

Re-evaluating community policing in a polycentric system

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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. Their findings in support of 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 the failures are the result of strategic interplay between federal, state, and local law enforcement agencies that has resulted in the prioritization of federal over community initiatives, the militarization of domestic police, and the erosion of genuine community-police partnerships.

1. Introduction

The dominant view of public administration scholars prior to the 1970s was that the institutions of local government were ‘chaotic and incomprehensible’, and thus many policy analysts recommended the centralization of public goods provisions, including policing (Ostrom, 1983: 2). Elinor Ostrom and her colleagues in The Workshop in Political Theory and Policy Analysis at Indiana University in Bloomington (hereafter ‘The Workshop’) argued 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 this theory, scholars at The Workshop conducted field studies in Indianapolis, Chicago, Grand Rapids, Nashville-Davidson County, and St. Louis and concluded that the independent

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communities were more satisfied with police services than residents of the large consolidated region.

At the time, 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. The idea that 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 began to capture the imagination of scholars and policymakers alike. As a result, popular support for community policing surged beginning in the 1980s, putting the findings of Ostrom and her colleagues in *The Workshop* to the test.

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). Some early efforts to institutionalize community policing were considered successful, especially in their initial iterations (see for example McElroy *et al.*, 1993 and Skogan, 1992). However, the widespread movement of community policing failed to deliver the hoped-for revolution in policing practices and outcomes. 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 and Willis, 2010; Mastrofski *et al.*, 2007; Robin, 2000; Rosenbaum, 1994).

In short, the large-scale implementation of community policing programs did not live up to the expectations established by the early theoretical and empirical literature. Efforts to explain the puzzle have proven incomplete; citing that police did not embrace the philosophy of community policing and failed to engage in true implementation strategies begs the question.¹ *Why* did police embrace the philosophy in the earlier efforts, but not the latter? *Why* did police departments choose not to implement community policing? These explanations of ‘implementation failure’ are superficial: they cannot explain differences in community policing implementations and they lack an analysis of individual incentives. We fill the gap in this literature and extend the Ostrom framework to evaluating modern policing efforts by providing a detailed analysis of how the institutional structures and policies alter the incentives that police face in implementing community policing efforts.

We argue that policing takes place within a system of nested games that has increasingly prioritized federal initiatives over community safety. Since fewer members of the community are able to participate when decision-making takes place at the federal level, federal policies can impose significant external costs

1 See for example, Corder (2004) and Rosenbaum and Lurigio (1994) discussing the failure of implementation. Other studies, such as Morabito (2010), which discuss the factors that led to law enforcement agencies to request the Community-Orientated Police grants, do not address the question of why genuine police-citizen relationships were not created and thus do not attempt to tackle the puzzle.

on local communities. Specifically, federal policy over the last thirty years has subsidized local police involvement in federally based anti-drug and anti-terrorism initiatives, resulting in a set of perverse incentives that has directed the efforts of local police agencies away from community safety and toward a different set of objectives. The result is increasingly militaristic local police forces that do not have the motivation or capacity to participate in 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.

Apart from the theoretical literature on public goods and policing, no extensive studies have been done to evaluate modern policing within a polycentric system by analyzing the interplay between federal, state, and local jurisdictions and the specific incentives the police face. Thus, we contribute to both filling the gap in the community-policing puzzle and to a broader understanding of policing incentives and accountability to the citizens that can also be used to analyze further contemporary policing issues, such as police brutality and abuse.

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, demonstrating that widespread implementation of community policing has not proven as effective as early research suggested it could have been. In section four, we discuss the reasons for this failure in the context of federal incentives that are increasingly incompatible with the objectives of community policing. We conclude that the perverse incentives established by national policies have crippled the ability of most localities to engage in community policing. This not only explains the past failures of community policing, but suggests that future efforts will likely be similarly unsuccessful unless they are preceded by significant changes in federal policy.

