of design. Problems of design require for their solution: 1) specific performance criteria by which to evaluate the consequences of a design, 2) specific knowledge about the characteristic of the materials involved, and 3) specific knowledge about cause and effect relations in the use of the materials. When the problem is to design institutional arrangements, the first requirement is to decide what result is wanted. In police work, should the criteria of performance be efficiency, justice or responsiveness? The second requirement is a knowledge about the specific state of affairs to be produced or exchanged by means of specific institutional arrangements. The third requirement is a general knowledge about the consequences of using different kinds of decision-making rules or institutional arrangements.

Since the design of existing police institutions in large cities is similar to the design recommended by many traditional reformers, a review of empirical studies reporting on the behavior found in large city police departments is presented. This includes the work of James Q. Wilson, Albert J. Reiss, David J. Bordua, Jerome Skolnick, John H. McNamara, Paul Chevigny and others. The conclusion reached from such a review is that police serving large cities are in many respects unresponsive to citizen preferences.

The next section of the paper reviews the basic problems involved in designing police institutions which are caused by the nature of police services. These include: 1) the "public good" aspects of many police services, 2) the type of work involved in policing, 3) the interdependence of police and other institutional arrangements, 4) the influence on the police of the type of community being served, and 5) the problem of achieving valid indicators of performance.

The last section of the paper reviews the elements that would be involved in any effort to increase the responsiveness of police institutions. These include: 1) a complex mixture of internal and external control mechanisms, 2) the establishment of both large and small scale police departments serving the same area, 3) auditing procedures to determining the accuracy of police reports and the satisfaction of citizens with services received, and 4) regularized procedures for citizens to file complaints with an independent agency.

As one contemplates the problem of providing public goods and services for a community, one needs to examine the relationship between the nature of the public goods involved and the inchoate community of interests who share in the use or enjoyment of such goods. Once goods are provided in common, certain characteristic problems occur. Unless the community is small enough to constitute a face-to-face group (such as a family or a block face), purely voluntary arrangements do not solve the problem of the "hold-out." Some individuals are led not to participate in the provision of the joint good. If too many individuals "hold out," a joint good may not be provided at all under voluntary arrangements. For communities larger than face to face groups, some form of coercive capability is required to insure that joint goods are provided and that each person pay his share of the common good.

As soon as coercive capability is created and assigned to officials, the opportunity always exists for such officials to ignore the preferences of citizens. Thus, the issue of responsiveness is critical in thinking about the problem of providing public goods and services for communities of interest. The issue is particularly critical where the preferences of individuals differ or where they may change over time. I would like to focus on the problem of designing institutional arrangements which increase the responsiveness of public officials to the interests of diverse communities of interest. The provision of police services will be the specific referent of this paper.

First, let me make clear what I mean by some of the key terms that will be used. Let us define goods as anything of value. Thus, a state of affairs bearing upon the relationships of individuals within a community characterized as "peace and security," can be conceptualized as a good. Freedom or justice may also be conceptualized as goods. Let us define institutional arrangements as decision-making rules used to produce, allocate, and distribute anything valued by individuals. Markets, firms, courts, legislatures, elections, public bureaucracies, and contractual agreements all can be thought of as institutional arrangements designed to produce, allocate, and/or distribute something that people value. The responsiveness of any particular institutional arrangement is the capacity of those who act within the constraints of a set of decision-making rules to satisfy the preferences of others who are dependent upon the institution.

Developing institutional arrangements that will facilitate responsive conduct is a problem of design. Problems of design require for their solution: (1) specific performance criteria by which to evaluate the consequences of a design, (2) specific knowledge about the characteristic of the materials involved, and (3) specific knowledge about cause and effect relations in the use of the materials. When the problem is to design institutional arrangements, the first requirement is to decide what result is wanted. In police work, should the criteria of performance be efficiency, justice, or

responsiveness? The second requirement is a knowledge about the specific state of affairs to be produced or exchanged by means of specific institutional arrangements. The third requirement is a general knowledge about the consequences of using different kinds of decision-making rules or institutional arrangements.

The current institutional arrangements for providing police services are based on three designs. In the largest cities, police institutions approximate to a great extent the design recommended by municipal and metropolitan reformers. There, police departments are large, bureaucratized, and professionalized organizations. In the suburban areas surrounding large cities are found by far the largest number of police departments in the country. They are, however, small--too small and unprofessional to function properly according to many authorities. Rural areas are serviced by county sheriffs and state police, but only a minimum service is needed in such places because of the dispersed population and the relative lack of crime.

Traditional municipal and metropolitan reformers continue to favor the large and professional police departments of great cities. They urge the consolidation of small, suburban departments into a single sizeable department for any one metropolitan region. It is important to note, however, that major charges of unresponsiveness have been levied against police in big cities while few such complaints are heard about suburban or rural police.

In great cities, minority groups in particular complain that police often do not respond to emergency calls. When the police do come, minorities assert, they are liable to descend in large numbers prepared to use immediate and excessive force. Police are also charged with harassment and brutality, and citizens fear retaliation if they file complaints against individual officers. As a result, considerable hostility exists between the police and residents of center-city neighborhoods, who see the police as an army of occupation sent by the wealthy to oppress the poor and disadvantaged. Ghetto residents have little of the suburban sense of the police as public servants who provide essential services for all. Rather, they feel that they get too few of the services they need and too much repression.

Since the design of existing police institutions in large cities is similar to the design recommended by the traditional reform movement, we will first briefly examine the elements of that design.¹ We will ask the following questions: What performance criteria were selected by the reformers? What were their conceptions of the nature of police services? What consequences were presumed to flow from different decision rules? Gaining an overview of the basic design, we will then examine the types of consequences resulting from its operation. We can then assess how to redesign police institutions in large cities and elsewhere to increase their responsiveness to the citizens they serve.

The Traditional Reform Design

Efficiency and economy in local government were the performance criteria stressed in the traditional reform literature. Reformers wanted to design institutions to lower the costs of municipal services. It was assumed that large police jurisdictions would realize economies of scale and thus produce services at lower costs than smaller jurisdictions.

Reformers did not wish to design responsive police institutions. Many felt that earlier police institutions had been too responsive to particular citizens' interests. They wanted to eliminate the corruption that had pervaded police departments. Citizens' preferences were considered to be based upon private or selfish interests which should be excluded from public decision making. Institutions should serve the general public interest rather than special or private interests.

Recently, reformers recommending the same institutional arrangements have focused somewhat more on such performance criteria as redistribution of wealth and the equitable distribution of service costs to all those who benefit. Metropolitan-wide jurisdictions have been proposed as a means of forcing "rich suburban residents" to help pay for services needed by poorer residents of the central city, as well as for the benefits that suburban residents supposedly receive from the central city.

Proponents of reform considered police services to be similar to all other goods and services normally provided by a city government or by any large business concern. Frequent allusions were made to the economies of scale presumed to exist in the provision of water, sewer and transportation systems. On that analogy, it was assumed that economies of scale could be accomplished in the provision of police services.

Reformers took for granted that a bureaucratic structure approximated an ideal decision-making arrangement for the provision of all urban public goods and services including police services. Hierarchical organization was automatically assumed to be the least costly decision-making arrangement. If all units within any particular city were hierarchically related, the person at the top could presumably give central direction and control to the operation of the department. That official would have the authority and the responsibility for administering the department as a whole. If something went wrong, he would be held responsible and could be removed.

The task of the modern public agency was considered to require the services of professionals. Future public servants should receive extensive training. Well-trained professionals should then be given a high degree of job security to enable them to exercise their professional discretion without fear of being fired by less well-informed citizens or politicians. Internal review procedures were to be preferred to external pressures or influence.

Reformers were successful in gaining acceptance of bureaucratic organization and professionalization of police serving large cities. Most large police departments are hierarchically structured and have adopted quasimilitary discipline. The police chief is officially accountable for all that goes on under him. Police departments have increasingly been staffed by professionals in the sense of specially trained individuals whose career is police service. Recruits in most large police departments are sent first to police academies before assignment. All ranks receive additional training in a wide variety of police techniques. Review of police activities is primarily undertaken by internal police review boards.

