The Relevance of the Municipality Debate for the Solution of Collective Action Problems

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ABSTRACT

Elinor Ostrom and her colleagues in The Workshop in Political Theory and Policy Analysis at Indiana University in Bloomington conducted fieldwork in metropolitan police departments across the United States. They found that small police departments with a high degree of community involvement were able to effectively provide public safety in their communities. This finding in support of so-called "community policing" dealt a blow to the popular belief that consolidation and centralization of services was the only way to effectively provide citizens with public goods. However, subsequent empirical literature suggests that the widespread implementation of community policing has been generally ineffective and in many ways unsustainable. We argue that these failures are the result of 1.) institutional incompatibilities within the nested, polycentric network of organizations that provides public safety and 2.) perverse incentives generated by federal policy and the increasing militarization of the police.

Keywords: Community policing, public goods, decentralization, militarization of police

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INTRODUCTION

The dominant view of public administration scholars prior to the 1970s was that the institutions of local government were “chaotic and incomprehensible” (Ostrom 1983, p. 2). Consequently many social scientists and policy analysts recommended the centralization of public goods provision, including policing services. Ostrom and her colleagues countered that a polycentric, community-based approach to the provision of public goods would make better use of localized knowledge and generate an incentive structure better suited to the maintenance of public safety. In order to empirically test their theory, Elinor Ostrom and her colleagues in The Workshop in Political Theory and Policy Analysis at Indiana University in Bloomington (hereafter referred to as The Workshop) embarked upon an extensive multiple methods study of metropolitan police departments across the country that would occupy them for many years.

The first major endeavor of The Workshop was a field study comparing areas in Indianapolis that had consolidated the provision of police services to areas that had remained autonomous. This study found that the residents under localized jurisdiction were more satisfied with police services than residents of the large consolidated region (Ostrom et al. 1973). Further studies in Chicago, Grand Rapids, Nashville-Davidson County, and St. Louis validated the original finding that small police departments with a high degree of community involvement were able to leverage important personal knowledge and local ties to improve community satisfaction with the police (Ishak 1972, Ostrom & Whitaker 1976, Parks & Oakerson 1988, and Rogers & Lipsey 1974). A survey of metropolitan statistical areas across the country designed to measure the effectiveness of community policing initiatives generated similar results (Ostrom et al. 1978). Overall, the findings of The Workshop dealt a blow to the popular belief that consolidation and centralization of services was the only way to effectively provide citizens with public goods. Rather, police and citizens engaging in the coproduction of public safety could serve as a mechanism sufficient to overcome the collective action problem of maintaining public safety.

The findings of Elinor Ostrom and her colleagues in The Workshop were put to the test on a grand scale when popular support for community policing surged beginning in the 1980s. Advocates of community-based reforms placed an emphasis on decentralizing police bureaucracy, engaging in proactive rather than reactive problem-solving strategies, and developing strong relationships between police and community members (Greene 2000). Many early efforts to institutionalize community policing were considered successful, especially in their initial iterations (see for example McElroy, Cosgrove & Sadd 1993 and Skogan 1992). However, the widespread movement of community policing failed to deliver the hoped-for revolution in policing practices and outcomes (Robin 2000 and Rosenbaum 1994). Many of the more notable early programs are no longer in operation, and the genuine coproduction of public safety through police-community partnerships appears to be in decline (Mastrofski & Willis 2010 and Mastrofski, Willis & Kochel 2007).

In theory, the principles that governed the independent police departments found to be so effective in Ostrom’s research are the same principles that govern the community policing approach to public safety. However, a wealth of empirical literature suggests that the widespread implementation of community policing has been generally ineffective and in many ways unsustainable. In this paper, we argue that the reason for these failures is twofold. First, institutional incompatibilities within the nested, polycentric network of organizations that provides public safety prevented the realization of community policing as envisioned by the

researchers at The Workshop. Second, the increasing entanglement of local law enforcement and federal agencies over the last thirty years has resulted in perverse incentives that impede the practice of community policing. In particular, federal policy has encouraged the militarization of the police at the expense of more desirable community-based solutions to the collective action problem of ensuring that government-funded police and their resources continue to act in the best interests of the community.

In section two of this paper, we present the theoretical argument for evaluating community policing in the context of the nested, polycentric structure in which public safety is produced. In section three, we survey the empirical results of the scholars at The Workshop and subsequent studies of community policing, finding that widespread implementation of community policing has not proven as effective as early research suggested. In section four, we discuss the reasons for this failure in the context of insufficient institutional foundations and the increasing militarization of the police. In section five, we conclude and suggest areas of future research.