2. Collective action in a polycentric framework

Polycentricity describes a system with many centers of decision-making units that are formally independent of each other, which involves multiple, overlapping systems of autonomous governments (Ostrom *et al.*, 1961). The most operationally significant characteristic of polycentricity is that the organizations within the system have some degree of usable autonomy. If there is only one individual or organization with decision-making power, the system is monocentric rather than polycentric. The particular polycentric system in which public safety is produced in the United States is such that most 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.

Long (1958: 254) notes that even the simplest of political tasks are undertaken within an ecology in which outcomes emerge from interactions between ‘the players of a wide range of games’. Consequently, strategic decision-making within the political arena takes the form of playing a game that is nested within a broader system of games, each of which has its payoffs determined by the outcome of games being played at other levels of decision-making (Tsebelis, 1988). Every political actor is playing multiple games at once, and they are playing with other actors who may have a different set of objectives or may be playing a different set of games entirely. In the realm of public safety, this means that 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.²

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. The incentives established in one layer of the polycentric system will affect both the theoretical desirability and the short-term feasibility of attempts to either consolidate or decentralize police services.

By articulating the specific authorities granted to government and assigning those authorities to particular branches or levels of government, constitutions and other procedural rules establish the nested structure within which collective decision-making takes place. These formative rules define what safety issues are of public concern, who gets to decide when and how to act in the interest of safety, and what tools those actors are allowed to use. Buchanan and Tullock (1962) outline a framework through which alternative sets of constitutional rules, such as the rules governing the provision of public safety, can be evaluated. Buchanan and Tullock begin the analysis of constitutional rules with the presumption that

² Public safety is, at least in part, a non-rivalrous and non-excludable service of community-wide interest that generates significant positive externalities. As such, autonomous individuals left to their own devices may need to be induced to contribute in order to generate optimal levels of public safety. This phenomenon is most commonly known as the collective action problem.

the institutions of government are created by autonomous individuals with their own interests in mind. Sets of decision-making rules, such as those establishing police powers, define the conditions under which individuals grant agents of government the power to make decisions on their behalf. Decision-making rules may also establish that individuals must make particular decisions for themselves within certain arenas. For example, the policing of a child's respect for the property of others may be enforced by the police while that same child's respect for their parent's property is left to the enforcement of the household.

In the Buchanan and Tullock (1962) framework, constitutions are conceived of as voluntary and mutually beneficial agreements between individuals. This conception, though not a historically accurate description of most known governments, has the virtue of enabling the analyst to evaluate the welfare properties of changes in constitutional rules without resort to social welfare functions. If a change would be approved by unanimous consensus, then enacting it would be a Pareto improvement. Likewise a set of constitutional rules can be declared superior to another if the political structure it generates is unanimously preferred. However, since the unanimity rule is prohibitively costly, determining the relative costs of different social arrangements in practice is complicated by the fact that the full costs of different paths are obfuscated by complexity and the inherent uncertainty of the future. Consequently, the Buchanan and Tullock framework cannot be used to validate or condemn any particular collective arrangement, but it does provide some broad parameters within which we can begin to evaluate changes in systems of rules.

When deciding between two sets of decision-making rules, there are two types of costs that must be taken into account – decision-making costs and external costs. Decision-making costs are the costs of coming to agreement. Transitioning the provision of public safety from local to state or federal authority may increase or decrease decision-making costs depending on whether decisions are being made under conditions of unanimity or conditions of representative democracy as realized in a particular time and place. Under conditions of unanimity, decision-making costs will approach infinity as the number of people required to consent increases because of the difficulty of bargaining in large groups and the potential that some may hold out and refuse to come to any sort of consensus. However, in the world of real politics, whether decision-making costs will be higher or lower at the federal level depends on the structure of different agencies.

The second type of costs that will vary under different sets of decision-making rules are external costs, or externalities imposed on others as a result of the decision. External costs are expected to decrease as more people are required to give their consent to a particular course of action, approaching zero if the unanimous consent of the entire social group is required. Under idealized conditions of decision-making by unanimous consent, action at the federal level might be expected to be associated with lower external costs than decisions made at the state level because the social accounting is more complete.