The Consequences of Reform. A number of studies in large departments have been undertaken recently which provide evidence about their current operating characteristics. James Q. Wilson, for example, conducted a very relevant study in the Chicago Police Department.² He investigated the effect that an increase in professionalization had on the morale of the department's officers and on police perceptions of citizen respect. He distributed questionnaires to all sergeants serving in 1960 immediately after Superintendent O.W. Wilson had taken over a demoralized and poorly run department with the expressed purpose of increasing its professionalism and efficiency. A second survey of sergeants was conducted in 1965. Five years of reform did substantially improve the sergeants' evaluations of the internal management of their department. However, reform did not affect the morale of policemen nor their own perceptions of citizen respect for police. About 60 percent of the sergeants in 1965 indicated that morale was about the same or worse.³ Police sergeants continued to feel that citizens lacked respect for police, were uncooperative, and obeyed laws simply from fear of being caught. A dramatic change occurred, however, in the evaluation made by police sergeants regarding the importance of being liked by citizens with whom they had contact. In 1960, 80 percent thought it was important to be liked by the citizens with whom they had contacts. In 1965, only 60 percent agreed with this statement.⁴

Wilson speculates that a professional police department in a large city handles its morale problem by downplaying the value of public opinion. Wilson argues:

This is a result both of what professional doctrine requires (substituting patrol cars for officers walking beats, increasing the size of police districts, rotating men among assignments and discouraging police involvement in political affairs) and of what the ethos of professionalism assumes (that the impersonal rules of law enforcement are correct and appropriate regardless of what a hostile or indifferent citizenry may think) A professional force, in principle at least, devalues citizen opinion as manifested in personal relations; professionalism, in this sense, means impersonalization. Relations with the community are no longer handled by the officer's informal contacts--some legitimate, some illegitimate--with neighborhoods and individuals but are given over to a specialized and bureaucratic agency within the police organization.⁵

Wilson concludes that while a police force may be improved because of professionalization, "if at the same time the popular image and authority of the police officer have deteriorated, the two changes may cancel each other out, producing no net gain in police morale and creating a continuing police problem."⁶ Police, to maintain their own morale, may have to rely increasingly on bureaucratic rules, their own self-conception of the essential rightness of what they are doing, and a general indifference to the public. This points toward a substantial degree of police "counter-responsiveness" to citizen interests.

A number of studies have documented the growing isolation of large city policemen from the neighborhoods they serve. In eleven of the fifteen large cities in which major riots have occurred, studies by the National Advisory Commission on Civil Disorders report that a majority of the policemen interviewed who served in predominantly black neighborhoods thought adolescents regarded them as enemies.⁷ On the other hand, 83 percent of the same police considered storekeepers to be "on their side."⁸ Only hostile communication appears to be taking place between police and youth in those areas. One-third of the police reported that they did not know a single important youth leader on their beat well enough to speak to when they saw him. At the same time, 89 percent of the police reported knowing six or more shop owners, merchants, and clerks that well.⁹ Further, few police were found who participated in any neighborhood activities where they patrolled or had friends in the area. Black policemen were found to participate more and to know more about the neighborhoods they served. Black police were generally more sympathetic to the problems of individuals living in predominantly black neighborhoods.¹⁰ While black policemen appear to be less isolated than white police in such neighborhoods, the proportion of black patrolmen on most major police forces falls below the proportion of blacks in the population at large. "In no major American city does the police force approximate the ratio of Negroes in the community and at the officer and policy-making levels, the disparities increase."¹¹ Some critics of professionalized police forces have argued that civil service requirements have long been biased against the employment of blacks and other minority groups and are not related to the achievement of high performance of police.¹²

The growing isolation of police from the communities they serve is also documented by James Q. Wilson, who described a "highly professionalized force" serving 300,000 residents of a "Western City:"

The city in which they now serve has a particular meaning for only a very few. Many live outside it in the suburbs and know the city's neighborhoods almost solely from their police work. Since there are no precinct stations but only radio car routes, and since they are frequently changed, there is little opportunity to build up an intimate familiarity, much less an identification with any neighborhood. The Western City police are, in a real sense, an army of occupation organized along paramilitary lines.¹³

Given this isolation, a major problem of large police forces is gaining adequate information about potential and actual offenders. When either the department is small or men are assigned to a regular footpatrol beat, they begin to know the citizens in their area. Putting men in cars and rotating assignments reduces their level of contact and knowledge. The pattern of crimes subject to arrest "changes with centralization of command and control, since it compels the department to place greater reliance on formal intelligence systems and means of crime solution."¹⁴ Police become more dependent upon information gained from those who have already been arrested and charged with one crime to help in the clearance of other crimes.¹⁵ While the police are dependent upon citizens to provide them with general information about the occurrence of crimes or the whereabouts of suspected offenders, the lack of informal and friendly contacts with citizens living in an area reduces the likelihood of gaining such information.

In a study of the New York Police Department, John H. McNamara focused on one of the major dilemmas faced by large, bureaucratized forces in preparing recruits for duty in the field. The question McNamara posed is whether such a department should "emphasize training strategies aimed at the development of self-directed and autonomous personnel or . . . emphasize strategies aimed at developing personnel over whom the organization can easily exercise control."¹⁶ McNamara found that the New York department had emphasized the second strategy by stressing negative sanctions against patrolmen found in violation of the department's massive, 400-page Rules and Procedures and creating an atmosphere of close command supervision over the work of patrolmen. As a consequence, recruits ranked the Rules and Procedures handbook their most useful study materials over all others, including the Penal Code, the Code of Criminal Procedures, lecture notes, and all technical literature. At the same time, 60 percent of the recruits disagreed with the statement, "Patrolmen who rely entirely on the Rules and Procedures of the Department are probably excellent police officers."¹⁷ After experience in the field, 80 percent of the patrolmen interviewed agreed with the statement, "It is impossible to always follow the Rules and Procedures to the letter and still do an efficient job in police work."¹⁸ However, of patrolmen who had served two years in the field, 55 percent agreed that "patrolman, for his own good, should never deviate from the provisions contained in the Rules and Procedures."¹⁹

Thus, in the large New York Police Department, patrolmen judged adherence to internal rules of prime importance not because adherence to rules improved performance but from a fear of internal sanctions for failure to do so. A further consequence of this focus on negative sanctions was a widely shared view by patrolmen with two years experience that inactivity is the best means to reduce the risks they faced. "Patrolmen who are always out looking for situations requiring police attention are the ones," the older patrolmen felt, "who usually get into trouble with their supervisors."²⁰ McNamara speculates that internal discipline "often engendered more concern on the part of the patrolmen with what their supervisors were up to than concern with the problems of the citizenry."²¹

The lack of responsiveness to the needs and preferences of citizens thus induced by the attempt to impose a strict bureaucratic order has not been compensated for by a change in the basic honesty or efficiency of the New York Police Department. The Knapp Commission has uncovered extensive corruption at all levels throughout the department.²² If anything, the tight bureaucratic controls enabled corrupt practices to continue within the department by reducing exposures to outside investigations. Those responsible for bringing public attention to police corruption were continually threatened with sanctions in efforts to silence their charges. Nor has this lack of responsiveness been compensated for by a decrease in the level and type of police abuses in New York City. Violence against symbolic assailants, the use of charges of disorderly conduct and resisting arrest to cover police mistreatment, and the plea bargaining which results have been well documented.²³

The New York Police Department is not the only large city police force characterized by corruption and police abuses. In a study of Boston, Chicago, and Washington, D.C., observers riding with police officers during a regular shift recorded a wide variety of illegal acts, rule infractions, and police abuse of citizens. The large number of such acts recorded was especially surprising since they occurred when observers were present. As reported by Albert J. Reiss, one in five officers was observed in some form of criminal violation of the law.²⁴ These violations included, among others, an officer accepting money to alter testimony, an officer receiving money or merchandise from a business, and an officer taking money or property from a deviant or potential offender. Approximately four in ten officers was observed in a serious rule infraction, including drinking on duty, sleeping on duty, neglect of duty, and falsification of reports.²⁵ It is important to note that the rate of rule infraction varied by the racial composition of the precinct being served. "White officers assigned to non-white precincts had higher rates of rule violation than those in white precincts."²⁶ Reiss argues that the rate of infraction is related "to the quality of supervision of line officers and the transfer policies of the department."²⁷ Effective supervision particularly affected the rate of such violations as drinking and sleeping on duty and neglect of duty. Reiss reports that job assignment and transfer policies within a department have the result that:

Officers with the least training and experience are assigned to the highest crime-rate precincts. Officers with the poorest records of performance likewise are transferred to these areas. In American cities today, such police precincts often are nonwhite Two types of deviant officers were so assigned: those who basically did excellent police work but were against the system, taking every opportunity to show their disregard for it, and those who were both poor police officers and had been sanctioned previously for infractions of the rules. Slum police precinct stations, not unlike slum schools, collect the "rejects" of the system.²⁸

While the number of policemen using force judged by observers to be excessive was quite small, 5 percent of all citizens observed in encounters with the police were "openly ridiculed or belittled"

and another 5 percent were treated brusquely or in an authoritarian manner.²⁹ In watching and coding both sides of over 5,000 police-citizen encounters an "inescapable conclusion is that officers are somewhat more likely to be uncivil toward citizens than citizens toward officers."³⁰

All in all one would conclude from the studies discussed above and others reporting similar findings, that police serving very large cities:

- (1) find themselves in an increasingly hostile environment created at least to some extent by their "professionalism" and removal from contacts with and knowledge of the neighborhoods they serve;
- (2) discount the importance of public opinion and rely on their own organizationally supported self-conception of the rightness of their behavior;
- (3) have little communication with young people and other regular citizens, particularly in predominantly black neighborhoods, while maintaining friendly relations with merchants;
- (4) have difficulty gaining the cooperation of citizens at the time of a crime and have become more dependent on information from paid informants or suspects already arrested;
- (5) focus excessively on conformance to petty bureaucratic rules and regulations while recognizing that such conformance does not improve performance or efficiency;
- (6) utilize inactivity and inattention to observed problems as a strategy rather than risk exposure to unpredictable actions by supervisors; and
- (7) engage to a "significant" extent in illegal activities, major rule infractions, and verbal abuse of citizens.