THEORY

Public safety is in part a non-rivalrous and non-excludable service of community-wide interest that generates significant positive externalities. Consequently the traditional theory of public goods predicts that public safety will be inefficiently under-provided (Samuelson 1954).[1] In order to generate optimal levels of public safety, individuals must be somehow induced to contribute—this is most commonly known as the collective action problem. In order to solve a collective action problem, a group of individuals can form a collective arrangement in which they agree to reward those who provide public goods and/or punish those who fail to contribute. If rewards are sufficiently high and punishments sufficiently severe, the public good is produced at the desired level and the collective action problem resolved.

A government that taxes citizens in order to provide a slate of public goods—law, national defense, etc.—is commonly given as an example of such a collective arrangement. However, punishment for non-payment of taxes is only one of many potential inducements that can be used to resolve a collective action problem. Theoretical and experimental literature shows that individuals are capable of overcoming the collective action problem in the absence of formal government (Frey & Meier 2004, Martin & Randal 2005, and Sugden 1984). Empirical literature has validated these findings by showing that individuals in diverse circumstances have realized the capability to solve collective action problems through the creative design of rules and the strategic use of social sanctions (Gibson, Williams & Ostrom 2005, Ostrom 1990, and Ostrom & Bloomquist 1992).

The ability of individuals to negotiate solutions to collective actions problems is a function of institutional context. The first step in understanding this context is recognizing that institutions emerge through the interactions of individuals and organizations operating within a polycentric system. A system is polycentric if "multiple public and private organizations at multiple scales

[1] It may in fact be more appropriate to model public safety as a common pool resource since individuals can act in such a way that less safety is left for others, e.g. through overuse of the 9-1-1 system or by relying on police to recover stolen property rather than simply locking the door.

jointly affect collective benefits and costs" (Ostrom 2012, p. 355). This is an accurate description of the network of individuals and organizations working to provide public safety. The safety of a community and the cost of securing that safety is affected by private citizens, through the threats they pose to others and the actions they take to secure themselves and their communities; local organizations—honest, criminal, and in between; and law enforcement agencies at the federal, state, and local levels.

A critical precondition of polycentricity is that the many different organizations within the system must have some degree of autonomy. If there is in fact only one individual or organization with decision making power—a practical improbability even in situations where it is true de jure—the system is monocentric rather than polycentric. The particular polycentric system in which public safety is produced in the United States is such that some organizations have only partial autonomy. Smaller localized law enforcement agencies do effectively operate of their own authority in many respects. However, agencies established at the state and federal level have the power to constrain that authority; a local law enforcement agency cannot operate in violation of state or federal law. One feature of this structure in which the authority of local organizations is partially subsumed by the authority of others is that strategic behavior at the local level occurs within a nested game.

An actor in a nested game is choosing between strategies that have their payoffs determined by the outcome of games being played at other levels of decision making (Tsebelis 1988). In the case of public safety, actions taken by policy-makers and agencies at the federal level can alter the choice set and associated payoffs faced by a local law enforcement agent. By altering the payoffs associated with different law enforcement strategies, actions taken at the federal level shape the incentives for collective action at the local level. Resolution will be easier when the incentives of the broader institutional arrangement serve to reinforce the proposed solution. Legal rules and social norms that reward cooperation and impose costs on individuals for failing to contribute will encourage resolution of the collective action problem. Conversely, if the relevant set of political, social, and economic institutions fosters perverse incentives, finding a solution to the collective action problem can be impeded or even prevented entirely (Ostrom 2002).

The effectiveness of any particular solution to a collective action problem is a function of the extent to which the incentives required to enforce the proposed solution are compatible with the incentives of the broader institutional structure. Consolidation and community policing are two potential solutions to the particular collective action problem of the provision of public safety. Understanding the relative incentive compatibility of these alternative solutions—and consequently their relative ability to resolve the collective action problem—requires evaluating the payoffs of consolidation and community policing strategies as nested within a larger polycentric system.

Proponents of consolidation argue that the citizens of metropolitan areas confront a homogeneous set of social problems best solved by a homogeneous set of governmental responses. Consequently the duplication of services by neighboring local governments is inefficient, and the consolidation of local public economies into a single larger unit of government is proposed as a preferable solution to the collective action problem (see Anderson & Weidner 1950 and Zimmerman 1970). Ostrom and her colleagues proposed community policing as an alternative to the consolidationist view. They argued that every locality was

unique in both its policy preferences and demand for local public goods, and that consequently the variety of solutions and services offered by the multiple, overlapping jurisdictions within the metropolitan area enabled localities to better satisfy the needs of diverse communities. Further, jurisdictions could actually be more efficient when unconsolidated because of incentive and information advantages to the localized delivery of public goods (Aligica & Boettke 2009, Boettke, Coyne & Leeson 2011, Buchanan & Tullock 1962, and Ostrom et al. 1973).