However, decisions over police power are never made by unanimous consent. Consequently, it is possible for individuals acting in the name of government to make decisions that impose external costs (Buchanan and Tullock, 1962: 62–3). As in the realm of private decision-making, the marginal cost facing a decision maker acting on behalf of a collective is still only a fraction of the marginal costs facing all members of the society. The less accountable the public safety decision maker and the more people he is allowed to choose for, the more likely he is to make decisions that impose high external costs.

Further, the fact that decision-making is taking place within a nested institutional structure introduces an additional layer of complication. Lubell *et al.* (2010: 288) observe that actors in one game often do not account for the externalities that their actions may impose on other games within the same system. This takes place not only because externalities by their nature are costs that are not born by the decision maker, but also because gathering knowledge about those externalities tends to be prohibitively costly, if not impossible. For these reasons, an increase in the authority of federal agencies is expected to result in greater external costs under real world conditions of representative decision-making.

It is this increase in external costs as a result of the increasingly centralized origin of many public safety directives that is our primary concern in this paper. There are two ways in which federal interventions in public safety are associated with greater external costs than local choices. First, federal public safety initiatives are influenced by a wider range of interests than local initiatives. Consequently there will be a greater array of groups willing to impose dispersed costs in order to gain a concentrated benefit. In practice, this means that instead of a local police department being influenced by interests across the city and perhaps surrounding localities, the local police department can be subject to decisions pushed for by pressure groups across the country. Second, the opinion of the majority at the national level will likely be different than the majority at the local level, unless the locality happens to constitute a perfectly representative sample of the nation as a whole. Consequently even decisions that satisfy a system-wide majority may not satisfy the local majority, which should be of particular concern in the provision of public safety given the great variety in the nature of public safety problems across communities. Therefore, a shift toward federal decision-making is expected to be associated with higher external costs within particular communities as the marginal costs to individual community members become an increasingly less important part of the decision-making process.

3. Community policing in practice

Proponents of consolidation argue that 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 and Weidner, 1950 and Zimmerman, 1970). Ostrom and her colleagues argued that every locality was unique in both its policy preferences and demand for local public goods, and that 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 competition and incentive and information advantages to the localized delivery of public goods (Aligica and Boettke, 2009; Bish, 1971; Buchanan and Tullock, 1962; Ostrom *et al.*, 1973).

Ostrom and her colleagues empirically tested the effectiveness of community-policing using a multiple methods approach with an emphasis on fieldwork. In one of their first studies, they 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 found that police performance as measured by citizen satisfaction was more highly rated in the smaller police departments (Ostrom and Whitaker, 1973). Similar studies in St. Louis, Missouri (Parks and Oakerson, 1988), Grand Rapids, Michigan (Ishak, 1972), Nashville-Davidson County, Tennessee (Rogers and Lipsey, 1974), and Chicago, Illinois (Ostrom and Whitaker, 1974) 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 *et al.*, 1973: 16; Ostrom *et al.*, 1978: 94).

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 co-productive 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). 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 threats and give better ground for community-police relationships. Another popular action was to hold community-police meetings so that the community could meet the officers 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.

As observed by Levitt (2004), there have been few compelling studies of policing strategies due to a lack of reliable data on when and where given strategies are being employed in reality rather than simply in rhetoric. Those empirical studies of community-policing that have been conducted have found mixed and sometimes contradictory results (Reisig, 2010). For example, a study by Muhlhausen (2001; 2006) found that Community-Oriented Policing Services (COPS) grants for hiring and redeployment had no obvious effect on violent crime.

In contrast, a study conducted the next year found that for cities of more than 10,000 people, the COPS hiring grants reduced both violent crimes and property crimes (Zhao *et al.*, 2002). They attribute the difference between their findings and Muhlhausen's to the fact that Muhlhausen used county-level data whereas Zhao *et al.* used more highly specified city level data that was able to isolate jurisdictions receiving COPS grants with greater accuracy (Zhao *et al.*, 2002: 26–27). Muhlhausen (2002) responded that Zhao *et al.*'s study – itself financed by two COPS grants – excluded data on other sources of funding for local law enforcement, thereby producing inflated estimates of the COPS program's effectiveness. After extending the time period of Zhao *et al.*'s study to before the creation of the COPS program and controlling for pre-existing trends in police spending, Worrall and Kovandzic (2007) concurred that the COPS grants did not demonstrably reduce crime.