These behavior patterns add up to the operation of police forces which are not only unresponsive to citizen preferences, but to a large extent have become counterresponsive to citizen preferences and counterproductive for securing the peace and security of the communities they serve.

Since responsiveness was not a primary performance criterion of the traditional reformers, it should not be surprising that police serving large cities should be unresponsive to citizen preferences. If the current design of police institutions produces consequences which meet the performance criteria originally intended by those who propose reforms, one would have to judge the theoretical foundations for that design as basically sound. If such were the case, the question of reform to achieve more responsive institutions would

then become one of deciding how new performance criteria could be added to the other elements of the old design. One would retain the reformers' conception of the nature of police services and their analysis of the consequences of utilizing bureaucratic decision rules for the provision of police services.

However, considerable evidence exists that the reformers' design of institutional arrangements for the provision of police services does not lead to greater efficiency and economy in large cities when compared to smaller cities nor to a more equal distribution of law enforcement resources within large cities. Thus, not only are the police departments serving large cities unresponsive to citizen preferences, but they also provide equal or less services at the same or higher costs than are provided in many medium to small cities. (The failure of reform institutions to realize increased efficiency will not be discussed here, since a substantial literature is available which addresses this issue directly.³¹) The basic theoretical underpinnings of the traditional reform design are faulty. A new design based on a different conception of police services and utilizing different kinds of decision rules is necessary to realize greater responsiveness as well as efficiency and redistribution.

The Problem of Design and the Nature of Police Services

When individuals are engaged in transactions which primarily involve the production and exchange of what are called "private goods," responsive institutional arrangements are relatively easy to design. Private goods and services can be thought of as events which are highly divisible and which can be packaged, contained, or measured in discrete units. The private good or service which one person utilizes or consumes is not available to anyone else. A loaf of bread is a classic example of a private good. The institutional arrangements of a market enable private entrepreneurs to provide private goods under conditions where potential consumers can be excluded from enjoying the benefit unless they are willing to pay the price. The dynamics of a market leads the private entrepreneur to be highly responsive to the preferences of his consumers depending, of course, on their ability to back their preferences with cash for those goods which most closely approximate their preference. If he is not responsive to their preferences, they will go somewhere else. The success of a private entrepreneur in being responsive to consumer preferences can be measured to a large extent by his ability to sell sufficient goods and services to cover costs.

The design of responsive institutional arrangements is a more difficult task when public goods and services are involved. Purely public goods are highly indivisible goods and services where potential consumers cannot easily be excluded from enjoying the benefits.³² Once public goods are provided by some, they will be available for others to enjoy regardless of who pays the costs. National defense

is a classic example of a purely public good. Once it is provided for some individuals living within a particular country, it is automatically provided for all other citizens whether they want it or not and whether they pay for it or not.

In addition to the purely private good and purely public good, there is a continuum in between. Within this continuum, the production or consumption of goods and services may involve spill-over effects or externalities which are not isolated and contained within the transactions between direct beneficiaries. Goods with appreciable spill-overs are similar to private goods to the extent that some effects impinge only on direct participants; but other effects are like public goods and spill over onto others not directly involved. Air pollution which results from producing private goods is an example of a negative spill-over. Most aspects of the production process affect only those directly involved, but the discharge of factory smoke affects others in a wider community. The benefits derived for a neighborhood by the location of a golf course or park is a positive externality. The reduction of a negative externality or the increase of a positive externality have characteristics similar to the provision of a public good.

The provision of public goods or services having appreciable spillovers poses a number of difficulties in the design of institutional arrangements. Since private entrepreneurs cannot exclude beneficiaries, they may have difficulties covering the costs of production. Only private entrepreneurs who will themselves directly benefit from the provision of a public good, or who can organize some form of voluntary association where others share the cost, will be led to produce a public good. Under voluntary provision, consumers of public goods have no incentive to reveal their preferences for the good. Holdouts who refuse to cooperate in covering costs will receive the benefits from the good along with those who pay costs. Beneficiaries will be led to minimize their costs in paying for such a good. Thus, some individuals will remain silent and hope that others will demand and pay for public goods while they quietly benefit and do not have to pay. Reliance on voluntary arrangements for the provision of public goods will lead to no provision or a lower level of provision than affected individuals would prefer.

If individuals wish to have a higher quality of public goods than would be provided under voluntary arrangements, institutional arrangements must be designed where each individual can be compelled to pay his share of the costs. A governmental agency, for example, can be established to provide public goods or services to those living within some political boundaries. Users can be forced to pay for the good through nonvoluntary means such as taxes. However, payments for services are extracted whether citizen consumers like what they receive or not. The lack of quid pro quo relations substantially reduces the level of information about user satisfaction routinely transmitted to public agencies as compared with private agencies.

While it is thus possible to provide public goods and services, the resulting institutions will never be as responsive to the preferences of consumers as the institutional arrangements which provide

private goods and services under competitive conditions. Elections are substitutes for market mechanisms in registering individual preferences regarding what level of public service should be provided. Other decision mechanisms determine how public goods are allocated, who should pay and how much should be paid. Elections and bureaucratic structures are not as sensitive in revealing user preferences as a market which enables each individual to choose how much he wants from a set of alternative products offered. Some individuals will have a greater voice in articulating preferences within such decision-making structures. The wealthy and the better educated will have an easier opportunity than others (as they have also in a private market). However, the lack of divisibility makes it difficult for any individual to specify exactly what he wants. Further the difficulty in measuring output makes it hard for a public agency to evaluate whether an appropriate level of service is being provided to meet the preferences of those who pay the costs. Consequently, inherent difficulties exist in designing institutional arrangements for the provision of any public good or any good with significant positive or negative spillovers.

Police Services as Public Goods. The provision of police services involve some aspects which can be considered as pure public goods and others which involve considerable externalities. When police patrol traffic, most citizens in a jurisdiction benefit from the increase in safety thus provided. This aspect of police work can be thought of as a relatively pure public good. Even when police deal with a problem primarily related to a single family unit, like a family quarrel, other families in the neighborhood receive the indirect benefit of being protected against the change that a violent conflict in one family will affect others in the neighborhood. Consequently, it must be assumed from the start that inherent difficulties exist in designing responsive institutions for the provision of police services simply because of the public good aspects of police services.

The Type of Work Involved in Policing. A second major factor increasing the difficulty of designing police institutions responsive to individual preferences is the specific type of work involved in policing. Police work is largely person to person contact between individual policemen and citizens. Policemen are expected to respond to and handle a wide variety of different problems. Emergency illnesses, family quarrels, burglaries, traffic violations, gang fights in the street, and peaceful political demonstrations are all included within the routine work load. When a policeman responds to a call, he must use discretion in whatever he is called upon to do. Little time is available to ask for instructions from headquarters. Police work is unusual for the amount of discretion which necessarily is placed in the lowest ranks. Even though semimilitary discipline is characteristic, it is difficult for supervisors in a police department to exert effective control over the work of patrolmen.³³

To compound this problem, police work is frequently dangerous. Policemen must be alert to potential signs of danger. They must

learn to be suspicious of all individuals and in all transactions with the public. Interactions which begin in a somewhat low key can suddenly explode into danger. Each policeman knows that his own life may depend upon the support given him by his fellow officers and vice versa. Police also deal with situations where the citizens are apt to manifest their worst, rather than their best, characteristics. Police as a group are known to develop close-knit relations among themselves, to be suspicious of most outsiders, and to be generally cynical about other people.³⁴ These characteristics, while understandable in light of police work, are hardly the characteristics which lead police to view themselves as public servants responsive to the needs of citizens. Regardless of how police institutions are designed, the character of police work itself will tend to produce clannish, secretive, and cynical individuals who handle large numbers of interactions with citizens with considerable discretion but subject to little control by supervisors.

The Inter-Dependence of Police and Other Institutional Arrangements. Whether a police agency is able to provide a desired level of public order depends not only upon its own effectiveness but also on the effectiveness of other institutional arrangements in any community. The degree of security enjoyed by individuals within a community is the result of individuals interacting with one another within a wider set of institutional arrangements. Employment markets, housing markets, welfare programs, educational systems, court systems, community organizations, and the police all affect how individuals will interact with each other.

When individuals in pursuit of opportunities for themselves and their families are able to develop satisfactory arrangements within legal arrangements, little incentive exists to seek illegal means to accomplish their goals. No set of institutional arrangements is ever perfected to the degree that all individuals interact in a productive and lawful manner at all times. However, the more effective are the set of institutional arrangements in enabling individuals to cope with their problems, the less apt individuals will be to adopt strategies outside the limits provided by legal constraints. Thus, the greater the proportion of individuals who are unable to solve basic problems for themselves and their families through legal institutional arrangements, the larger the proportion of individuals who will be motivated to pursue illegal means to solve problems and thus endanger the safety of the community as a whole.