These insights led Ostrom and her colleagues to develop the theory of coproduction. The nature of some goods and services—including policing—is such that output depends not only on the producers supplying the service, but also on the active engagement of the consumer. The inputs of producer and consumer are interdependent, and coproduction is necessary in order to ensure a high-quality outcome. In the theory of coproduction, the absence of input and action on the part of citizens impedes the ability of the police to ensure public safety. For example, adding more police officers to patrol the streets may have substantial or no impact if citizens fail to lock their own doors or refuse to communicate with police officers. Further, the interdependence of inputs into the production function means that the effect of adding or reducing one input can only be determined in the context of the level of other inputs. This means that the predictability of any given attempt to increase the total production of public safety is dependent upon an incentive structure that encourages cooperation and supports rather than inhibits communication (Ostrom 1998 and Parks et al. 1981).

Consequently, the practice of coproduction requires a constant bidirectional flow of information between residents of the community and the producers of public safety. This creates a feedback loop in which residents trust the police because they know what the police are doing, and the police can effectively respond to the safety needs of residents because they are aware of those needs. Smaller scale provision of public services creates more opportunities for community member participation, and frequent, repeated interactions between community members and police means that both parties will be more accountable for the maintenance of public safety. The proponents of community control of police services, including Ostrom, argued that this greater community involvement at the local level would lead to greater familiarity and satisfaction with police services, which in turn would result in more cooperation with the police and an overall safer community (Ostrom et al. 1973). Further, having smaller police departments serve local areas helps citizen create informal contacts within the police department. Through these informal contacts, community members may be more willing to cooperate with police and engage in the outreach programs that are vital for citizen-police relationships and coproduction of public safety (Parks et al. 1981 and Whitaker 1980).

RESULTS OF COMMUNITY POLICING IN PRACTICE

Ostrom and her colleagues at The Workshop in Political Theory and Policy Analysis at Indiana University in Bloomington empirically tested the effectiveness of community policing using a multiple methods approach with an emphasis on fieldwork. In one of their first studies, Ostrom and her colleagues compared three Indianapolis area communities that had their own independent police departments to three other demographically similar areas in Indianapolis that were served by the larger consolidated city police department. Ostrom finds that police performance as measured by citizen satisfaction was more highly rated in the smaller police

departments (Ostrom et al. 1973 and Ostrom & Whitaker 1973). Similar studies in St. Louis, Missouri (Parks & Oakerson 1988), Grand Rapids, Michigan (Ishak 1972), Nashville-Davidson County, Tennessee (Rogers & Lipsey 1974), and Chicago, Illinois (Ostrom & Whitaker 1976) similarly concluded that larger police departments were producing an inferior product when compared to smaller scale alternatives (Ostrom 1999). A survey of 80 metropolitan area police services across the nation found that it is in smaller police departments that general patrolling and coproduction occur. Ostrom concludes that larger police departments are "more thinly spread" and "opportunities for citizen control and participation are enhanced in smaller jurisdictions" (Ostrom, Parks & Whitaker 1978, p. 94; Ostrom et al. 1973, p.16).

The practice of community policing became popular in the early 1980s, providing more opportunities for empirical testing. There are three generally accepted tenets of community policing initiatives: 1.) the focus of policing should be community building through crime prevention, 2.) decision making and assessment should take place within a coproductive framework, with police and the community sharing responsibility, and 3.) police departments should be small, decentralized, and autonomous, with strong linkages to the community (Greene 2000).[2] In order to operationalize these principles, police departments were advised to put police officers and community members in closer proximity by creating police "substations" and requiring police departments to have officers on foot patrol. These changes were intended to modify the existing conception of police as outsiders or even threats and give better ground for community-police relationships. Another popular action was to hold community-police meetings so that the community could get to know the officers better and the officers could better understand the needs of the community. Theoretically, community policing strategies should be able to better serve the heterogeneous needs of the community by revealing information about those needs, by creating police and citizen accountability, and by engaging community members in the coproduction of public safety by motivating them to take on simple but important tasks like locking doors and honestly sharing their knowledge of criminal activities.