Those that do find community policing to have an effect on crime rates generally find that effect to be small relative to other factors. The U.S. Government Accountability Office (2005) evaluation concluded that the COPS program did reduce crime rates but could only explain about 5% of the dramatic 26% decrease in the crime rate that occurred between 1993 and 2000. In a similar analysis, Evans and Owens (2007) find that the average COPS hiring grant results in a 3.7% reduction in the violent crime rate and a 1% reduction in the property crime rate, and that COPS grants for other miscellaneous programs had no discernable effect on the crime rate (Evans and Owens, 2007, 195–196). Worrall and Kovandzic (2007) observe that neither the GAO (2005) nor Evans and Owens (2007) control for other forms of police funding, suggesting that even these modest results may be overestimates.

Several studies suggest that the reduction in the crime rate is primarily due to a trend toward larger police forces that has little to do with the adoption of any particular policing strategy. Levitt (2004: 177) finds that police officer growth between 1991 and 2001 alone explains approximately 10–20% of the reduction

in observed crime, and that the rest can be explained by decreases in the number of individuals likely to commit criminal activity, brought about by factors that have nothing to do with policing strategy.³

The scholars at The Workshop considered measured crime rates to be unreliable and incomplete indicators of public safety, and as such preferred to consider citizens' experiences with the police and personal evaluations of police services (Ostrom *et al.*, 1973). There is some evidence that community policing strategies can improve residents' perceptions of safety when properly implemented. Sadd and Grinc's (1994) survey of Innovative Neighborhood Oriented Policing programs⁴ found that residents sometimes reported positive impacts on perceptions of drug trafficking and drug-related crime, fear of crime, police/community relationships, and community involvement, though these results were mixed. Reisig and Parks (2004) use cross-sectional survey data to compare citizen perceptions of the quality of community-police partnerships to reported quality of life measures. They find that residents who rate community-police partnerships positively are less likely to report feeling like they are unsafe or living in an uncivil, disorderly environment. And Weisburd and Eck's (2004) review of the literature on the effectiveness of different policing strategies concludes that even though community-based strategies have no obvious causal impact on crime and disorder, community policing can reduce fear of crime.

New York City's experiences with community policing illustrate the importance of altering citizen perceptions. The program began in 1984 and ended in 1994 after a set of memos released by the police chief, which revealed the problems of implementation and concluded that 'the program has fallen short on nearly every front: putting cops on the beat, clearing the streets of small-time crooks, involving community' (quoted in Robin, 2000: 88). There was some improvement in police-citizen relationships, although for the most part this pertained to specific officers. Overall, the residents of New York viewed CPOP as having little impact on drug trafficking, drug related crimes, and fear of crime (McElroy *et al.*, 1993; Rosenbaum, 1994). This evidence of unsuccessful implementation led New York, considered by many to be a flagship community-policing program, to end the program.

In sum, the empirical evidence suggests that although there is hope that the techniques of community policing could be effective, their implementation leaves much to be desired. The following section uses the polycentric framework to explain why community-based policing strategies have failed to live up to their theoretical promise.

3 Sharp (2006) and Hawdon *et al.* (2003) also find that quantity of police plays more of a role in crime reduction.

4 Programs funded by the Bureau of Justice Administration (BJA) in eight cities: Hayward, CA; Houston, TX; Louisville, KY; New York, NY; Norfolk, VA; Portland, OR; Prince George's County, MD; and Tempe, AZ.