Thus, the type of demands placed on the police will vary to a large extent on the success of other institutional arrangements. If employment markets, housing markets, educational systems, and general governmental mechanisms are working relatively well, fewer individuals will resort to illegal methods for solving problems. However, if the other institutional arrangements are not working well, the number of poor and unemployed within a community will increase and police will face the problem of an increased level of illegal activity. The poor and the disadvantaged may not

have sufficient voice within regular political channels to articulate effectively their demands for a change in the way basic institutions are operating. Nonviolent and violent protest may increase as well as the level of crime. Under such circumstances, the wealthy and articulate members of the community may demand that the police devote themselves to protecting their neighborhoods from the poor and the dissatisfied. Such demands may lead to repressive measures by the police and the suppression of the alternative political strategies available to the poor to attempt to alleviate the problems they face. Repressive measures may lead to a vicious circle. The more the police do, the worse things get.

This interdependence of police and other institutional arrangements creates special problems in the design of responsive police institution. Wealthy and well educated individuals will always have a fairly effective voice in articulating preferences for police services. The problem is how to increase the voice of disadvantaged populations who need a type of police service which will protect them from crime and violence as well as protecting their right to articulate their dissatisfaction with the operations of other institutional arrangements in a society.

The Influence of the Type of Community Being Served. The design of responsive police institutions is also affected by the nature of the community being served. Of particular concern in the design of police institution is the relative homogeneity of the community as measured by such indicators as income, race, religion, and proportion of home owners.

When a population is relatively homogeneous, individuals are more apt to agree on basic values and morals. By mutual agreement, interactions are more likely to stay within agreed upon standards and the general level of demand upon the police for the maintenance of order is less. However, when a population is relatively heterogeneous, individuals are more apt to disagree on basic values and moral premises. One individual may pursue a strategy that he considers appropriate but that his neighbor considers a threat to his security.

The more heterogeneous the preferences of the individuals being served by the police, the more difficult it is for the police to be responsive. No matter what the police do, someone is unhappy. For example, when the police respond to a complaint about a disturbance in a residential neighborhood, they may provide a service to some residents and a disservice to others. Some people find an empty, quiet street most "orderly." Others prefer a busy, noisy street full of friends and acquaintances. A particular street cannot be empty and busy, quiet and noisy at the same time. Whichever form of "order" is provided, some individuals may perceive the state of affairs as a benefit and others as a cost. Thus, while provision of police services in relatively homogeneous communities will provide joint benefits in the main, the more heterogeneous the community,

the more likely the police will impose joint costs or deprivations as well since some individuals will receive "services" which they would prefer to avoid. The perceived citizen hostility which results leads to severe problems of police morale in large and heterogeneous cities.³⁵

The inclusion of many activities designed to enforce conventional morality in a heterogeneous community increases the problem of responsiveness still further. When activities which many individuals do not consider immoral are made illegal, the basic calculations of risk and profit of individuals engaged in such activities are significantly changed. When activities, such as gambling, are legal, many potential sellers enter the field and the costs for the consumer are relatively low. By making gambling illegal, many individuals who do not want to risk legal sanctions exclude themselves from rendering such services.

It is an odd paradox that making some activities illegal may actually enhance the opportunities for profit for those willing to run some risks and increase the likelihood for police graft. Such a result does not occur when such activities as driving on the left side of the road, assaulting a person on the street, or robbing a grocery store are made illegal. The creation of a highly profitable business by outlawing activities occurs only when some willing adults have a strong demand for services regardless of their illegality. In such instances, outlawing activities creates a "crime tariff" which protects those who engage in the illegal activity as a business from the entry of too many competitors.³⁶ The high profits involved in such "protected" businesses, generate sufficient revenue to enable proprietors to share their profits with police who do not interfere. When this occurs, police become responsive to the managers of illegal establishments in the protection of "organized crime" rather than responsive to a more general population.

The Problem of Achieving Valid Indicators of Performance. Another major difficulty in designing responsive police institutions is the task of devising valid indicators of police performance. Without valid indicators of performance it is hard for individuals working within any type of institutional arrangements to be responsive to citizen preferences. Without knowing how well one is doing, it is difficult to know how to improve! Most urban police departments rely on the F.B.I. Crime Index or similar indices as measures of performances. However, the F.B.I. Crime Index is a grossly unreliable and invalid indicator for the following reasons:

- (1) Many serious crimes, such as narcotics violations, arson, bribery, and fraud are not included in the index;
- (2) All crimes on the index are weighted equally;
- (3) Many criminal acts are not reported to authorities and are thus not included in the published index;

- (4) Variations in local reporting are extensive and have not been taken into account;
- (5) There has not been a consistent data base over time; and
- (6) The distribution of crime among population groupings is not reflected in the index.³⁷

The major problem with utilizing any crime index as an indicator of police performance is that it purports to be a measure of crimes committed rather than crimes prevented. Since police attempt to prevent crime, recording the amount of crime committed cannot adequately be interpreted as a measure of the amount of crime prevented. Ideally, what is needed are indicators of what would have happened if the police had not been providing services. That, however is impossible.

This basic problems is compounded in larger police jurisdictions where problems of control are difficult because of the nature of police work itself. Police administrators in smaller departments can know more about what is going on and can directly coordinate many activities. Police administrators in smaller communities also come into direct contact with many citizens and can gain a more accurate assessment of the success of their department as evaluated by citizens. Police administrators of larger departments are rarely able to interact directly with either their own men or with citizens who are being served. As a result, police administrators in large cities become dependent upon internal statistical reports about the activities of various subunits. In such reports, data is aggregated in ways that lose much essential information about demand and response patterns within the jurisdictions.³⁸

Frequently, departments utilize the proportion of reported crimes cleared by arrest as an indicator of performance. However, stress on clearance rates also creates difficulties. Generally, police departments have low success rates in clearing crimes through arrest. Nationwide, only 20 to 25 percent of all crimes are cleared by arrest.³⁹ "The low success rate in crimes cleared by arrest creates a dilemma for the police administrators in their efforts to maintain a public image of themselves as productive . . ."⁴⁰ This dilemma can easily lead to the manipulation of statistics to create more favorable clearance rates. Clearance rates can be increased, for example, by encouraging known criminals to confess to more than a single crime once they are arrested. Lesser charges may be offered in return.⁴¹ Such an attempt to increase the clearance rates through plea bargaining enables the most hardened criminals to receive lighter sentences than the one-time loser. Some observers have argued that part of the motivation for this activity is to increase the number of "crimes" and "criminals" and thus increase the "need" for police as well as creating crimes which help departments improve their clearance rates.⁴²

The general uncertainty relating to performance has led individual policemen to produce as many recorded transactions as possible to increase their own performance ratings.⁴³ Many traffic officers feel they have an easier job than beat patrolmen since the number of tickets written at the end of the day is a demonstrable product.⁴⁴ Beat patrolmen can only attempt to increase their arrest rates. If the activities encouraged by an orientation toward the production of internal statistics to improve performance ratings do not help the police do a better job, continued stress on such statistics is extremely dysfunctional. Police departments always run the risk of fooling themselves about their own productivity while important activities are more or less unrecordable and thus left undone. Multiple measures of police output are needed which are generated from all types of interactions with citizens and are audited for honesty and accuracy.

A Summary of the Nature of Police Services. A brief recapitulation of the basic problems involved in designing police institutions which are caused by the nature of police services themselves includes the following points.

1. Because police services have aspects of being public goods:
 - a. private entrepreneurs will either not provide such services or will not provide as high a level of services as citizens desire.
 - b. recourse to public provision enables a public agency to provide a higher level of financing but the lack of quid pro quo transactions reduces information about citizen preferences available to an agency.
 - c. citizens can be forced to pay for activities which they perceive as net costs or disservices rather than net benefits or services.
2. Because of the nature of police work itself:
 - a. individual policemen working at the lower levels in a hierarchy must utilize considerable discretion.
 - b. supervisors cannot be present to control the activities of police officers in most of their activities.
 - c. top police administrators, particularly in larger departments, are dependent upon internal reporting mechanisms which may not be very useful regarding activity patterns within the department or citizens' preferences and citizen satisfactions with the services provided.
 - d. individual policemen are apt to become cynical, secretive, and suspicious of outsiders and to form close, protective relationships with fellow policemen.

3. Because of the interdependence with other institutional arrangements:
 - a. police departments have little control over the causes of crime and thus over the amount of criminal activities occurring within their jurisdiction.
 - b. police may be called upon to protect the wealthy and politically effective from the poor and disadvantaged through repressive means.
 - c. repressive methods, if utilized, engender such hostility against the police in poor neighborhoods that it is difficult for police to be effective in dealing with security there.
4. If the type of community police serve is heterogeneous:
 - a. a single police force cannot simultaneously be responsive to the preferences of all citizens regarding forms of public order.
 - b. asking police to enforce morals legislation congruent with the preferences of some but not all residents can lead to a crime tariff and resultant problems of graft within police departments.
5. Because of the difficulty of achieving valid indicators of performance:
 - a. police and the public may utilize unreliable and invalid statistics to judge the performance of the department as a whole.
 - b. information about the largest proportion of interactions between the police and citizens is either not recorded or not utilized in a regular and meaningful fashion.
 - c. individual policemen are motivated to do those activities which are recorded and viewed as productive by supervisors whether or not those activities help or hinder the general job of the police.
 - d. police departments may set up vicious circles where the more they do, the worse things become.