Baltimore County was one of the first to experiment with the community policing approach. After two shocking murders in 1982, Chief Cornelius Behan created the Citizen Orientated Police Enforcement (COPE) program, which implemented door-to-door surveys and public meetings as well as required foot patrol walks through the areas for approximately 25 hours each week. Surveys administered after the program indicated that approximately 15% of residents of the COPE program recalled seeing an officer walking by foot within the past week whereas only 2% of residents in the area without COPE answered that they recalled seeing a police officer. Other results were that the department claimed there was a 12% overall reduction in crime since before COPE (Robin 2000, p. 77), but this reduction in crime rate is not found in other studies. By 1997, officials began to reevaluate the program. Under new police chief Terrence Sheridan, the department began to redefine its goals in relation to community policing involvement, taking the position that some crimes were best handled by the traditional policing approach. Sheridan also notes "What we've been asked to do by this administration is to take a hard look at our community policing involvement. If it does not reduce crime, if it does not prevent crime, then

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[2] Rosenbaum and Lurigio also define community policing as an emphasis on "improving the number and quality of police-citizen contacts, a broader definition of 'legitimate' police work, decentralization of the police bureaucracy, and a greater emphasis on proactive problem-solving strategies" (Rosenbaum & Lurigio 1994, p. 334)

perhaps we should address whether or not we should be involved in it" (quoted in Robin 2000, p. 78). Today, the COPE program is no longer part of the Baltimore County Police Department.

Houston, Texas was also one of the first major cities to implement community policing on a considerable scale, beginning with a pilot program in 1983. In order to increase police visibility and reduce fear of crime, they assigned officers to walking beats and created dozens of police substations through the city. They created door-to-door surveys to learn the problems of the community and demonstrate their initiative in wanting to help citizens. Skogan (1992) finds that these reforms were modestly successful in terms of 'attacking disorder,' which was a measure of interviewees' responses to social and physical disorder,[3] and neighborhood satisfaction with the police. However, fear of crime, the primary goal, only decreased in the storefront areas. Other findings were even less favorable. A survey of community and citizens perceptions found that although most respondents indicated improvement in police-community relationships, there was very little change in perceptions of drug trafficking problems, drug-related crime, and fear of crime (Rosenbaum 1994, p. 33-35). An evaluation by management consultants concluded that Neighborhood-Orientated Policing "had not produced any comprehensive improvement" and had "limited tangible effects on citizens, security, and quality of life" (quoted in Robin 2000, p. 81). The entire program was cut by 1990 and Houston police were again directed to focus on fighting crime in the traditional way.

New York City was the next major metropolitan area to take up community-policing initiatives. In 1984, New York City began the Community Patrol Officer Program (CPOP). CPOP was a special unit within the department that consisted of police officers (called Community Patrol Officers, or CPOs) and a supervising sergeant. CPOs were expected to patrol their beats by foot, get to know their citizens better, and identify problems early in order to preempt them from escalating. In a comprehensive overview of the CPOP in New York, the CPO role was identified as "designed to foster office accountability for correcting problems at the neighborhood level, increase the officer's knowledge of and identification with the community to which he or she is assigned, and encourage the officer to take an active role in assisting the people of the community to identify and correct the quality-of-life problems that they find most disturbing" (McElroy, Cosgrove & Sadd 1993, p. 9). After a few months in operation, the CPOP program began expanding to cover all of the city's seventy-five precincts by September 1988. The number of CPOs increased to a total of 3,000—making it forty CPOs in each of the seventy-five precincts of New York City (Robin 2000).

By 1994, though, community policing efforts began to be cut back when Richard Giuliani became mayor of the city and expressed dissatisfaction with community policing. This coincided with the release of the "Rosenthal Memos," which indicated such concerns as officers fudging reports about the time they spent walking their beats, and discussing that a majority of officers took weekends off, normally a peak-time for cracking down on crime, and expressed that precinct-level training was a "sham…in the three visited precincts, training only began after the deputy inspector arrived and identified himself" (Robin 2000, p. 88). Rosenthal's key message in the memo said, "the program has fallen short on nearly every front: putting cops on the beat,

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[3] Social disorder questions asked about "groups hanging around," and "sales of drugs," and gang activity. Physical disorder referred to vandalism, abandoned buildings, and such things as dirty streets and sidewalks.

clearing the streets of small-time crooks, involving community" (quoted in Robin 2000, p. 88). In terms of the CPOP effect on the public, the results were mixed at best. Several interviews with community leaders revealed some positive impacts of CPOs, some negative, and some irrelevant. In measurements of drug trafficking, drug related crimes, and fear of crime, residents of New York felt largely unchanged. There was some positive relationship of improved police-citizen relationships, although for the most part this pertained to specific officers rather than the system as a whole (McElroy, Cosgrove & Sadd 1993 and Rosenbaum 1994).

