

Second-Order Collective-Action Dilemmas and the Governance of Police Organizations

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Introduction

Why would a community policing program located in the suburbs be effective at controlling crime while community policing programs situated in urban areas have not? The empirical record for community policing's ability to influence crime rates has been mixed, irrespective of location (Greene 2000; Gill, et al. 2014; Crowl 2017). Scholars have blamed community policing's mixed record of efficacy on the theoretical and conceptual ambiguity surrounding community policing since its inception, which has led to varying operationalizations, program design and implementation, complicating evaluation efforts (e.g., Greene 1987; Greene and Mastrofski 1988; Lurigio and Rosenbaum 1986; Rosenbaum and Lurigio 1994; Mastrofski, Willis and Kochel 2007). Further, because the community policing model is labor and resource intensive, most community policing studies are conducted by metropolitan police departments serving large, urban areas (Langworthy and Travis 1999; Stone and Travis 2011). Less a handful of community policing studies (e.g., Connell, Miggans and McGloin 2008; Rukus, Warner and Zhang 2017) have been conducted in suburban or rural areas

Yet, an article published in 2008 by Connell, Miggans and McGloin, analyzing the influence of a community policing initiative conducted from 1996 to 2003 in an affluent suburb of Washington, D.C., using a time series model, found an immediate and permanent decline in rates of violent, property and drug crimes¹ during the intervention. Prior to the start of the community policing program, the command regime responsible for patrolling the area initiated a police crackdown that was characterized by an intensive police presence. The article authors were not explicit as to the events which precipitated this

¹ The authors tested the impact of the Community Policing intervention of on three dependent series: violent, property and drug. The violent series was created by combining all homicides, rapes, robberies and aggravated assaults for a 1-month period. The property series combined burglary, larceny and automobile thefts over a 1-month period and the drug series combined possession of a controlled substance and distribution and/or sale of a controlled substance over a 1-month period (Connell, et al. 2008: 137). Data for these crimes came from crime reports (defined as crimes known to the police) presumably were obtained from the police department itself.

crackdown but given that an intensive police presence is highly resource-intensive, it is reasonable to infer that police officials considered the crime problems in this area serious enough to warrant such a move. The crackdown was called off after ninety days, citing lack of funds and worsening police-public relations as causes.

The program was officer-initiated and received full command support. The commanding sergeant was given authority to select officers for the unit (all of whom self-selected) and to structure the unit as he/she saw fit. The unit was small and decentralized, with discretionary decision-making devolved to patrol officers who were encouraged to problem-solve creatively and deal with issues underlying criminal activity in the area. In an example which highlighted the problem-solving dimension of the program, officers designed a plan to clean up a drug spot using randomized foot patrol and surveillance, thanks to information provided by residents.

Collaboration with and accountability to the organization and the community were paramount. Officer performance evaluations specifically appraised officers on the quality of their collaboration with the local community. Participating officers routinely touched base with local parole and probation offices to monitor for potential violations, with landlords to assist with evicting “problem” tenants, and with schools to follow-up on truancy issues. By the end of the program, officers credited community support and participation as invaluable to the success of the program.

The authors of the study argue that two factors were responsible for their results. First, police officers involved with the initiative self-selected into the program. In other words, participating officers “bought into” the community policing approach and believed it could work. Officer buy-in has been identified in the literature on community policing as an important factor in program success (e.g., Sadd and Grinc 1994; Rosenberg, Sigler and Lewis 2008; Ford, Weissbein and Plamondon 2003) as well as program failure (e.g., Vito, Walsh and Kunselman 2005; Oliver 2000). Second, the community policing philosophy was only implemented in a single police unit, not over an entire department (Connell, Miggans

and McGloin 2008: 145-146). The community policing philosophy has been critiqued by criminal justice scholars for lacking a clear organizational change model that provides a process for police commanders in transitioning their department from the traditional model of policing to a community-oriented one (Gill, et al. 2014). Few departments, to date, have fully implemented the community policing philosophy (e.g., Zhao, Thurman and Lovrich 1995; Zhao, He and Lovrich 2003; Weisburd and Eck 2004; Gill, et al. 2014). The lack of information regarding the consequences of pursuing a departmental transformation makes such a move politically risky for police commanders, but implementation of the community policing philosophy over a smaller unit within a department or jurisdiction lessens the risk of political fallout should the initiative fail to produce desired outcomes, and it is likely also financially prudent to start small. Regarding their findings, Connell, Miggans and McGloin (2008) state that community policing programs can reduce rates for serious crimes and that community policing initiatives should be considered in non-urban settings.

While Connell and company's conclusions regarding the effects of this program are plausible and consistent with community policing literature, their points speak more to the specifics of this program and the officers involved rather than to the development or application of theory. The development and application of a theory of community policing is important not only for evaluating hypotheses related to the success or failure of this program but also for designing and specifying theory-based community policing frameworks and programs in other police departments. Therefore, main research question posed here asks why the suburban community policing initiative studied by Connell, et al (2008) had an influence on crime rates. My methodology for addressing this question is to compare the program studied by Connell and colleagues against community policing theory. In the social sciences, theory provides explanations "specifying how and why the variables and relational statements [in a model] are interrelated" (Labovitz and Hagedorn 1971: 17). Appealing to the theory undergirding the community policing philosophy should yield a map linking key concepts to expected or predicted outcomes as well as

guiding the process of operationalizing those concepts such that they are clearly distinguishable, measurable and understandable by empirical observation.

However, because there is uncertainty surrounding the specific theoretical underpinnings of the community policing philosophy, it is necessary to appeal to four separate yet related theories which either have been associated with community policing in the literature (i.e., the social disorganization, broken windows and social interaction theses) or which address similar issues as community policing does (i.e., procedural justice policing). Each theory provides a different partial explanation for the observed decrease in crime rates: increased police-public contact, police order maintenance activities, solving underlying social issues, increased public perceptions of police legitimacy or the presence of trust or social capital. However, none of them, by themselves, can provide a comprehensive explanation for the decline in crime rates associated with this community policing initiative. What is needed is a theory which builds upon the decentralized, police-public trust relationship-focused foundation of community policing with social capital producing processes and a fair, transparent, trustworthy and open institutional framework which enhances, rather than detracts from, police effectiveness, efficiency and equity.

To address this theoretical gap, I submit my own theoretical perspective, the police-community governance framework posits that crime control is an outcome of good governance which makes cooperation with and trust in police institutions possible. The police-community governance framework includes both an organizational component and as well as a criminological one: in order for police to generate the co-production of public safety that they seek, police organizations must reform their internal and external accountability processes to reflect the normative values of good governance (transparency, accountability, impartiality, responsiveness and equity). The purpose of reform is to send strong signals to the public and other institutions that police organizations are trustworthy, that their command staff and officers are accountable to the public and that they are committed to maintaining impartial,

cooperative arrangements with the local publics they serve. In other words, good governance reforms give the public a reason to trust and co-produce with the police.

The police-community governance framework builds upon the general social interaction theory behind the community policing philosophy and the procedural justice policing principles, arguing that both conflate interpersonal and institutional trust. Social interactions, at their best, can generate interpersonal trust between police officers and the public, but there is no guarantee that this trust translates to trust for police institutions which are perceived as inaccessible, uncommitted and politically unaccountable to the publics they serve. To generate institutional trust, police organizations must develop transparent, participatory and impartial practices and institutional processes which incorporate the public in substantive and meaningful ways such that the public perceives the processes as trustworthy and the police as committed to maintaining those processes beyond the tenure of a single command regime, inviting opportunities for cooperation, co-production, and trust generation. In this way, the police-community governance framework is consistent with other governance-based approaches to police administration that expand upon the community policing model (see: Clark 2005; Jones 2008; Ferrandino 2014) but differs from them in that it draws heavily from the Elinor Ostrom's work on common-pool resource governance and collective action problems and Bo Rothstein's impartiality as quality of government thesis and Tom Tyler's procedural justice policing.