The Problem of Design of Institutional Arrangements for
the Provision of Responsive Police Services

Given the nature of police services, it will be difficult to design

institutional arrangements to meet any particular set of performance criteria, whatever they might be. Reformers assumed that hierarchy would, by definition, be the most efficient structure for making decisions about the production and allocation of police service. Recent developments in organization theory provide theoretical grounds for challenging the a priori assumption that hierarchical organization is always the most efficient decision rule.⁴⁵ The empirical findings described above indicate that simple reliance on bureaucratic structure in the management of large-scale police departments has produced pathological consequences, manifesting inefficiencies, corruption, inequities, and unresponsiveness.

Thus, we must reconsider the design of police institutions which rely primarily on hierarchy. Nor can we place sole reliance on the other simple decision rule--that of a market--since police services have aspects of being public goods and simple market mechanisms will not work.

Hierarchies and markets as structures for decision-making achieve control over activities because individuals acting within them are exposed to different forms of risks and opportunities. Hierarchy controls individual behavior through interaction with the behavior of other individuals internal to the organization; and in a hierarchy, subordinates are subject to discipline imposed by superiors. A market controls individual behavior through exposure to the behavior of other individuals external to the organization. Firms not responsive to their markets are liable to suffer financial difficulties.

We need to consider how to design institutions which combine both internal and external control mechanisms.⁴⁶ A basic requirement must be the generation of diverse indicators about the day to day operations so that a high level of information is available concerning the consequences of utilizing different mixes of internal and external control mechanisms. It is only through constant evaluation and reevaluation of the performance of police institutions that behavior can be improved in the long run.

Institutional Arrangements and Performance Criteria. The selection of performance criteria affects the choice of effective internal and external control mechanisms as well as the type of information essential to evaluate performance. If efficiency were selected as the sole criteria for assessing the performance of police, then internal control mechanisms should be set up to reveal the amount of work each individual is doing. Reward and punishment structures should encourage high levels of activity and discourage low levels of activity. Performance auditing by independent agencies should be included among the external control mechanisms. Information required by both internal and external control mechanisms would include the cost of input units and their relative efficiency in achieving similar performance criteria. Statistical reports on the activity patterns of each division and patrol team within the organization would be needed.

If responsiveness were adopted as the sole criteria, then internal control mechanisms should be rigged to review citizen satisfaction with services performed. Supervisors should visit a random sample of citizens who had interacted with their subordinates to evaluate their satisfaction with services received. Internal reward structures should encourage rapid police responses to citizen calls for service and even-handed treatment of all suspected violators of the law. Internal sanctions should discourage behavior which generated a pattern of citizen complaints. External control mechanisms might also audit a sample of transactions as well as processing citizen complaints. Information required by both internal and external control mechanisms will include the response time for all calls for service, relative satisfaction levels of citizens served, and preferences of citizens concerning the enforcement patterns maintained in their neighborhoods.

However, rarely is only a single performance criteria utilized in the design of institutional arrangements or in the evaluation of the consequences flowing from its operation. Multiple goals present perplexing questions. It is not possible simultaneously to maximize partially conflicting goals. While efficiency and responsiveness are not totally contradictory, the achievement of either of them beyond some level may require the diminution of the other. Thus, police cannot be perfectly responsive to the needs and preferences of all citizens at all times without significantly affecting the efficiency or justice of their operation.

Towards More Responsive Police Institutions

Given a concern for designing more responsive police institutions which also operate relatively efficiently and maintain a standard of fairness, what type of reforms of current police institutions should be considered? Unfortunately, there is no magic formula for combining institutional arrangements to produce any set of partially competitive performance criteria. One cannot in good conscience specify a "model set of institutions" which can be applied in all types of situations. The best one can do is to sketch some of the elements that would most likely be involved in any effort to increase the responsiveness of police institutions.

It is likely that any desirable system would involve a complex mixture of institutional arrangements. Neither a pure hierarchy nor a pure market will produce the desired results, given the nature of police services. A workable system would most likely rely upon both internal and external control mechanisms. Such mechanisms would need to increase (1) the citizens voice in articulating their preferences for different types of police services as well as (2) the information generated about system performance. Extensive mechanisms for the evaluation of performance using diverse criteria will be needed. In this way, the individuals affected by institutional arrangements can learn from past behavior and continue to change the institutional mix in light of experience. No design will continue to operate successfully

for very long without readjustment in light of new or unanticipated problems.

Such a reformed system would probably involve the establishment of both large and small scale police departments serving the same area.⁴⁷ Small units could provide neighborhood patrol services responsive to the preferences of individual neighborhoods while maintaining minimum standards established for a larger area. Large departments could provide specialized services such as crime laboratories, narcotics investigation units, and some aspects of record keeping. Cooperative and contractual arrangements among both large and small units could be developed to establish joint communication services, joint training facilities, cooperative detective units, and cross-deputization to ensure easy movement across jurisdictional contracts and agreements would tend in and of itself to generate more information about the performance of the system. Public officials involved in contract negotiation will need to learn about the consequences of the past arrangements.

Post audits conducted by independent agencies of a random sample of contacts between citizens and the police could serve a variety of purposes.⁴⁸ First, the accuracy of the reports made by police officers could be assessed, and departments producing invalid reports challenged. Secondly, the satisfaction of citizens with the manner, speed and methods utilized in responding to their calls for services could be ascertained. Third, the fairness of the methods of apprehending a suspect or stopping a violator of the traffic code could also be assessed.

Regularized procedures enabling citizens to file complaints with an independent agency regarding grievances would also improve the responsiveness of the system.⁴⁹ Regular reports could be made concerning the number of cases filed, the findings of the independent agency, and the methods adopted by police departments to reduce the likelihood of future malperformance of police personnel.⁵⁰

Elements of the mix of institutional arrangements adopted to increase responsiveness while also achieving efficiency and fairness would appear to work at cross-purposes. However, this would be necessary, and only reflects the partially conflicting performance criteria. Conflict between individuals associated with different aspects of the mix of decision structures brings attention to the problem of trade-offs between goals. Consequently, the operation of a system of rules designed to accomplish partially competitive goals will, at times, involve high levels of conflict. If the information thus generated is extensive and relatively valid, adjustments can be made in the long run which will approach optimal solutions even though the day to day operation of the system appears chaotic and unorganized.

The question of how current police institutions should be reformed is receiving considerable national attention. Within the last several years, numerous national study commissions have reported

on the need to reorganize urban police institutions.⁵¹ With the notable exception of the American Bar Association, most of the study commissions have adopted the efficiency and economy model discussed in the early sections of this paper.⁵² The Committee for Economic Development, for example, argues that the "ineffectiveness of the present structure is rooted in the organizational and administrative chaos that characterizes the nation's uncoordinated system of criminal justice . . ."⁵³ The committee proposes a complete overhaul of the criminal justice system including the establishment of a strong, centralized department of justice at the state level.

The National Advisory Commission on Criminal Justice Standards and Goals has just urged the consolidation of all police departments employing less than ten men.⁵⁴ A large percentage of the \$800 million in grant funds offered by the Law Enforcement Assistance Administration to state and local governments is to support plans for reorganization, regionalization, and consolidation of local police departments.

If this unilateral trend toward ever larger police departments continues without the simultaneous creation of smaller units within the larger units, we can expect future police institutions to be even less responsive to citizen preferences than past ones.⁵⁵ We may, indeed, be facing the possibility of a long term vicious circle, as the protest engendered by results of previous rounds of centralization leads to still further centralization as a supposed means of increasing the safety of the community.

To avoid this trap, we must learn to understand the operation of complex, and at times, seemingly chaotic, police institutions. We must stop assuming that complex arrangements are automatically inefficient. On the other hand, we need not start assuming that complex institutions are automatically efficient. The critical problem is to develop a reliable theory of institutional design which will enable us to predict the range of likely consequences to flow from the establishment of a particular mix of institutional arrangements for the provision of a particular set of goods and services in a particular environment. Until a more reliable theory of institutional design is developed, further reforms using the traditional ideology are liable to increase the unresponsiveness of urban police institutions.

Footnotes

¹The Georgetown Law Journal of Spring 1970 was devoted to a symposium on reform of metropolitan governments. For extensive citations to the traditional reform literature, see Elinor Ostrom, "Metropolitan Reform: Propositions Derived From Two Traditions," Social Science Quarterly 53 (December 1972), 474-93.

²James Q. Wilson, "Police Moral, Reform, and Citizen Respect: The Chicago Case," in The Police Six Sociological Essays, ed. by David J. Bordua (New York: John Wiley & Sons, 1967), 137-62.