The following cities also implemented similar community policing tactics to the ones in New York and Houston: Hayward, California; Louisville, Kentucky; Norfolk, Virginia; Portland, Oregon; Prince George's County, Maryland; and Tempe, Arizona. The departments differed in size, with Hayward having a population of 120,000 and 156 sworn officers, and Prince George's County with a population of 700,000 residents and police department of nearly 1,230 officers. These strategies primarily involved adding more trained community policing officers to walking beats in order to meet residents and learn their needs or creating Neighborhood Watch organizations, community contact offices, and substations. Norfolk and Portland targeted efforts on specific housing complexes rather than making city-wide changes. In regards to drug trafficking, results showed that residents in Portland and Tempe perceived the community policing programs to be effective, either by moving it out of the target area or by making it less visible. With regards to drug-related crimes, respondents in Portland, Norfolk, Tempe, and Prince George's County indicated that they were effective in reducing crime, while Louisville had mixed responses. In Portland, Tempe, and Prince George's County, respondents shared very positive results about the programs ability to reduce their fear of crime. Finally, most residents in all areas indicated that the relationship between police and community had increased. For the most part, many of the programs that were originally implemented by these cities are no longer in effect today, and whether or not those programs that have persisted are community based in practice or in name only is a matter of debate (Rosenbaum 1994).[4]

Chicago is one of the few large cities that by most accounts had proper implementation and success. Described as "one of the most ambitious efforts to date to re-gear an entire police department for community policing," Chicago's mayor directed all departments to support community policing or "lose their jobs" (Robin 2000, p. 82). The initiative began in April 1993 with the Chicago Alternative Policing Strategy (CAPS) in response to massive gang violence and police abuse. Police refocused their efforts on developing relations with the community members by responding to phone calls, beginning beat meetings and a district advisory board comprised of community members, creating smaller district substations, and constructing a "CAPS implementation office" where residents could get more involved. The beat meetings have gained central importance as a forum for community members and police to work together to identify the community's problems and discuss ways in which both police and residents can work towards solving those problems, an archetype of the coproductive activity described by Ostrom and others at The Workshop (Skogan & Steiner 2004 and Palmiotto 2011). Participation in beat meetings has grown from about 58,600 attendees in 1995 to about 67,300 in 2002 (Skogan & Steiner 2004).

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[4] Norfolk's PACE program is still in use, but there are debates about its effectiveness and *de facto* practice.

After ten years of community-orientated policing, a report in 2004 surveying close to 50,0000 Chicago residents indicated that residents of Chicago are substantially more satisfied with the police than they were ten years ago.[5] Other measurements gathered in the survey, such as fear of crime, physical condition, and social disorder have all improved. Community members report significant enhancements in the quality of police service, and overall crime has significantly decreased. However, the report did show little effectiveness in solving local priority programs. The report says, "several issues have persisted over the years, namely, the limited action component of beat meetings, the turnover in officers who attend the meetings, and the failure of beat officers to include the issues raised by residents in their reports to headquarters" (Skogan & Steiner 2004). Further, while Chicago's program has lasted longer than most, recent news reports indicate that the budget for the CAPS central office has been cut in half to 4.6 million dollars in 2012 and to zero in 2013. Chicago officials indicate that this is a restructuring only and that community policing will continue to be the dominant strategy, but the change indicates dissatisfaction at some level and calls into question the continued stability of community policing in Chicago (Dumke 2012a, Dumke 2012b).

Overall, assessments of the effectiveness of community policing efforts in the 1980s and 1990s have been mixed. Many community policing programs generated short term increases in police satisfaction but proved unsustainable. In the next section, we discuss why.

DISCUSSION

Overall the results of community policing initiatives have been lackluster, and certainly less often beneficial than predicted by the early studies of Ostrom and her colleagues. In this section, we argue that many of these community policing initiatives were doomed to failure from the beginning because the institutions of the broader polycentric system in which community policing initiatives emerged were incompatible with actual community-based solutions to the collective action problem. This is true for two reasons. First, in order to effectively coproduce public safety, the incentive structure within the community must be such that residents are motivated to personally invest. The fact that many community policing initiatives seem to have originated at the top of the public safety hierarchy—Federal laws and agencies—rather than the lowest levels—individual community members—is indicative of insufficient incentives for community members to participate in coproduction. Second, over time, even the top-down incentives for local law enforcement to practice community policing have been compromised by the growth of federal initiatives that are directly incompatible with coproductive community policing as envisioned by Ostrom and her colleagues. In particular, the militarization of the police beginning in the 1980s has made it even more difficult for police and community members to develop the relationships required for the success of community policing.

[5] We should be careful how we interpret these results—nationwide perception of the police has been increasing in general since the 1980s, according to the 2001 "Public Image of the Police" Report by Catherine Gallagher, Edward Macguire, Stephen Mastrofski, and Michael Reisig.