A central tension in the police-community governance framework is that the police and the public find themselves in a social trap. Both could be made better off in the long-term by choosing cooperation, but they chose not to do so because of collective memory. Collective memory is a constructed, political memory built upon the history of interaction ("play") between individuals and groups that inform those individuals' and groups' decisions to trust in or co-produce with the other. For many minorities and those living in poverty, their history of play with the police – and therefore their collective memories of police institutions - have not shown them to be trustworthy, impartial, respectful and, ultimately, legitimate.

Thus, a central question posed by the police-community governance framework is: How can police and the public move from a non-cooperative to a cooperative equilibrium? Or, to put it another way, how can we get from here to there?

The final section of this essay addresses this question and the two issues that create the central tension for contemporary police administration in the United States – institutional trust and legitimacy - and its relationship with, but not limited to, vulnerable societal groups. The police-community governance framework brings attention to the fact that the police and the public find themselves in a social dilemma as a consequence of collective memory. Is there a way out of this social trap? Drawing from studies of common-pool resource governance involving traditional and decentralized bureaucratic organizational models, I argue that designing external, impartial accountability processes for police organizations is the first obstacle toward generating institutional trust, police-public cooperation and co-production of public safety. I then review several existing attempts to produce such institutions and evaluate the chances for their success in light of this argument.

The next section briefly summarizes each of the community policing-adjacent theories of crime control and deterrence and evaluates their explanations for declines in crime rates.

Broken Windows and Social Disorganization Theories

Social disorganization (also referred to as community-building) theory focuses on the link between neighborhood characteristics (built environment), informal social control (social norms) and crime, suggesting that crime and anti-social behavior are the result of a lack of informal social controls in a community or the incapacity for a community to monitor and enforce its informal social control alone (Shaw and McKay 1942; Sampson and Groves 1989; Bursik and Grasmick 1993). It was developed at the beginning of the twentieth century by urban researchers from the Chicago School of Human Ecology who were interested in understanding the dynamic relationship between social and environmental factors, or,

to put it another way, how place, rather than an individual's characteristics (e.g., race, gender), shapes individuals and their life trajectories (see Cavan (1983) for an overview of the Chicago School). Social disorganization theory's popularity waned in the 1970s but was revived in the 1980s and 1990s through the work of New Chicago School scholars who took up its development.

The term collective efficacy is used to refer the capacity of a community to monitor and enforce its social norms of behavior (Sampson, Raudenbush and Earls 1997). In neighborhoods where collective efficacy is low, informal social controls are weak, and the risk that individuals - particularly teenagers - may engage in anti-social activities is high (Sampson and Groves 1989; Sampson, Raudenbush and Earls 1997). Conversely, where levels of collective efficacy are high, informal social controls are strong, and the risk of individuals engaging in anti-social behavior is minimal. The appropriate police action is to aid communities in building capacity (increasing collective efficacy) to help residents reinstitute informal social controls by means of non-enforcement related activities designed to strengthen its socio-institutional fabric, as well as to address underlying social issues (poverty, unemployment, poor quality of housing, low-quality schools, high social turnover, etc.) through social policy. Police action therefore brings community's ability to self-govern (monitor and enforce informal social control) back, and the community can then monitor and designate problem areas for police to address.

In many ways, broken windows theory, which emerged in the early 1980s, is the successor to the social disorganization thesis. Broken windows theory² suggests that visible signs of crime, anti-social behavior and civil disorder creates fear in residents who then abandon public spaces, leaving those spaces

² Broken windows theory has been the subject of much controversy in the criminal justice literature. Several scholars have challenged the model's assumptions, particularly its focus on "fear of crime" and its approach to combatting "signs of disorder" (e.g., Sampson and Raudenbush 2004; Harcourt 2001; Greene and Taylor 1988). These authors argue that concepts like "fear" and "disorder" are socially constructed and normative, rather than being natural and objective. The broken windows approach has been linked to Gulianni and Bratton-style zero-tolerance policing by some scholars (e.g., Dixon 1998); however, it is not clear that broken windows implies the zero-tolerance approach used to justify, for example, the controversial stop and frisk program in NYC. George Kelling has disputed links between broken windows and zero-tolerance in subsequent publications (e.g., Kelling and Coles 1997)

unmonitored (Wilson and Kelling 1982; Sykes 1986; Williams and Pate 1987; Mastrofski, Worden and Snipes 1995; Connell, et al. 2008). In other words, visible signs of disorder in a geographic location, such as, but not limited to, excessive litter, graffiti, unaddressed property damage, vagrancy and panhandling, exert a centrifugal-centripetal effect on neighborhood residents and potential criminals (Wilson and Kelling 1982). Signs of disorder make residents afraid to inhabit public spaces (fear of crime), pushing them to withdraw from public spaces and other neighborhood residents. To the potential criminals, visible signs of disorder – particularly persistent ones – signal that a neighborhood or community is unguarded or uncared for, pulling them into that area, and along with them, crime. Police action, then, should be aimed at combatting visible signs of disorder, which should reverse the push-pull effect that disorder created. The public, emboldened by the regular police presence and activity, will a) again inhabit perceived “problem” public spaces, sending signals to would-be crooks that these spaces are monitored and b) improve their perceptions of police efficacy. Criminals, taking note of the increased presence of police and the public’s “eyes on the street,” find other, less monitored locations (see: Jacobs 1961; Kanigel 2017). Crime rates should decrease as police activity in the area increases, residents retake public areas, and criminals migrate toward easier targets. The public is largely passive recipients of police services in this process.

There is overlap between the social disorganization and broken windows theories in that both of their conceptual models emphasize how police activity aimed at increasing a neighborhood’s capacity to self-govern supports those neighborhoods’ ability to co-produce public safety with police. Both theories link problems of disorder with problems of crime, but in the broken windows case the disorder is environmental while in the social disorganization case disorder is structural. This ontological difference in the nature of disorder likely explains why the social disorganization theory approach promotes combatting the sources of disorder at the social and political levels while the broken windows approach encourages combatting specific instances of disorder only. But while this difference exists in theory, in

practice, there is little that police can do day to day to affect the content of social policy, meaning that broken windows-inspired order maintenance and social disorganization-based capacity building approaches are very similar and differ solely with respect to how they conceptualize the crime/disorder nexus and the public's role in police activities.

Broken windows and social disorganization theories are criminological in nature and therefore can speak directly to the causes for decline in crime rates in the community policing initiative studied by Connell and colleagues. There are two examples of community policing activities supported by a broken windows or social disorganization rationale. The first example is that officers established communication with local parole and probation offices to monitor for potential violations, with landlords to assist with evicting "problem" tenants, and with schools to follow-up on truancy issues (Connell, et al. 2008: 134). The second involves community policing officers using foot patrol and surveillance to clean up a drug spot (*ibid.*). Both examples show police addressing visible signs of disorder (drug spot), anti-social behavior (parolees and probationers violating the terms of their release) and civil disorder (truancy) with the goal of instituting social stability (informal social control, collective efficacy), but between the two, the first example is more representative of a social disorganization-type approach and the second for broken windows. While police check-ins with probation officers, landlords and schools are a type of order maintenance activity, the purpose was "to identify problem tenants and evict those with recurring problems" (Connell, et al. 2008: 134), which is directed more toward facilitating community monitoring of socially unruly individuals than the second which was directed more toward removing a specific instance of disorder and crime. These activities are consistent with police efforts to increase collective efficacy and reduce visible signs of disorder which the social disorganization and broken windows theses, respectively, support. They explain, at least in part, the decline in crime rates associated with the community policing initiative at this suburban intervention site.