³Ibid., 146.

⁴Ibid., 147.

⁵Ibid., 159-60, Wilson's emphasis.

⁶Ibid., 161.

⁷Peter H. Rossi, Richard A. Berk, David P. Boesel, Bettye K. Eidson and W. Eugene Groves, Between White and Black. The Faces of American Institutions in the Ghetto. A supplemental study for the National Advisory Commission on Civil Disorders, (New York: Frederick A. Praeger, 1968), see also Peter H. Rossi, Richard A. Berk, Bettye K. Eidson, The Roots of Urban Discontent, Public Policy, Municipal Institutions and the Ghetto. New York: John Wiley and Sons, 1974.

⁸Idem.

⁹Ibid., 113.

¹⁰Idem.

¹¹Curtis J. Berger, "Law, Justice and the Poor," in Urban Riots: Violence and Social Change, ed. by Robert H. Connery (New York: Random House, 1968), 59.

¹²Alan Altshuler, Community Control: The Black Demand for Participation in Large American Cities (New York: Pegasus Books, 1970), 156.

¹³James Q. Wilson, "The Police and the Delinquent in Two Cities," City Politics and Public Policy, ed. by James Q. Wilson (New York: John Wiley & Sons, 1968), 190.

¹⁴Albert J. Reiss and David J. Bordua, "Environment and Organization: A Perspective on the Police," in The Police: Six Sociological Essays, ed. by David J. Bordua (New York: John Wiley & Sons, 1967), 43.

¹⁵See Jerome H. Skolnick and J. Richard Woodworth, "Bureaucracy, Information and Social Control," in The Police: Six Sociological Essays, ed. By David J. Bordua (New York: John Wiley & Sons, 1967), 104-12.

¹⁶John H. McNamara, "Uncertainties in Police Work: The Relevance of Police Recruits' Backgrounds and Training," in The Police: Six Sociological Essays, ed. by David J. Bordua (New York: John Wiley & Sons, 1967), 251.

¹⁷Ibid., 240.

¹⁸Ibid., 241.

¹⁹Idem.

²⁰Ibid., 249.

²¹Ibid., 238-39.

²²See Commission to Investigate Allegations of Police Corruptions and the City's Anti-Corruption Procedures, Commission Report (New York: The Fund for the City of New York, 1972).

²³Paul Chevigny, Police Power: Police Abuses in New York City (New York: Random House, 1969).

²⁴Albert J. Reiss, The Police and the Public (New Haven: Yale University Press, 1971), 156.

²⁵Ibid., 164.

²⁶Ibid., 167.

²⁷Idem.

²⁸Ibid., 167-68

²⁹Ibid., 142.

³⁰Ibid., 144.

³¹See Elinor Ostrom, William Baugh, Richard Guarasci, Roger Parks, and Gordon Whitaker, "Community Organization and the Provision of Police Services," Sage Professional Papers in Administrative and Policy Study (Beverly Hills, California, 1973); Elinor Ostrom and Gordon P. Whitaker, "Does Local Community Control of Police Make a Difference? Some Preliminary Findings," American Journal of Political Science 17 (February 1973), 48-76; Elinor Ostrom and Roger B. Parks, "Suburban Police Departments: Too Many and Too Small?" in The Urbanization of the Suburbs, ed by Louis H. Masotti and Jeffrey K. Hadden, Urban Affairs Annual Reviews 7 (Beverly Hills: Sage Publishers, 1973), 367-402; Elinor Ostrom and Gordon P. Whitaker, "Community Control and Governmental Responsiveness: The Case of Police in Black Communities," in Improving the Quality of Urban Management, ed. by David Rogers and Willis Hawley, Urban Affairs Annual Reviews 8 (Beverly Hills: Sage Publishers, 1974), 303-334.

³²See Paul A. Samuelson, "The Pure Theory of Public Expenditure," The Review of Economics and Statistics 36 (November 1954), 387-89; Robert Bish, The Public Economy of Metropolitan Areas (Chicago: Markham Publishing Company, 1971); Robert Bish and Vincent Ostrom, Understanding Urban Government (Washington, D.C.: American Enterprise Institute, 1973)

³³Jerome Skolnick, Justice Without Trial (New York: John Wiley and Sons, 1967).

³⁴Arthur Niederhoffer, Behind the Shield: The Police in Urban Society (New York: Doubleday 1969).

³⁵James Q. Wilson, "Police Morale, Reform and Citizen Respect: The Chicago Case," The Police: Six Sociological Essays, ed. by David J. Bordua (New York: John Wiley & Sons, 1967), 137-63

³⁶Herbert L. Packer, "The Crime Tariff," The American Scholar 33 (1964), 551-57.

³⁷For a discussion of these problems see Elinor Ostrom, "Institutional Arrangements and the Measurement of Policy Consequences: Applications to Evaluating Police Performance," Urban Affairs Quarterly 6 (June 1971), 447-76

³⁸See Roger B. Parks, Measurement of Performance in the Public Sector: A Case Study of the Indianapolis Police Department (Bloomington, Indiana: Indiana University, Department of Political Science, Studies in Political Theory and Policy Analysis, 1971).

³⁹Albert J. Reiss and David J. Bordua, op cit., 35.

⁴⁰Ibid.

⁴¹See Jerome Skolnick, op cit.

⁴²See Hallock Hoffman, "Policing," The Center Magazine 1 (May 1968), 63.

⁴³Cantrill indicates that in Philadelphia, "presently the means, rather than the end results are measured against a man. The policeman given the highest performance rating is one who turns in the greatest quantity of 'activity' -- reports of various kinds, arrests, tickets written. A policeman would develop greater skills and earn more public respect if it was the end result of his work which was scrutinized by his superiors." John Cantrill, "From the Other Side of the Badge," Columns 4 (March 1972), 16.

⁴⁴John A. Gardiner, "Police Enforcement of Traffic Laws: A Comparative Analysis," in City Politics and Public Policy, ed by James Q. Wilson (New York: John Wiley & Sons, 1968), 157.

45 See Gordon Tullock, The Politics of Bureaucracy (Washington, D.C.: The Public Affairs Press, 1965); William A. Niskanen, Jr., Bureaucracy and Representative Government (Chicago: Aldine-Atherton, 1971); and Oliver E. Williamson, "Hierarchical Control and Optimum Firm Size," Journal of Political Economy 75 (April 1967), 123-238.

46 Robert A. Dahl also argues that "no system of internal control negates the need for a system of external controls that compel or induce those who exercise authority within the enterprise, whether these managers are chosen by and are accountable to stockholders, workers, or the state, to employ their power and resources for jointly beneficial purposes rather than for exploiting consumers." "The City in the Future of Democracy," American Political Science Review 61 (December 1967), 962.

47 For an argument that small scale institutions need to be created within large scale institutions, see Irving Louis Horowitz, "'Separate but Equal': Revolution and Counter-Revolution in the American City," Social Problems 17 (Winter 1970), 294-312; Charles Press, "The Cities Within a Great City: A Decentralist Approach to Centralization," Centennial Review 7 (1963)" Kenneth E. Marshall, "Goals of the Black Community," in Governing the City: Challenges and Options for New York City, ed. by Robert H. Connery and Demetrios Caraley (New York: Frederick A. Praeger, 1969), 193-205; Robert Dahl, "The City in the Future of Democracy," American Political Science Review, 61 (December 1967), 953-70; Dale Rogers Marshall, "Metropolitan Government: Views of Minorities," in Minority Perspectives, ed. by Lowden Wingo (Washington, D.C.: Resources for the Future, 1972), 9-30.

48 The St. Louis Police Department has been a pioneer in this regard. An external audit of a sample of all cases is conducted regularly in an effort to maintain a reliable system of records. See Arthur C. Meyers, Jr., "Statistical Controls in a Police Department," Crime and Delinquency 8 (January 1962).

49 This is similar to a proposal made by Albert J. Reiss, op. cit.

50 One might even want to consider a fine system like that proposed by Judge Tim Murphy of the Superior Court of Washington, D.C., in the following statement: "I have never heard of a policeman who has been subjected to disciplinary sanctions within a police department because he had made an illegal search or an illegal arrest. I would like to suggest a way you can stop bad arrests and bad searches relatively quickly -- and I am not talking now about the marginal instances about which we could argue all night as to whether there was probable cause; I am talking about kicking down the door and ransacking a place just for the hell of it. I suggest that on simple application by the aggrieved person, where a judge has thrown the case out or the United States Attorney has declined to prosecute because of an illegality, the

aggrieved person collect two hundred and fifty dollars to be taken out of police operating funds. As soon as the chief sees that a precinct cost the police fund five thousand dollars in fines last week, he will stop the bad arrests. The buck pays off." "The Police," The Center Magazine III (May/June 1971), 17.

⁵¹See, for example, President's Commission on Law Enforcement and the Administration of Justice, The Challenge of Crime in a Free Society (Washington, D.C., 1967); Task Force on the Police, Task Force Report: The Police (Washington, D.C., 1967); National Commission on Urban Problems, Building the American City (Washington, D.C., 1968).