Shaky institutional foundations

One of the key findings of Elinor Ostrom's years of research into collective actions problems is that rationality within a collective action setting is not homogeneous. Theory and empirical research suggest that some people are extraordinarily willing to cooperate in the provision of public goods. Others are quick to punish those who fail to contribute. Still others are more narrowly self interested and unlikely to participate in either manner. Communities will vary in the distribution of these and other personality types, and consequently will vary in the extent to which community-based solutions to collective action problems—such as the coproduction of public safety—will be effective (Ostrom 2000).

The heterogeneity of personality types and their distribution within a given community is important because of another one of Ostrom's empirical findings—that the solution to a collective action problem is more likely to persist when individuals have participated in designing the system. This is important for reasons of knowledge and of incentive compatibility. Individuals not only have better knowledge of their own circumstances and so can design better rules, but they are also more likely to perceive rules of their own design as fair and worth following (Ostrom 1990, Ostrom 2000). In the case of coproduction of police services, this suggests that community policing will be more successful when the impetus for its adoption is coming from the community rather than being implemented from the top down. In Elinor Ostrom's own words, "Allowing citizens to form neighborhood-level collective consumption units encourages face-to-face discussion and the achievement of common understanding" (Ostrom 2011). It is this common understanding forged at the individual level that enables coproduction and the efficient production of public goods.

Many of the early studies of The Workshop evaluated programs where communities had made the decision to become more involved in the production of public safety of their own volition. However, the widespread implementation of community policing initiatives across the country in the 1990's often originated as a result of subsidization rather than community demand. Although subsidization had been going on long before 1994, the Title I of the Violent Crime Control and Law Enforcement Act of 1994 (here forward referred to as the Crime Act) dramatically expanded the practice by allocating 8.8 billion dollars to be distributed over five years to local police agencies for the development of community policing programs (Robin 2000).[6] Before the passage of the Crime Act, about forty percent of law enforcement agencies in the United States were said to be engaging in community policing strategies. After the passage of the Act, the number of agencies practicing community policing doubled (Morabito 2008 and Trojanowicz et. al 1998). By 2002, more than 12,000 law enforcement agencies had received a COPS grants and over 116,000 police officers had been hired as part of designated community policing programs (Robin 2000).

The increase in community policing initiatives following the Crime Act of 1994 suggests that many departments were motivated to adopt community policing by federal subsidization rather than by pressure from community residents to change their command structures and decision-making processes. This is consistent with findings that community policing existed in many jurisdictions in name only, and that many law enforcement agencies implemented community

[6] Violent Crime Control and Law Enforcement Act of 1994, H.R. 3355, Title 1.

policing strategies without taking the necessary first step of embracing the culture (Rosenbaum & Lurigio 1994; Rosenbaum 1994, pp. 177-179; and Robin 2000, pp. 89-94). Further, this lack of fundamental change severely impeded the potential success of the community policing effort. The relative efficiency of community policing is heavily dependent on the ability of the command structure to break down into smaller organizational units, only operating on a larger scale when the nature of the service in question dictates (Ostrom 2011). While high tech criminology laboratories may be best operated as a centralized service, activities such as patrolling, building relationships with residents, and responding to street crime is more effective in smaller-scale police units (Ostrom et al.1973). The unwillingness of departments to restructure in these ways prevented them from capturing the potential gains of community policing.

In addition to the incompatible incentives within local law enforcement agencies, the lack of locally endogenous formation of community policing programs suggests that community policing initiatives may not have had sufficient community support. In fact, surveys and data collected from eight community-policing sites indicate that citizens were generally not supportive. Especially in minority communities, citizens were often fearful of the police and expressed concern about reprisals. One community leader in Hayward said, "People on this block will not get more involved because they are afraid" (quoted in Grinc 1994, p. 447). Another resident in Norfolk expressed, "I find that most community people are fearful [of reprisals]. A lot a fear comes from…when you call the police…then the officers come to your house, and people would say that you're with the police and label you [a snitch]. And you know, with all the drugs and things around here, you hate to be labeled as calling the police" (quoted in Grinc 1994, p. 447). In order for communities to resolve the collective action problem, the incentive structure must be such that cooperation between the relevant parties is encouraged and /or the failure to cooperate is punished. However, the culture of distrust of the police serves to incentivize a lack of cooperation. This perverse incentive structure directly undermines the ability of the community to engage in the coproduction of public safety. As described by a resident of Louisville, "There has been such a negative view of the police. People don't trust them…and most of those who are policing don't live in our area so, therefore, and they don't understand what we're going through…so there's a lot of misunderstanding, and no communication at all" (quoted in Grinc 1994, p. 450). No communication means no coproduction.