However, the broken windows and social disorganization theses are limited by their focus on police activity to stabilize neighborhoods. Neither theory really explains what role the public plays in order maintenance or capacity building police activities or what happens when police leave, which is problematic for theories that support or influence community policing, which is at least nominally predicated on generating police-public “co-production”. It has been widely assumed that co-production is defined by the community policing philosophy, but as the discussion of the philosophy in the next section will show, that philosophy is more about what police can do for the public (reduce fear of crime, provide a visible, authoritative presence) than what they can do together. The problem that broken windows, the community policing philosophy and, to some extent, social disorganization theory face is that their concept of “co-production” is underidentified and underdeveloped, meaning that, in practice, police departments, faced with the dilemma of choosing a community policing or traditional approach, have been more likely to pick a more familiar, traditional police strategy than to adopt an unknown unknown (Gill, et al. 2014). Co-production offers no guidance to police in terms of the quantity and quality of inputs to expect from the public. This is due, in part, to the severance of the term from its development by Elinor Ostrom.

The term co-production was proposed by Elinor Ostrom to describe the process of producing public goods and services using productive inputs from “regular” producers (police, postal workers, firefighters) as well as consumers of those same services (i.e., the public) (Parks, et al. 1981; Ostrom 1996; see also: Skolnick and Bayley³ 1986). Ostrom later integrated the concept into her work on common-pool resource governance where it provided positive, trust-reinforcing feedback within sustainable participatory governance institutions (see: Ostrom 1996; Alford 2014; Aligica and Tarko 2013). The

³ Skolnick and Bayley studied six different police departments experimenting with some form of community policing innovation. They invoke the concepts of reciprocal trust and co-production, but do not directly cite a source. The bibliography contains an entry for a book titled *Patterns of Metropolitan Policing* by “Ostom, Elinor, Parks, Robert and Whitaker, George”. This person was undoubtedly Elinor Ostrom.

importance of connecting Ostrom, co-production and common-pool resource governance for broken windows and community policing is twofold.

First, Ostrom's co-production introduces the concept of opportunity cost, which is essential for understanding the differential incentive structures individuals face when deciding whether to cooperate with the police. Opportunity cost is that which is foregone in making one decision instead of another and differs based on the information and socio-material resources available to individuals. In the context of police-public relations, the people who need to co-produce public safety with the police the most are also the ones who can least afford to do so. Once police leave, cooperators could face retaliation from anti-social elements or be ostracized from social networks they rely upon to fulfill other needs. Broken windows and social disorganization theory assume the public will be in a better position to maintain social order, but don't go too deep into how long-term public safety is sustainable.

The problem of generating public cooperation in urban community policing programs is attributable, at least in part, to the fact that opportunity cost isn't articulated in broken windows or social disorganization theories. Putting this discussion in the context of the community policing initiative under examination, people living in a suburb of Washington, D.C. probably had less to lose socially and economically by cooperating with the police, and the evidence that they did so was the gratitude they received from the officers in the community policing unit. The point is that a developed concept of co-production brings these issues into consideration when designing institutions of participative governance. Broken windows theory takes a traditional bureaucratic (Professional era) positivist approach to order maintenance, meaning that police activity is geared toward creating a set of outputs (number of windows fixed, low-level arrests made, graffiti cleared, etc.), before handing things off to the public to monitor. The public seem to be passive recipients of what the police produce who incidentally might provide information useful to the police, but the focus of the theory remains on what police do. Custodianship, rather than co-production, more aptly describes this sequence of events.

The second payoff for connecting co-production to Elinor Ostrom is that it explains the process of building collective efficacy and why this suburban community policing initiative was able to influence crime rates while similar urban program results have been mixed. Social disorganization theory implies co-production in the collective efficacy concept but doesn't explain how to get there. It makes the agents of formal social control (the police) responsible for strengthening collective efficacy of the agents of informal social control (the public). Co-production provides a framework for understanding how collective efficacy can be strengthened not only among residents but also between the police and the public. Ostrom (1996), referring to a study on the production of urban infrastructure in Brazil (condominial water systems) (see: **Watson 1995**), highlighted that participation in the process of co-producing these systems brought them into face-to-face contact with public officials who aided and educated them on the ongoing maintenance and repairs of the system, as well as generating social capital as participants learned to work together and with public agencies, which gave participants new information which they could use to request other goods and services and, therefore, generated new incentive structures for them. Collective efficacy implies this but doesn't explain how to get there. Co-production provides a framework for getting there, but not how to move from a social trap to police-public co-production of public safety. For that answer, it is necessary to look to the community policing philosophy and procedural justice policing.

The Community Policing Philosophy

The community policing philosophy has been studied and debated over the past 40 years for its potential to a) reduce crime and fear of crime and b) improve police-public relations (Greene 2000; Fisher-Stewart 2007; Crowl 2017; Gill, et al. 2014). It emerged during a time of social unrest, soaring crime rates and a slew of reports criticizing the Professional model of policing instituted by August Vollmer and O.W. Wilson in the 1930s (Fogelson 1977; Kelling and Moore 1988; Greene 2000). The essence of these critiques was that police effectiveness had declined as police institutions became more isolated and autonomous

from the publics they served as a result of their adoption of a paternalistic professional demeanor and of rapid-response technologies, strategies and tactics in combatting crime, such as replacing foot patrols with the radio patrol car which created a physical and social distance between police officers and the public and fostered mistrust between them (e.g., Martinson 1974; Trojanowicz 1986). Police practitioners and scholars recognized that isolation and estrangement of police organizations from the communities they served (in addition to the rising crime rates of the 1960s and 1970s) and concluded that no amount of new, innovative technologies could replace public support for and “co-production” of public safety (Kelling and Moore 1988; Rosenbaum 1988; Gill, et al. 2014). These realizations set the stage for the emergence of the community policing philosophy.

It is unclear which theory or theories are foundational for the community policing philosophy. The literature is replete with vague, ambiguous or ill-defined concepts, which includes the definition of “community policing” itself (Ferrandino 2014; Oliver 2004; Bayley and Shearing 1996). This has rendered the comparison of community policing programs moot as programmatic studies have little in common apart from sharing the moniker of “community policing” (e.g., Gill, et al. 2014; Crowl 2017; Lurigio and Rosenbaum 1986; Greene and Mastrofski 1988; Trojanowicz 1988). There is no consensus among scholars on the expected or predicted outcomes of community policing strategies, tactics, internal or external organizational changes (e.g., Greene and Taylor 1988; Greene 2000; Corder 2001; Ferrandino 2014). Community policing is claimed to bring about crime control and prevention, reductions in fear of crime, increases in citizen satisfaction with police services, increased social order maintenance, increased trust in police, increased police efficiency and effectiveness and increased perceptions of police legitimacy, to name only a few (e.g., Greene 2000; Gill, et al. 2014; Crowl 2017). At the root of these issues is the lack of a clear theoretical framework linking key concepts to predicted outcomes.