⁵²Advisory Committee on the Police Function of the American Bar Association, The Urban Police Function, tentative draft (New York: Institute of Judicial Administration, 1972).

⁵³Committee for Economic Development, Reducing Crime and Assuring Justice (New York: Committee for Economic Development, 1972), 7.

⁵⁴See discussion in New York Times, January 15, 1973, 16.

⁵⁵For a discussion and analysis of this trend see Richard A. Cloward and Frances Fox Piven, "The Urban Crisis and the Consolidation of National Power," in Urban Riots, ed. by Robert H. Connery (New York: Random House, 1968).

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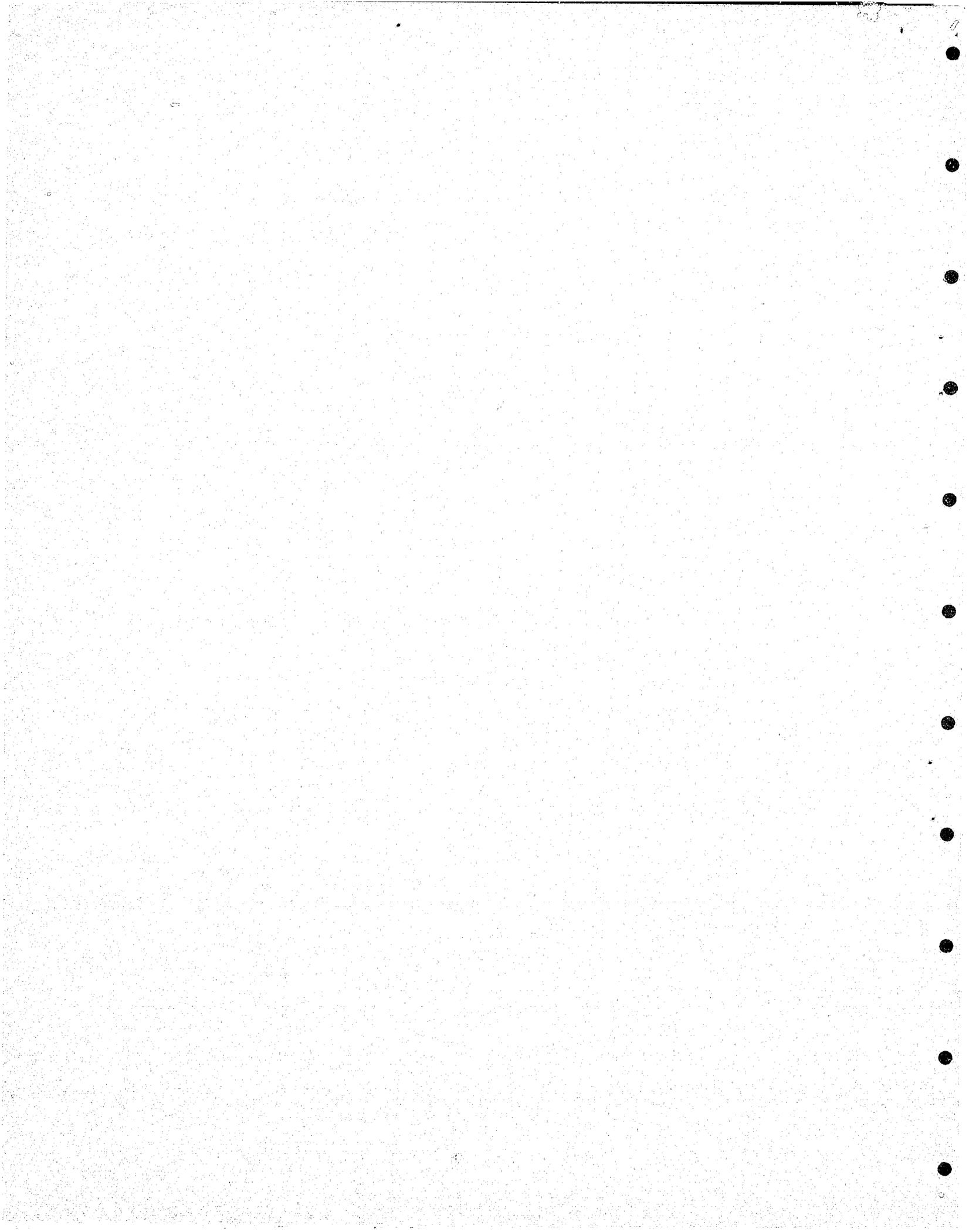
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books & articles

The following books or articles written by Workshop participants have been published externally and are available from the listed source:

1. Vincent Ostrom, Charles M. Tiebout and Robert Warren. "The Organization of Government in Metropolitan Areas: A Theoretical Inquiry," The American Political Science Review 55 (December 1961), 831-842. Reprinted in the Bobbs-Merrill Reprint Series in the Social Sciences - PS 405.
2. Robert L. Bish. The Public Economy of Metropolitan Areas. Chicago: Rand McNally/Markham, 1971. (Paper \$3.95, Cloth \$9.95)
3. Vincent Ostrom. The Political Theory of a Compound Republic. Blacksburg, Virginia: Center for the Study of Public Choice, Virginia Polytechnic Institute, 1971. (Paper \$1.25, Cloth \$6.95)
4. Vincent Ostrom. The Intellectual Crisis in American Public Administration. University, Alabama: The University of Alabama Press, 1973. (Paper \$2.75, Cloth \$6.00)
5. Elinor Ostrom, William H. Baugh, Richard Guarasci, Roger B. Parks and Gordon P. Whitaker. Community Organization and the Provision of Police Services. Beverly Hills, California: Sage Publishers, 1973. Sage Professional Papers in Administrative and Policy Studies (03-001). (Paper \$3.00)
6. Vincent Ostrom. Institutional Arrangements for Water Resource Development -- With Special Reference to the California Water Industry. Springfield, Virginia: National Technical Information Service, April 1972. (PB 207 314, Paper \$9.00)
7. Robert L. Bish and Vincent Ostrom. Understanding Urban Government. Metropolitan Reform Reconsidered. Washington, D.C.: American Enterprise Institute for Public Policy Research, 1973. (1150 Seventeenth Street, N.W., Washington, D.C., 20036, Paper \$3.00)