In many respects, the lack of trust stems from the inability of police to credibly commit to cooperating with citizens. The absence of a credible commitment lowers the expected value of residents' investments in coproduction. Why invest in a project that has not shown itself likely to persist long enough to generate returns? The following quote from the New York City experience illustrates the community's uncertainty:

> "What normally happens in our community is that something (i.e., a project) comes in and you just start to get the feel of it, and then it's pulled out…normally what happens in the East Harlem community is that programs come in and you start to warm up to them, and you start to develop a relationship with them, but they get pulled out. So that creates skepticism in the community because you don't know if you want to participate or not because you don't know how long it's going to be there or not" (quoted in Grinc 1994, p. 453).

For these residents, past experiences have shown that programs come and go very quickly, and thus members are less likely to invest to work together with the community. Perhaps indicative of this is that less than ten years after the start of the COP program in New York, it was completely reversed by the new mayor. The foundation of what Ostrom identified in her early empirical work is missing in these areas and thus undermining coproduction between citizens and police officers.

The initial success and eventual failure of Seattle's community policing initiatives are both illustrative of the importance of community commitment. Seattle's attempts at community policing were successful in the late 1970's and early 1980's when they were driven primarily by concerned citizen activists. However, over time, the city began to send fewer beat police and more bureaucrats to community meetings, and participation waned as citizens began to feel as if the purpose of the meetings had shifted from learning about citizen concerns to persuading the community to support traditional police action. A prominent black minister is quoted saying "The African-American community is reluctant to talk about increasing policing, because we have police on every street corner as it is… The crime prevention councils serve more to justify police actions and act more as agents of the city than agents of the community" (quoted in Lyons 2002, p. 533). In other words, the community policing initiative had transformed from a partnership with the community to just another extension of the police department itself.

Seattle's police department was not the only local law enforcement agency that had trouble maintaining a true coproductive relationship with the community. Lyons (2002) cites a study that finds that community police in Chicago would record citizen concerns but propose traditional policing solutions 92% of the time rather than incorporating the community in problem solving. Community participants were expected to limit their participation to pointing out problems rather than being allowed to aid in working towards solutions. In fact, based on survey responses from 236 municipal police agencies employing 100 or more full-time sworn officers, there is little evidence that the average department changed its practices at all as a result of the community policing movement: "…community policing reforms have not succeeded in convincing large metropolitan police agencies to modify their existing organization structures. There were no significant differences in structural change between agencies claiming to practice community policing and those which did not" (Robin 2000, p. 92).

Federal intervention and militarization

The movement of the 1980s and 1990s towards community policing was eventually overshadowed by a trend towards militarization and centralization (Kraska 2001). Police forces, like the military, derive authority from their government-sanctioned ability to employ physical force. In this sense the police have always been to some degree militaristic (Kraska 2007). The question is to what extent militarism—the adoption of the mental models and technologies of the military—has become a dominant force shaping and attitudes and practices of local law enforcement (Hall & Coyne forthcoming and Mastrofski & Willis 2010).

The political popularity in the 1980s of the war on drugs and associated initiatives designed to address gang violence contributed in many ways to increased federal-local collaboration and the militarization of the police. The Drug Enforcement Agency (DEA) State and Local Task Force

Program was founded in the late 1970s and gained strength through the 1980s. The Anti-Drug Abuse Act of 1986 created a program for asset sharing between local, state, and federal agencies. Existing federal penalties for drug related crimes were strengthened by the Anti-Drug Abuse Act of 1988's establishment of federal minimum sentencing guidelines that prosecutors could use to induce defendants to cooperate, strengthening the incentives to prosecute at the federal level. In 1992, the FBI launched its Safe Streets Violent Crime Initiative which sent specially trained federal task forces in to communities prone to gangs and street violence (Russell-Einhorn et al. 2000). Further, the participation of the U.S. Armed Forces and National Guard in drug enforcement activities has directly entangled local law enforcement agencies with the military, including through the authorization of the transfer of equipment, technology, and military gear to the state and local police agencies (Balko 2012, p. 7). The above list of programs designed to exert federal influence over local law enforcement is only partial, the actual extent of involvement is much greater and has continued to grow. Nearly thirty-seven percent of local law enforcement agencies reported increased interaction with the Drug Enforcement Agency from 2001 to 2005 (Council of State Governments 2005, p. 77).

The response to the terrorist attacks of September 2001 has also diverted resources away from community policing and towards militarization. Over sixty percent of local law enforcement agencies report increased or significantly increased involvement with the Federal Bureau of Investigators (FBI) and the Office for Domestic Preparedness since September 11, 2001. Forty percent or more report increased or significantly increased involvement with Immigration and Naturalization Services, Customs, the Coast Guard, the Federal Emergency Management Association (FEMA), Centers for Disease Control and Prevention, the Federal Aviation Administration, the Bureau of Alcohol, Tobacco, and Firearms, the National Guard, and the Secret Service . Fifty-two percent of agencies report increased support from the Federal government, including training and technical assistance (Council of State Governments 2005, pp. 75, 77). A 2004 survey by The Council of State Governments and Eastern Kentucky University found that nearly fifty-eight percent of local law enforcement agencies were diverting additional resources towards terrorism-related investigations in the aftermath of the September eleventh terrorist attack. Further, over sixty-five percent of local law enforcement agencies were allocating more resources towards intelligence, airport security, and securing critical infrastructure (Council of State Governments 2005, p. 74).