4. Federal interventions in local jurisdictions

Since the early 1980s, decisions about the provision of public safety have increasingly been made at higher levels of the nested institutional structure within which public safety is provided. Specifically, decisions are now being made by federal rather than local law enforcement agencies. Since fewer members of the community are able to participate when decision-making takes place at the federal level, federal policies can impose significant external costs on local communities (Buchanan and Tullock, 1962). These external costs have manifested themselves in two ways: the adoption by local law enforcement of federally subsidized strategies that communities view as undesirable, and the simultaneous rejection of genuine community-police partnerships.

One of the key findings of Elinor Ostrom's years of research into collective action problems is 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; 2000). In Ostrom's words, 'Allowing citizens to form neighborhood-level collective consumption units encourages face-to-face discussion and the achievement of common understanding' (Ostrom, 2011: 372). Further, 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 (Bish and Ostrom, 1973). 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 little impact if citizens fail to lock their own doors or refuse to communicate with police officers (Bish and Ostrom, 1973: 41–43). 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; Parks *et al.*, 1981). In short, the benefits of community policing are largely the result of its unique capacity to utilize local knowledge and establish an incentive structure that harnesses the benefits of coproduction.

However, the widespread implementation of community policing initiatives across the country in the 1980s and 1990s often originated as a result of subsidization rather than community demand. The federal program most directly focused on community policing is the Community Oriented Policing Services

(COPS) program, which was created as part of the Violent Crime Control and Law Enforcement Act of 1994 (VCCA). The VCAA allocated 8.8 billion dollars in COPS grants to be distributed over five years to local police agencies for the development of community policing programs (Robin, 2000).⁵ Before the creation of the COPS program, about forty percent of law enforcement agencies in the United States were said to be engaging in community policing strategies. After passage, the number of agencies practicing community policing doubled (Morabito, 2010; Trojanowicz *et al.*, 1998). By 2000, two-thirds of all departments in the United States employed full-time community policing officers (Hickman and Reaves, 2001).

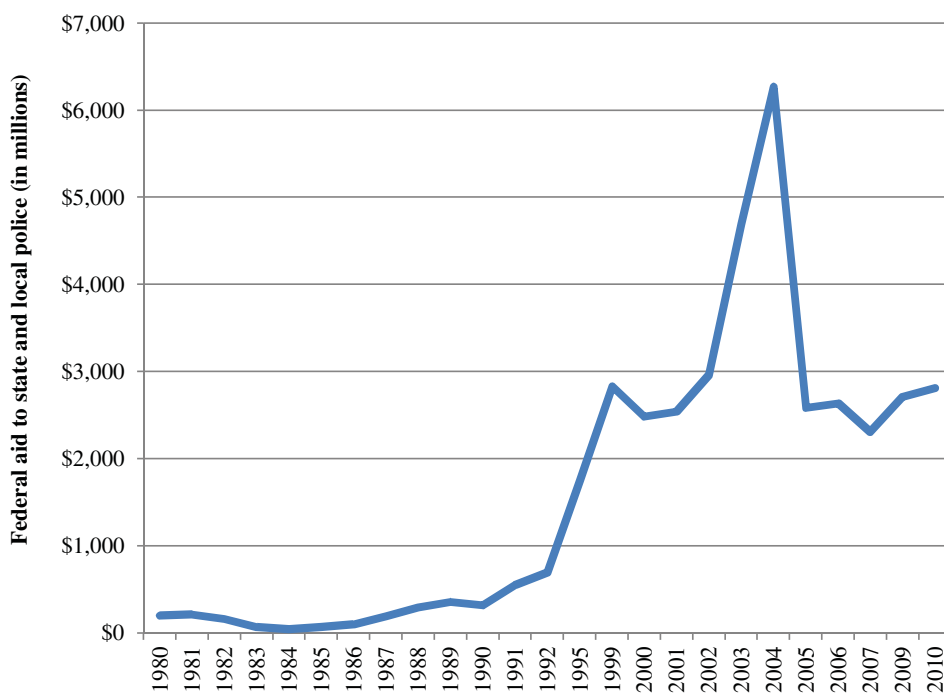
COPS grants are far from the only source of federal funding for local police departments. Direct federal subsidization of state and local law enforcement originated with the creation of the Law Enforcement Assistance Administration (LEAA) through the Omnibus Crime Control and Safe Streets Act of 1968. This direct subsidization gave the LEAA the ability to threaten to pull financial support from state and local agencies that were unwilling to cooperate with favored initiatives (Balko, 2013: 64–67). The trend of federal spending to combat local crime continued through the 1980s in the name of the war on drugs and associated initiatives designed to address related violence.⁶ These grants are still available today through Byrne JAG, the State Criminal Alien Assistance Program, the Victims of Crime Act, the Juvenile Justice and Delinquency Prevention Act, the Violence Against Women Act's STOP program, and other initiatives designed to address crime. Total federal funding to state and local police services is presented in [Figure 1](#), and total federal funding as a percentage of state and local police expenditures is presented in [Figure 2](#).