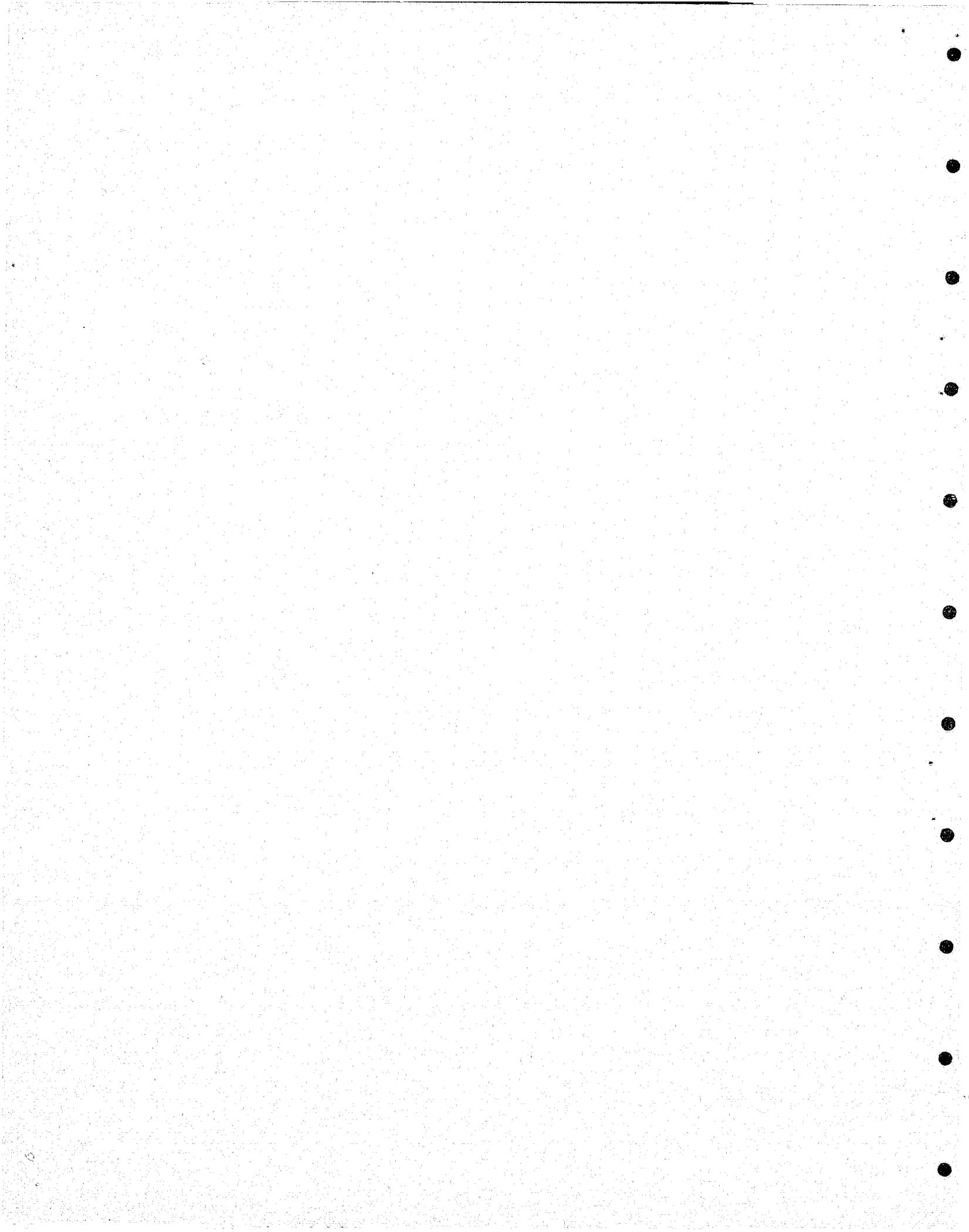
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- R61-1 Vincent Ostrom, Charles M. Tiebout and Robert Warren. "The Organization of Government in Metropolitan Areas: A Theoretical Inquiry," American Political Science Review 55 (December 1961), 831-842.
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- R72-2 Elinor Ostrom. "Metropolitan Reform: Propositions Derived from Two Traditions," Social Science Quarterly 53 (December 1972), 474-493.
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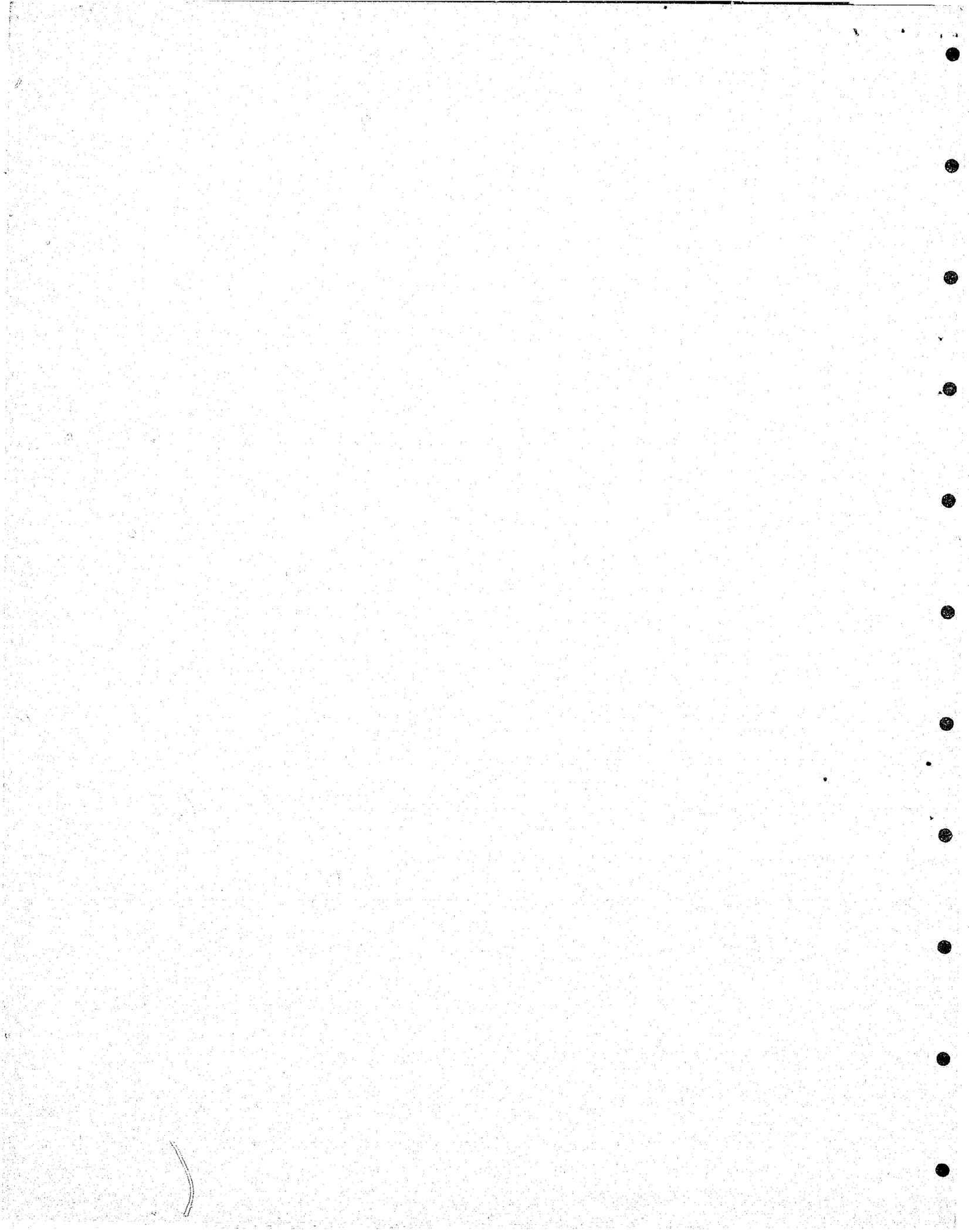
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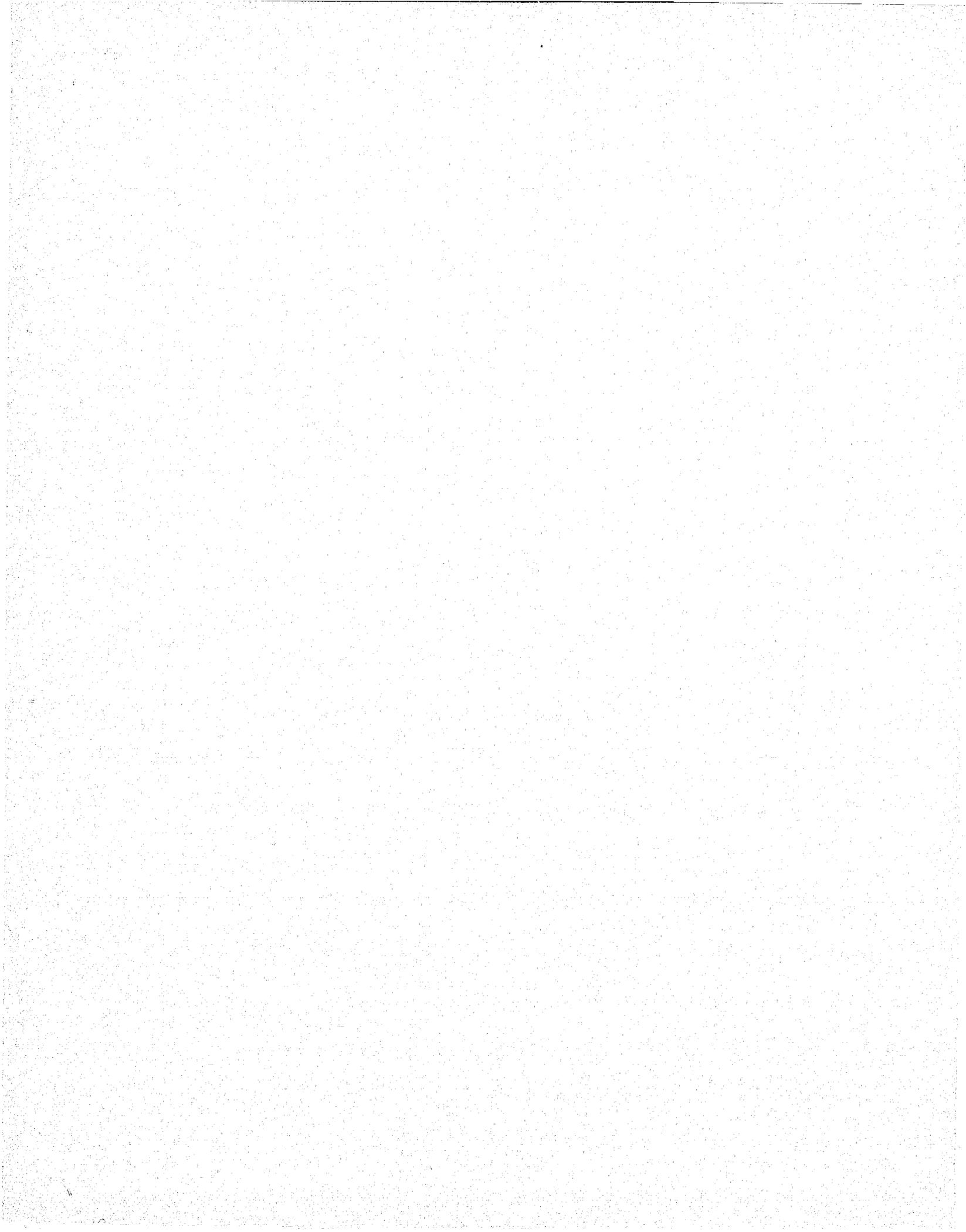
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