While there is currently no explicit theoretical foundation for community policing upon which criminal justice scholars agree (e.g., Corder 2001; Oliver and Bartgis 1998), a few prominent criminal

justice scholars (e.g., Kelling and Moore 1988; Trojanowicz 1986; Moore, Trojanowicz and Kelling 1988: 8) have alluded the existence of such an underlying social interaction theory for community policing framed in a similar way as Robert Putnam's (2000) work on social capital, but although it has not been explicitly developed by subsequent academic work. Kelling and Moore (1988), in describing the "eras" of policing in the United States refer to the period of the 1980s and beyond as the "Community" era, characterize community policing as a new organizational strategy involving decentralization of authority, the contextual and environmental embedding of police in the communities they serve and the importance of broadening the mandate of police beyond simply crime-fighting to include order maintenance and problem-solving activities. Trojanowicz (1986), in a chapter summary of the Flint, MI foot patrol experiment, emphasizes how police technology (i.e., radio car) hampers the creation of of police-public trust and empathy and how central both are to the effectiveness of police problem-solving and crime control activities. Conjointly, these scholars (Moore, Trojanowicz and Kelling 1988: 8) have stated that the theory behind community policing is that increases in the quantity and quality of police-public interactions will lead to crime control, deterrence and reductions in fear of crime.

As an organizational strategy, then, the community policing philosophy suggests that geography-based foot patrols or neighborhood storefront substations (both employed under the rubric of community policing) reduce both crime and the fear of crime. The suburban community policing initiative utilized this strategy in several ways, from clearing out a local drug spot through the use of foot patrol to routinely checking-in with business owners and residents regarding their safety (Connell, et al. 2008). Visible police presence is one aspect of this approach. Presence is the first level on the use of force continuum and it alters the potential payouts to individuals considering whether to engage in crime. Further, police can gain more intelligence regarding local criminal activity on foot than in a patrol car, meaning that opportunities for creating social capital through fact-to-face contact are increased. Fear of crime is also

thought to be reduced by visible police presence. Visible police patrols send signals to residents that someone is watching out for problems, increasing their sense of safety (Moore and Kelling 1983).

Adding to the weight of the community policing philosophy's explanation for the decline in crime rates is, as Connell et al. (2008) suggest, this unit was a smaller unit consisting of officers and sergeants who self-selected for the unit. There is an implicit trust/social capital argument here, but it is not really developed. When talking about generating sustainable institutions for collective action, Ostrom (1990, 1996) discusses the problems of commitment to, monitoring and enforcement of rules. Enforcement and monitoring of other participants is possible with smaller numbers of participants because the initial costs of monitoring are low. Over time, and through repeated interactions, participants can predict how other participants will behave, allowing for trust which lowers enforcement costs further (i.e., history of play) (see also: Ostrom and Ahn 2008; Ostrom 1997; Rothstein 2005). From the perspective of the residents, a small community policing unit, like the one described here, would be more knowable, and thus more responsive, than a larger police force of up to 100 officers, command staff and managers. It is also likely, then, that given their smaller number, residents and officers would have repeated, face-to-face interactions allowing them to better predict one another's behavior and build trust. Information regarding officer and resident trustworthiness would then flow along existing network linkages to reach many participants.

A smaller number of participants also partially solves the credible commitment problem. In any cooperative venture, individuals may cooperate because or in order to encourage the cooperation of others. The problem of credible commitment is, after that initial period, how can cooperation be sustained? From the perspective of residents, police officers will always have an "exit" option that the residents do not (Hirschman 1970). Officers can go home at the end of a shift or request transfer to another assignment or patrol beat, or a new police administration may reverse course on the previous administration's strategies, but residents can't leave the area without incurring substantial costs –

meaning that there will always be an incentive for a group of residents to base their decision to cooperate with the police on their predictions of what will happen when the police leave. The smaller community policing unit here probably couldn't rotate officers out, to say nothing of the fact that the officers self-selected for this assignment, which means that, apart from their time off-shift, the "exit" option for participating officers was minimized. These points, taken together, explain why Connell and colleagues' suburban community policing initiative was able to decrease crime rates.

However, the community policing philosophy explanation is limited in two ways with respect to this initiative. The first is that increased contact between the police and the public, though assumed to be positive and desired, unfortunately doesn't account for the "history of play" between the police and minority communities and communities of color nor the collective memories that negative relationship created. Collective memory is a narrative constructed by individuals that answers three questions: 1) Who are we? 2) Who are they? 3) What do we predict they will do if we trust them? Collective memories influence the prospects of future cooperation: "the actors [in a game theoretic situation] shape their expectations of what the other actors might do from these kinds of collective memories" (Rothstein 2005: 160; see also: Young 1998; Halbwachs 1992). Individuals and groups, thus, use collective memory to make decisions regarding who can be trusted. Those decisions are heavily influenced by past experiences (history of play), whether directly experienced or as transmitted through families and social networks across generations. Negative experiences with the police – perceived bias, racial profiling, police violence, failure to hold police accountable, fear of reprisals, etc. – have a far-reaching impact on public perceptions of the institution of the police because such experiences are used to form the basis a collective memory. Although there isn't much detail in the philosophy itself regarding the quality of interaction, there seems to be the assumption that police officers are inherently trustworthy, respected and perceived to be legitimate. Even if at present the police are organized and administered by an entirely different group of

individuals and rules, however, collective memories cannot be rationally forgotten, are passed on from generation to generation through social network effects and complicates police-public interactions.

In the context of this community policing initiative, the strategy of the police crackdown which precipitated the initiative was certainly characterized by intensive police presence in the area. If contact were all that mattered, it would not be unreasonable to assume that the number and frequency of interactions between police and the public increased, which, if taken at face-value, would comport with the claims made by community policing advocates regarding police-public contact. However, the fact that the crackdown worsened police-public relations while initiative officers credited their success to police-public contact would seem to belie their argument. Clearly it matters *how* the police and the public interact, but the community policing philosophy can't offer guidance here because it doesn't develop the concept of quality of contact further.

The issue of quality of contact has been taken up by several scholars and features prominently in Tyler's procedural justice policing, which will be discussed in detail in a later section (Murphy and Tyler 2017; Tyler 1990; Sunshine and Tyler 2003). The gist of the procedural justice policing, which is based in the good governance approach, argues that how an outcome is reached is more important than the outcome itself. There exists an extensive empirical literature supporting the main tenets of procedural justice policing, but I want to bring attention to two studies that shed light on the negative consequences of contact. Li, Ren and Luo (2016) empirically tested the effect of the negativity bias thesis – the idea that negative experiences carry more weight than positive ones – on public satisfaction with the police, measured as perceptions of procedural justice, perceptions of police effectiveness and expectations in future contact with police. These researchers found that negative-contact variables had stronger influence on public satisfaction with and perceptions of the police, net of neighborhood context (perceived crime and disorder) and demographic background. The effects of the negativity-bias thesis can also be seen clearly in Epp, Maynard-Moody and Haider-Markel's (2014) study of the psychological and

perceptual effects of pretextual versus traffic violation stops made by police. Individuals stopped by police for traffic violations, while unhappy with the officer that they had received a ticket, did not question the legitimacy of police institutions or their status in society. However, individuals stopped on pretextual grounds – the majority of whom were non-white - found the experience jarring, bringing into question their expectations for the fairness (impartiality) of police institutions as well as for whom police were protecting and serving. Individuals pulled over pretextually were, furthermore, not very sanguine in their expectations of future contact with the police. Given that the long-lasting impact of negative contact can diminish prospects for future police-public cooperation, its omission in an organizational philosophy predicated on cooperation is a grave oversight.