One of the most visible signs of the militarization of the police has been the increased formation and use of police paramilitary units (PPUs), groups of police officers who are specially trained and organized in a militaristic fashion and equipped with military grade weapons and technology. Kraska and Kappeler (1997) find a 50% increase in the number of PPUs and a fivefold increase in the deployment of those units between 1980 and 1995. Since PPUs are designed for action in high risk situations where the police department wishes to exert extreme force, this increase in their utilization implies a diversion of resources away from community policing and towards militaristic action by the police. Further, although PPUs were initially created to take on situations such as violent riots, PPUs have since been formed for the purposes of combating gangs, narcotics distributors, and even police patrol in high risk areas (Kraska and Kappeler 1997). As of the year 2000, more than 80% of the deployments of PPUs were in the name of the war on drugs. At the dawn of the community policing movement, no-knock and quick-knock raids were essentially unheard of (Kraska 2007). Today popular news stories of

mistaken innocent shootings, SWAT team raids gone wrong, and police brutality and abuse continue to emerge across the nation.

Many of these initiatives were not ignorant of the theoretical benefits of community policing. The 1994 Anti-Violent Crime Initiative was designed to provide federal assistance for states and localities to come up with individually tailored solutions for their unique communities (Russell-Einhorn et al. 2000). Thirty-three percent of agencies report directing additional resources towards community policing, while ten percent report allocating few or no resources to community policing (Council of State Governments 2005, p. 74). Another finding from the Kraska and Kappeler (1997) survey is that 63% of police departments view PPU's as an important part of their community policing strategies. A police commander is quoted as saying:

> "We conduct a lot of saturation patrol. We do "terry stops" and "aggressive" field interviews. These tactics are successful as long as the pressure stays on relentlessly. The key to our success is that we're an elite crime fighting team that's not bogged down in the regular bureaucracy. We focus on "quality of life" issues like illegal parking, loud music, bums, neighbor troubles. We have the freedom to stay in a hot area and clean it up - particularly gangs. Our tactical enforcement team works nicely with our department's emphasis on community policing" (quoted in Kraska and Kappeler 1997, p. 13).

However, this type of military-style action within a community bears little relationship to the primary tenets of community policing—coproduction with community members, bidirectional feedback between police and community, and the building up of trust and community networks. Rather, the fact that departments view military-style action as consistent with community policing is further evidence that community policing efforts are nominal only.

CONCLUSION

As Ostrom and her colleagues discovered years ago, community-based policing can allow agencies to better serve the heterogeneous needs of the community by taking advantage of the coproduction of public safety with consumers. However, the top-down approach to the establishment of community policing and the increasing reach of federal interventions into local law enforcement have prevented the emergence of true community policing as understood by Ostrom and her colleagues at The Workshop. Instead there has been a trend towards centralization and militarization of the police, shifting the focus away from the needs of the community and towards the homogeneous goals of federal policy.

The increasingly hierarchical and militaristic nature of the provision of public safety carries with it a set of risks that should not be underestimated. Elinor's colleague at The Workshop, Vincent Ostrom, cautioned that

> …democracies are in serious difficulties when a sickness of the people creates a dependency, a form of servitude, in which the people no longer possess the autonomous capabilities to modify their constitutional arrangements and reform their system of government in appropriate ways (Ostrom 1997, p. 17).

Militarization and centralization of the police make it increasingly difficult for individuals within a community to exert any sort of influence in the local provision of public safety. Instead, control rests in the hands of officers who are accountable to external forces rather than individuals within the community they are intended to serve. In removing accountability to the community, centralization breeds the ground for misconduct, abuse, and in general prevents the resolution of an important collective action problem.

There is much important work to be done to understand the scope of the problem and the nature of its long term effects. The next step in our project is to develop a more comprehensive account of the extent to which local police dynamics are influenced by federal action. Further, we share the concerns of Maguire and King (2004) over the quality of the data available for the study of these questions, and wish to encourage a multiple methods approach to the resolution of this gap in the literature. High quality case study and field research into the incentives faced by police and community activists alike would go a long way towards illuminating how we as a society can best maintain a policing system in which police are responsive and accountable to citizens.

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