The higher level of federal funding for community based policing initiatives has a number of implications. Most obviously, it is a clear indicator that local police are working in service of federal policymakers and bureaucrats rather than community members. The subsidization of particular policing strategies drives a wedge between the costs that strategy imposes on community members and the costs that will be felt by the decision-makers at local law enforcement agencies. As a result, community-based solutions that were previously optimal become relatively more costly to the police department and therefore less utilized.

In addition to direct funding that drew the immediate attention of local police departments, there was a good deal of indirect subsidization in the form of changes in law that encouraged local police to act in the service of federal objectives. For example, the Comprehensive Crime Act of 1984 mandated that local police department cooperating with federal drug investigations would receive a share of any associated asset forfeitures. Benson *et al.* (1993) found that

⁵ Violent Crime Control and Law Enforcement Act of 1994, H.R. 3355, Title 1.

⁶ Russell-Einhorn *et al.* (2000) provide an accounting of such programs from the years 1982 through 1999.

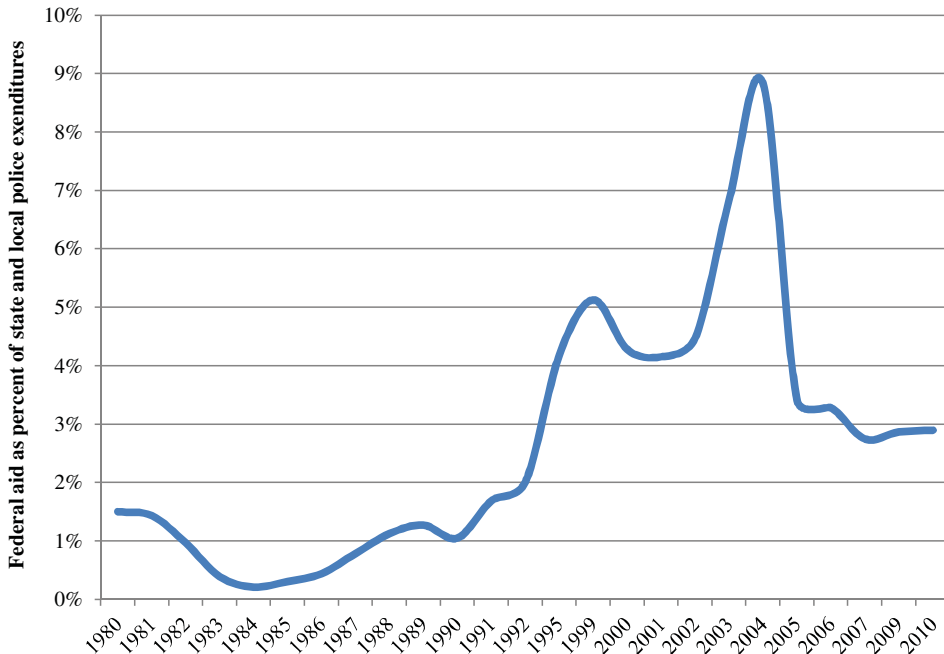
Figure 1. (Colour online) Federal aid to state and local police services.