The second limitation of the community policing philosophy is that it conflates interpersonal trust with institutional trust. While community policing advocates (e.g., Trojanowicz and Bucqueroux 1990; Trojanowicz 1986; Greene 1987, 2000) have pointed to the importance of police-public trust for effective police work and lamented its loss during the reform era (Professional model), why that trust is important to the community policing philosophy and what kind of trust is desired is underdeveloped and undertheorized. Trust can exist at different scales and in different entities. Interpersonal trust can be important for lowering the costs associated with rule monitoring and enforcement among participants when their numbers are few, as mentioned above (Ostrom 1990; 1996). An individual officer may be trusted by the public served in a specific geographic region, for example, and owing to repeated interactions with that public, may reciprocate, which results in a reduction in the need for 24/7 mutual monitoring (Wilson 1978; Hawdon 2008). But when the number of participants rises, interpersonal trust no longer feasibly reduces monitoring and enforcement costs (Rothstein 2011). Instead, institutional trust becomes the salient type of trust. Institutions, according to Elinor Ostrom, refer to the sets of working rules that determine decision domains and eligible decision-makers, norms of behavior, selection rules and procedures, information domains and behavior-based incentive structures (Ostrom 1986, 1990).

Trustworthy institutions are those that guarantee a fair (impartial) process of conflict resolution among participants but not necessarily the outcomes of those processes (Rothstein 2011; Tyler 1990). Advocates of the community policing philosophy want institutional trust but only produce interpersonal trust. The tension between interpersonal and institutional trust is captured succinctly by Greene and Taylor in their critique of the community policing philosophy: “It seems overly sanguine to expect that a change in the method of patrol (e.g., foot patrol) without a major revision in the police role and citizen expectations of that role, will alter these [distrustful, non-cooperative] attitudes” (1988: 204). Although the community policing philosophy was intended as an institutional reform aimed at organizational transformation, in practice it hasn’t changed the basic functions of policing or proliferated as a complete organizational model (Zhao, He and Lovrich 2003) because it differentiates between types and scales of trust.

Procedural Justice Theory

Although it is not part of the foundational philosophy of community policing, procedural justice theory and procedural justice policing are current topics in the criminal justice literature that seek to address the same police-public relations problem as community policing philosophy. Procedural justice policing’s explicit goal is to improve public perceptions of police legitimacy through the core principles of procedural justice policing, which emphasize quality of treatment and quality of decision-making in dealings with the public (Tyler 1990; Sunshine and Tyler 2003; Murphy and Tyler 2017). Legitimacy is a particularly attractive goal to authorities as individuals who view public institutions as legitimate are more likely to comply with the law and defer to police. As the literature on procedural justice policing implies, policing in the United States is suffering what Jurgen Habermas might characterize as a legitimation crisis. A legitimation crisis is an input (process) crisis in which the administration of a system is unable to establish and maintain the normative structures required for that system function appropriately (Habermas 1975). Among the varied symptoms of a legitimation crisis is the loss of public confidence in

the institution, particularly when the administration of the institution is perceived as unaccountable. The loss of confidence in the institution means that cooperation between members of the institution and the public is also unlikely.

Procedural justice policing theory contends that increases in the perception of police as a legitimate authority will lead to a reduction in crime. Perceptions of police legitimacy can be influenced through the vehicle of the four procedurally just policing principles. These principles emphasize quality of treatment and decision-making in interactions between the police and the public. Procedural justice policing, unlike community policing, does not posit the need for an organizational transformation to reach its objectives, but rather a change in the way officers interact with the public which emphasizes the trustworthiness of police institutions as legitimate authorities. Police do this by treating individuals in a respectful manner, applying concepts of law non-arbitrarily, providing an opportunity for individuals to express their position and by police explaining their decision-making process to individuals subject to it (Murphy and Tyler 2017).

Procedural justice policing theory therefore explains why the shift in police attitude and strategy that followed the change in command regimes at the intervention site would affect public perceptions of police legitimacy, ultimately leading to a decline in crime rates. Connell and colleagues characterized the strategy used at the intervention site by the initial police command regime as a “crackdown” involving an intensive police presence (2008: 133). However, the crackdown was terminated after ninety-days because of “both a lack of resources and the police department recognizing that this strategy *would not help improve community relations*” (Connell, et al. 2008: 133, italics mine). The intervention jurisdiction subsequently became the responsibility of a different police barrack which deployed the community policing initiative credited with the decline in crime rates. Some of the features of that initiative included making officers accountable in performance evaluations for working with the public, granting officers more decision-making authority and encouraging them to be creative, problem-solving with members of

the community to address the underlying causes of crime and remaining in regular contact with members of the local public. Those dimensions of the community policing initiative just described closely align with three of the four principles of procedural justice policing. Contrasting the two strategies employed, the former was the opposite of the latter in terms of its treatment of the public. The crackdown strategy makes the public subject to a process while the community policing initiative made them part of the process. By the end, officers involved in the community policing initiative reported that “community collaboration provided *invaluable* assistance in the identification and prevention of problems” (ibid.: 134, italics mine).

However, procedural justice policing’s limitation is that it doesn’t extend the normative values of good governance - particularly the value of processual impartiality - to the level of the organization. Rothstein (2011) argues that processual impartiality provides a way out of the social trap dilemma because even if individuals can’t trust one another as a result of their history of play and therefore choose not to cooperate, if the the process of holding co-producing members accountable is perceived as fair and impartial (unbiased, non-arbitrary), individuals are more willing to take a leap of faith and try to cooperate. Then, interaction between participants (i.e., police and the public) can build social capital, which facilitates future co-productive efforts. In the case of police organizations, if individuals perceive institutional and organizational processes to be coopted and unaccountable, it won’t make a difference to the public in its decision to co-produce with that institution that the quality of treatment and decision-making at the individual-level has improved because the assumption is that the organization’s processes will unfairly privilege organizational members over them.

Process impartiality doesn’t guarantee outcomes but does promise a fair process, and perceived fair process can lead to improved perceptions of institutional legitimacy (Tyler 1990; Murphy and Tyler 2017). Instead of emphasizing this sequence of events, procedural justice policing emphasizes legitimacy as the rationale for and goal of the shift in police behavior as though legitimacy itself were a pure public

good. While having a public willing to comply and cooperate with the police out of a sense of duty and responsibility to obey legitimate authority represents an ideal scenario for law enforcement, how that legitimacy is gained is as important as gained legitimacy itself. Thinking historically and globally, it is not difficult to find examples of police forces under authoritarian regimes that carry the moniker of legitimate simply because they enforce the will of those in power. In such situations, individuals comply with the police out of “dull compulsion” – i.e., out of a total and complete recognition of their own subjugation to the system -- rather than from a sense of duty to an authority perceived as legitimate (Tankebe 2009). Procedural justice policing’s four principles are how public perceptions of police legitimacy can be earned, but more attention seems to be given to the benefits of institutional legitimacy that can be reaped by authorities than to how institutional legitimacy can be gained. Any governance or administrative system, insofar as it tends to the socio-economic needs of its public, will enjoy some measure of legitimacy, particularly among those groups in society which directly benefit from that system. The question is, how can those benefits be more equitably distributed such that all groups in society receive them? Such a system would surely be viewed as legitimate by its public. This is where procedural justice policing flounders. It’s not that the theory or principles are inappropriate to the goal, but that the goal isn’t comprehensive enough. Procedural justice policing principles need to be incorporated throughout the organization as well as among street-level officers.

The analysis in this section points to some strengths and weaknesses in the community policing philosophy and its adjacent theories in explaining the decline in crime rates at the suburban community policing initiative. The community policing philosophy’s focus on increasing contact between police and the public is an appropriate step to take to build social capital and trust is to get police out of patrol cars and onto regular foot patrols. But contact by itself isn’t going to change the minds of people who’ve historically had a poor relationship with the institution of the police, nor does trust of specific officers

translate to trust in the institution they serve. What the philosophy is missing are normative values that govern interactions between police and the public so that both can generate some social capital they can use in the future. It's also missing a conceptual model that links or at least attempts to explain how interpersonal and institutional trust are interrelated so that the lack of one doesn't undermine the other. This necessitates a discussion of how institutional processes need to become more transparent, accountable and impartial in order to incentivize the public to co-produce with them. Broken windows and social disorganization theories provide police with some tangible steps they might take at reducing crime and anti-social behavior and the effect that might have on the public but miss out on the benefits of involving the public as co-equal partners in the process. Collectively, the two theories point to the outcomes of low levels of social cohesion and social capital among and between residents and the police, and as such would benefit from a conceptual model that directly addresses how those levels can be changed to get to the win-win outcome of low crime rates. Lastly, procedural justice policing provides a set of good governance principles that, if used in police-public interactions, can build social capital for both parties but its focus on institutional legitimacy as an end in itself obscures the fact that, were these values to be implemented in the scale of the organization, police institutions could achieve *both* lowered crime rates and an increase in perceived legitimacy. The fact that procedural justice policing doesn't explicitly call for good governance reform of police institutions means that, as means of shaping public perceptions of the police, it will ultimately fail. With the above points in mind, it appears that a more comprehensive theory is needed to explain not only the decline in crime rates in this community policing initiative but also how such a theory, if applied broadly to policing and police administration, can bring the very trust, cooperation and legitimacy to the institution that would make everyone better off.

The Police-Community Governance Model

The police-community governance model ties together Putnam's social capital concept implicit in the community policing philosophy with Ostrom's concept of co-production and participatory governance arrangements existing at multiple, overlapping levels of administrative responsibility with Rothstein and Tyler's normative values of good governance to provide a cohesive organizational framework that offers a way out of the low-trust social trap. The model places primary emphasis on the police-public trust relationship, arguing that the route to achieving greater crime control and deterrence is directly through the creation of stable governance arrangements in which the police and the public are co-producers in the sustainable production of public safety. The police-community governance model does this by building upon the community policing philosophy's founding principle, that police-public cooperation makes both better off, and combines it with scholarship on polycentric governance and the principles of procedural justice policing. The idea behind polycentric governance is related to federalism and the Tiebout model which posit that multiple, overlapping institutions operating at different scales and involving public, private and "third sector" (non-profit) agencies can efficiently produce or provide higher quality public goods and services as well as to enforce adherence to the institutional rules crafted by participants. The normative principles of good governance from procedural justice policing - transparency, accountability, voice and particularly impartiality – not only guide interactions between police and the public but also the process of creating, monitoring and enforcement of participants in new institutions of participatory governance.

Input values, like participation (voice), processual values of transparency and impartiality, and output values of accountability, efficiency and effectiveness can help us get there, but won't seem *prima facie* efficient. A centralized, hierarchical organization seemed efficient to public managers in the 1970s in terms of decision-making, providing high quality public goods and services and disciplining employees, but Ostrom's empirical study of police demonstrated that decentralized, overlapping, polycentric provision systems that duplicated efforts, though seemingly inefficient, was an empirical reality and

performed better in terms of quality of service and citizen satisfaction than monocentric models of public service delivery. The path to producing collective outcomes, like lowering crime rates by building and maintaining trust and social capital between the police and the public, may seem economically inefficient in the short-term but has the potential to create long-term police-public trust networks which police scholars have argued are vital to the effectiveness and efficiency of modern police organizations. Crime control and efficiency are both desired outcomes for police institutions and administrations, but how those outcomes are reached matters.

Impartiality, or the non-arbitrary application of rules, laws and principles is a particularly important institutional value for participatory governance both in terms of institutional accountability and sustainability because its use generates social capital among and between participants in a process (Rothstein 2011). Impartiality as a normative value of democracy is captured by two concepts: access to voting and the rule of law. Universal access to voting means that the characteristics of individual citizens ought not be considered in their ability to cast a vote. But this kind of impartiality is an input value: in a democracy, the system changes through the mechanism of voting, and it isn't likely to create any more social capital than it destroys, particularly in contemporary society's polarized political climate. The kind of impartiality Rothstein has in mind is a processual, output impartiality, making Rothstein's impartiality as Quality of Government akin to the rule of law. The rule of law means that everyone – from a nation's top officials to its citizens of humble means – is subject to the same laws and the same processes of adjudication, exoneration or punishment. Output impartiality guarantees only that the process of conflict resolution will be fair and that the same process will be applied in all cases, but it doesn't guarantee an outcome. It generates social capital through the process of working together to achieve a collective outcome (co-production) but also changes the behavior of individuals within it, particularly in participatory governance processes like those of common-pool resource governance. Individuals or groups facing different payoffs will always have an incentive in the short-term to follow their own self-

interest rather than work to reach a collective agreement. The existence of an impartial, external third-party process creates an incentive for participants to reach agreements by themselves, rather than face the uncertainty that comes with letting someone else make the decision for them. Such an institution creates trust between participants because they have a formal remedy for conflict resolution should the informal methods fail. But for that remedy to be trusted, it must be output impartial.

The police-community governance framework provides a model for addressing the question left unanswered by the community policing philosophy, broken windows and social disorganization theories, and procedural justice policing by combining elements from each and adding to them a developed concept of co-production, a focus on social capital and trust formation and a good governance-based approach to institutional reform. The community policing philosophy couldn't address the values that govern interactions between police and the public such that both could generate social capital, nor did it differentiate between types of trust and which type the philosophy needed to be effective. Police-community governance theory connects the principles of good governance (trustworthiness, transparency, accountability, voice, dignity and respect) found in procedural justice policing to guide not only the interactions between individual officers and members of the public but also scales those values up to the level of the institution, which neither the community policing philosophy nor procedural justice policing do. This move is important because using fair procedures at the level of the individual will stay at that level unless institutional processes incorporate those same values. Where this is particularly problematic for police institutions is that the political insularity achieved through Professional era reforms was *too* effective. Police *shouldn't* be politically motivated or biased, but because it is an institution made up of people there will always be cases of slippage. Having internal disciplinary procedures for dealing with complaints about excessive uses of force, arbitrary use of police authority or racial animus, and putting criminal justice professionals in charge of these processes makes a certain kind of sense, but until those processes are opened up to the public in a substantial, participatory way, the institution will never

reap the real legitimacy it hopes to gain by either model. There is no one way of creating such accountable institutions: getting there is a process of trial and error. But if the process of getting there is co-productive and impartial, people will be more likely to work collectively until they find an arrangement that works.

Which brings the conversation around to what broken windows and social disorganization theory don't address. Both miss out on the benefits of involving the public as co-equal partners in the process. Collectively, the two theories point to the outcomes of low levels of social cohesion and social capital among and between residents and the police, and as such would benefit from a conceptual model that directly addresses how those levels can be changed to get to the win-win (Pareto-efficient) outcome of increased public safety for both groups (police and the public). Co-production between participants, which Elinor Ostrom studied in a variety of contexts, not only can increase the quality of the public goods and services provided by a public agency but the process of it builds social capital between and among participants. Ostrom (1996) contrasted a producer-only provision of textbooks in Nigeria against the co-productive of condominial water systems in Brazil. The Brazilian case was wildly successful: public officials worked with residents to create the water systems, as well as educated them on their control and maintenance, which resulted in a net gain for both groups as residents were better able to manage their water systems meaning public works could spend its time doing other things. The Nigerian case was hugely unpopular and costly: a central school administration, working in isolation from the village schools they made financial decisions for, effectively thwarted citizen self-mobilization and co-production of their local schools when it took control of teacher employment decisions, educational budgets and choice of textbooks in which local parents had previously had some "voice". The result was that parents stopped supporting the schools, children stopped coming to class, teachers who had previously been given food and shelter by local villagers were neglected and education ground to a halt. Broken windows and social disorganization theories, when paired with a traditional, top-down police bureaucracy face the central challenge that their own organizational structure is counterproductive to the type of cooperation that

would make them and the communities they serve better off. In the context of the community policing initiative analyzed here, there was community mobilization and co-production directly related to organizational structure. The public volunteered information to officers regarding area vulnerabilities and crime hot-spots which police could then act upon using combinations of crime control theories like broken windows or social disorganization theory. Officer performance evaluations were retooled to add a community collaboration component, adding accountability to the community. Decentralization of decision-making authority was given to street-level officers who were encouraged to creatively problem-solve and make decisions in the field with the community. Such actions demonstrate a commitment to providing public safety which positively reinforces the trust and co-productive relations between police and the community.

The discussion of organizational structure, co-production and trustworthiness swings the discussion around finally to the unaddressed questions of procedural justice policing. Procedural justice policing does two very strange things. First, its focus on the benefits of legitimacy to authorities obscures the fact that legitimacy is not an end in itself and must be earned through the use of the core good governance principles of procedural justice. Procedural justice theory, divorced from its ill-fitting relationship with policing, links quality of treatment and quality of decision-making to process, arguing that while outcomes can't be assured, fair and respectful processes can be. The importance of perceived fair and respectful process, as advocates of procedural justice have argued elsewhere and which features prominently in police-community governance theory, is that the legitimacy of an institution won't be depleted, and unfavorable outcomes will be more or less accepted by participants. But just as with the community policing philosophy, if the principles are only employed at the street-level, then the institution won't receive the benefits it's looking for. Using the principles of procedural justice theory, which include, but are not limited to, respect, neutrality (impartiality), trustworthiness and voice incorporates inputs from both police officers and members of the public subject to them in the process of police-public

interaction, which is essentially a co-productive arrangement (Murphy and Tyler 2017; Ostrom 1990, 1996), which means there is the opportunity to build social capital between the two. Police-community governance theory makes this conceptual linkage explicit, but also goes further by recognizing that these principles must be integrated at the level of the organization as well. Organizational integration of good governance principles is not limited to the transparency and accountability of the institution to its external environment; police officers in traditional police bureaucracies also find themselves in situations where they are subject to an order, rather than co-productive participants in a process. It is unreasonable not to acknowledge that police officers face a great deal of stress in their jobs and are called upon to make many decisions over extended periods of time which are cognitively taxing that would physically and mentally drain even the most robust individuals. Thus, police-community governance theory advocates for the institutional and organizational adoption of the core principles of procedural justice policing not only for its external benefits (cooperation, social capital, legitimacy) but also for those benefits police would experience themselves. In the community policing initiative examined here, while the focus is on the decline in crime rates, attention should also be drawn to how decentralized decision-making and encouraging officer problem-solving autonomy and creativity contributed to the quality of the inputs provided by participating officers.

The police-community governance model has its limitations as well. What it does not indicate is what specific set of rules/institutions will lead to desired outcomes, nor how long it will take to get there. Rothstein (2005) notes that it took the Swedish labor movement almost thirty years before it was able to generate an acceptable institutional arrangement between its different factions and factory owners. A focus on process will eventually arrive at an outcome but there isn't a timeline. Ostrom (1990, 1996) is explicit about the fact that some co-productive arrangements succeed while others fail, but also that the process of co-producing under the right circumstances can lead to institutional learning and, therefore, change. That institutional learning is a matter of trial and error and extends across the time horizon is a

problem because traditional police bureaucracy is concerned with inputs and outputs and performance management is concerned with aggregation, competition and “results”. Both styles suffer from the problem of measurement and make wholesale adoption of a process-oriented governance style policing a non-starter from many police executives who need to deal with crime and the problems associated with crime in the here and now. Further, though it could be implied from the discussion here, the police-community governance model does not explain how a change in police organizations affects their articulation with the other parts of the criminal justice system. Even if policing institutions change but the rest of the system doesn’t, there is a second- and third- order problem of supply and commitment. There thus exists a trust and coordination issue within the system that must also be addressed. One way to do that might be for police institutions to publicly state that they need public assistance in ensuring as few individuals as possible are arrested and put into the system. Such a statement would present new information to members of the public, changing their incentive structures and, thus, altering their behavior such that they work with the police to keep people out of the system. But this is only speculation.

Discussion – How do we get from here to there?

One of the issues frequently discussed in the New Public Governance literature is creating internal and external processes of accountability (e.g., Ackerman 2004; Conway and Walsh 2011; Terpestra 2011). Institutional and organizational accountability is important because it reinforces the rule of law. If a country claims that it cherishes the rule of law, yet in practice or perception makes exceptions for its agents, particularly those who carry the state’s authority to use coercive force, that entire country’s system of government could face a legitimation crisis. The problem of institutional accountability generally and police accountability specifically is written about in literature on governance-based policing approaches in locations outside of the United States (in the United Kingdom: Loveday 2013, Hope 2005; Scandinavian countries: Gundhus 2017, Jones and van Steden 2013; in the developing world: Tankebe

2009; Stone 2007). In the case of the developing world, processes of institutional and organizational accountability may nominally have been brought there by former colonial regimes, but those regimes instantiated a two-tier system of rules frequently favoring the colonizer over the colonized. In the post-colonial period, attempts at self-governance model new institutions on historically familiar institutions (Charron and Lapuente 2013; Putnam, Leondardi and Nanetti 1993), including two-tiered systems of accountability, with the main difference being that, instead of favoring the colonizer, these systems favor whichever group happens to be in power while the more punitive side of the system is set against whichever group those in power dislike (Abu-Lughod 2014). In situations like these, voluntary cooperation with authorities is unlikely; a “dull compulsion” to comply with authority, rather than face punishment for non-compliance, is more likely (Tankebe 2009). Although post-colonial societies in the developing world are often cited examples of this problem, it can occur in any society whose histories include systems of domination and oppression (slavery), or violence directed toward particular ethnic or other groups (genocide, ethnic cleansing, forced sterilization).

Trustworthy processes and institutions can help to overcome this, but how are these kinds of institutions formed? Institutions do not enter existence trustworthy. The process of creating trustworthy institutions or of changing extant institutions is one of trial and error. Because supplying or changing institutions involves trial and error, it therefore also requires time and a bit of faith. What matters, then, for the creation of interpersonal and institutional trust (and co-productive arrangements that reinforce them) between the state and civil society or the police and the public, is the presence of a credible commitment by all parties to maintain the process or the threat of an independent, external authority taking away the possibility for participants to shape collective outcomes. The absence of either creates uncertainty regarding the future costs of cooperation and, further, opens participants up to risk. If the police-community governance thesis has merit, then the question becomes how can police departments transform themselves to get there?

In the case of policing, both the public served and the police serving are vulnerable to uncertainty and risk that accompany three problems concomitant with new institutional arrangements: the problems of supply, commitment and monitoring. The problem of supply refers to the difficulty collectivities face in creating rules governing their institutional arrangement. While it is true that the welfare of participants would increase if they played cooperatively, rewards are not equally distributed, which creates an incentive for each participant to advocate for a set of rules which benefit only them, creating a second-order collective dilemma (Ostrom 1990). However, given the uncertainty of future benefits, participants can indicate their desire to act cooperatively which can induce mutually beneficial cooperative play between the two. The point of the problem of supply as it relates to police institutions is that their organizational structure, internal disciplinary procedures and oversight agencies produce *internal* benefits for them, and so it is necessary for police organizations to signal their preference for cooperative play to the publics they serve by taking steps toward more decentralized, accountable and local participatory institutional arrangements that foster trust and a sense of community among participants.

The second problem community police officers (and, by extension, police organizations) face is that of credible commitment. This problem deals with the fact that, after participants initially agree to cooperate, there is an incentive for them to defect into pro-self-behavior and “exit” the cooperative arrangement. There exists for police institutions a programmatic and spatial “exit” option from a co-productive arrangement (Hirschman 1970). Individual police officers may “exit” an area or arrangement because of routine reassignment or program suspension; community members, however, cannot. Community policing programs are costly to run and their influence difficult to measure (Connell, et al. 2014; Zhao and Thurman 1997; Zhao, Lovrich and Robinson 2001; Alpert, Flynn and Piquero 2001). Such programs are in perpetual jeopardy of suspension due to fiscal concerns, for failure to produce outcomes or by the appointment of new command regimes who view community policing as frivolous (Greene 2000; Mastrofski 1988). Suspension of a community policing program likely means a substantial divestiture in

the quantity of police resources deployed in that area, particularly in terms of labor (e.g., foot patrols). Foot patrols, which are one manifestation of the community policing philosophy (Greene 1987; Gill, et al. 2014), would likely be replaced by motorized patrol, which may also introduce a new set of personnel who represent unknown quantities in terms of trustworthiness and for whom the trust-building process will be more difficult owing to the isolating effects of the patrol car (Trojanowicz 1986; Kelling and Moore 1988; Moore and Kelling 1983). At the same time, community cooperators may face retaliation from non-cooperating or anti-social members of the community for their collaboration which could range from the threat of physical violence to social ostracization. While in the long-term, cooperation with the police could lead to better outcomes for both the police and the public, there is a clear incentive in the short-term for community members not to do so. Similarly, police organizations may adopt a posture indicative of participatory governance in the short-term to soften political criticism but may reverse course down the road once the public has been appeased (Trojanowicz, et al. 1998).

The third problem police organizations face is that of mutual monitoring. While it is assumed that collectivities that have designed their own system of rules will be more likely to follow those rules, there will always be the temptation for participants to defect and not act cooperatively. The problem of mutual monitoring applies to both the police and the public, but in this case, the police are the monitoring entity of the public, so the emphasis here is placed on the ways the public can instead monitor the police and how the police can monitor themselves. Police executives and administrators in the United States will argue that such impartial processes for dealing with misconduct already exist, but that's not entirely true as discipline is typically dealt with internally for lesser charges and only when major charges are filed do the courts enter the picture. Internal affairs is part of the police command structure and is therefore vulnerable to political interference by police executives. The courts and attorneys general have an apparent conflict of interest in that each part of the criminal justice system depends upon the others and thus, if they push too hard, at risk of alienating another part of the system. The Attorney General of the

United States is an appointed cabinet position and as such will change with the election of new administrations, meaning that the continuity of monitoring and enforcement on particular issues within the system is not guaranteed. State attorneys general are frequently elected positions, but that creates a different problem because in order to be elected they must engage in politics, and the Fraternal Order of Police is an important lobby to secure when running for office. The Department of Justice could be appealed to, but, in addition to its cognitive and spatial distance from peoples' lives, it has officially begun to withdraw from monitoring the behavior of police agencies around the country and therefore can't be relied upon to serve as the ultimate monitoring authority anymore (Sheckler 2018).

Citizen review boards and advisory councils are one solution but suffer from a number of vexing issues. One is the process by which members gain their positions, which can be through political appointment or election, but these systems might tend to favor vocal political agents rather than represent the broader concerns of community members. Another is authority: some advisory councils, like those patterned on the Los Angeles model, lack authority to impose sanctions on officers flagged for excessive use of force, racial animus, etc. (Buntin 2018). Others, like the Independent Police Review Authority and Chicago Police Board (both in Chicago), do have authority to impose sanctions over departments and against specific officers, but, as happened in the case of the officers accused of killing Laquan McDonald, can go against the advice of police executives and retain officers flagged for excessive force or racial bias (Anderson 2016). Further, police in general don't like civilians looking over their shoulders because civilians are not police experts and that incidents of police misconduct are isolated, not structural (Corley 2018), but that objection is facile and doesn't account for the fact that a) unlike other public service agencies, police have the option to use deadly force or b) in other areas of the criminal justice system, such as juries, non-experts are preferred to lawyers or judges sitting in sole judgement.

Advisory councils are a start, but they need to be impartial, have binding authority and generate social capital. In some medium-sized cities, local district advisory committees exist that bring community

concerns to the police chief, but there are restrictions on who can participate: the individual must have completed a set number of hours volunteering with the police and cannot have a criminal background. This unfortunately disqualifies a significant number of individuals whose experience and advice would be extremely valuable to police in their efforts to make neighborhoods safer. A committee made up of police and the public that held local departments accountable could be done in a polycentric way with citizens and police working together in the same committees at different scales to review complaints against officers, mediate between citizens and police, or for each state to have a special prosecutor who is independent of the police or political hierarchy. This approach incorporates the idea of circle processes like restorative justice where no one individual has unilateral decision-making authority. This approach also builds social capital between participants which makes future cooperation easier (co-production concept). The circle itself also needs to be accountable, transparent and impartial in order to maintain legitimacy in the eyes of both police and the public. There are no guarantees that the council will run smoothly, and it takes a leap of faith by both parties to get it started. Both need to trust that the co-productive process will lead to the appropriate outcome, and that can only be done in the presence of values for good governance.

Conclusion

This essay has analyzed the decline in crime rates associated with a suburban community policing initiative by appealing to the community policing philosophy and its adjacent theories (broken windows, social disorganization, procedural justice policing) to provide an explanation. While the philosophy and these theories provide different perspectives on the decline in crime rate, none explains how a shift in organizational strategy and tactics like that proposed by community policing advocates can achieve a collective outcome like lowered crime rates. The theory of police-community governance was introduced to address this issue. Police-community governance theory is a good governance approach that contends

that how an organization or institution goes about achieving its outcomes is as or more important than the outcome itself. The rationale behind this is that transparent, impartial and accountable institutions are themselves the outcome of a lengthy participatory process involving cooperation between stakeholders changing the information, and thus the incentives, available to them, altering their behavior and building social capital between and among participants. In the context of this community policing initiative, police-community governance theory points out how the organizational changes made by the sergeant in charge of organizing and structuring the unit created an accountable process by which police officers and community members could build social capital as they worked together to solve issues of crime control. Accountability of the institution to an external, independent authority is also essential for lowering the costs of cooperation. However, police-community governance theory is not without its limitations as well. It cannot a priori explain precisely what type of institutional arrangements will be sustainable across spatial differences nor how long the trial and error process of creating those institutions will take. This means that, much like the community policing philosophy itself, police executives and administrators dealing with crime control and prevention issues in the present may be reticent to adopt it as an organizational reform wholesale. The essay concluded with a discussion of how police-community governance theory might address the thorny issue of police accountability, proposing that administrative and disciplinary oversight, in order to be relevant and legitimate, must incorporate both police and the public and can do so at multiple, overlapping levels to ensure compliance with the process.

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