Notes: Data compiled from Bureau of Justice Statistics using the Justice Expenditure & Employment Extract Series. Missing years: 1993, 1994, 1996, 1997, 1998. Federal aid to state and local police services is measured by the 'Federal intergovernmental expenditure on police services' for each year.

local police departments were able to generate increases in their discretionary budgets by taking advantage of this new procedure and confiscating assets during the process of investing drug-related crime. Although no direct subsidy is awarded, local police departments are being financially rewarded for directing a greater proportion of their assets toward cracking down on drug-related crime – and consequently any department choosing not to place a greater emphasis on drug related crime would be foregoing income, regardless of the community's actual public safety needs.

The increasing trend toward the militarization of the police is another force that distracts police from their roles as community partners in the provision of public safety. 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 the attitudes and practices of local law enforcement (Kraska, 2001; Mastrofski and Willis, 2010).

Figure 2. (Colour online) Federal aid as percent of state and local police expenditures.



Notes: Data compiled from Bureau of Justice Statistics using the Justice Expenditure & Employment Extract Series. Missing years: 1993, 1994, 1996, 1997, 1998. Federal aid to state and local police services is measured by the 'Federal intergovernmental expenditure on police services' for each year and is then taken as a percentage of the state and local police expenditures for that same year.

In 1981, the Military Cooperation with Law Enforcement Act authorized the Department of Defense to provide state and local law enforcement with operational advice, physical facilities, and equipment – even continued maintenance of that equipment if it was being used for an approved set of purposes (Hall and Coyne, 2013: 495). The availability of military technologies for domestic use expanded in 1997 with creation of Program 1033, designed to put excess military equipment to use by transferring it to state and local government agencies. Equipment distributed through Program 1033 includes 'body armor, aircraft, armored vehicles, weapons, riot gear, watercraft, and surveillance equipment' (Hall and Coyne, 2013: 497). These transfers subsidize the use of militaristic strategies and as such inevitably discourage communities from finding alternative solutions to public safety problems.

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. The use of PPUs in

domestic settings in the United States is attributed to Los Angeles police officer Daryl Gates, who developed the Special Weapons and Tactics (SWAT) team in response to his experiences as a police officer during the Watts Riots. The first SWAT team was deployed in 1969. Although at first SWAT teams would be used sparingly, the use of military technology and tactics in domestic situations soon became common (Balko, 2013: 43–80.) Kraska and Kappeler (1997) found a 50% increase in the number of PPU's and a fivefold increase in the deployment of those units between 1980 and 1995.

Since PPU's 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 toward militaristic action by the police. Further, although PPU's were initially created to take on situations such as violent riots, PPU's 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 PPU's 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 (Hall and Coyne, 2013).

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, and 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: 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 community-based in name only.

The response to the terrorist attacks of September 2001 has also diverted resources away from community policing and toward 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: 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 toward 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 toward intelligence, airport security, and securing critical infrastructure (Council of State Governments, 2005: 74).

In addition to distorting the incentives faced by local police, federal intervention can discourage community members from participating in coproduction, a vital component of community policing. Financial support coming from federal agencies, state government, and even large metropolitan areas is more likely to be contingent upon the continued tenure of the supporting politicians rather than the efficacy of the program. For example, the CPO program in New York only operated for 10 years before being shut down by a new mayor (Robin, 2000). Consequently, community members are often left in a high state of uncertainty as to whether or not a particular program is likely to continue:

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: 453).

This uncertainty about the durability of community policing initiatives lowers the expected return on investment to community members who are considering participating, thereby lowering the likelihood of effective coproduction.

Seattle's experiment with community policing provides another illustration of how important it is for police to credibly commit to good faith coproduction with the community. Seattle's attempts at community policing were successful in the late 1970s and early 1980s 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: 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.

The general lack of community support no doubt contributed to the failure of many community policing initiatives originated by bureaucracies in various levels of government. Especially in minority communities, citizens were often fearful of the police and expressed concern about reprisals. This is particularly concerning given that 'growing evidence demonstrates that when the police are able to gain wider legitimacy among citizens and offenders, the likelihood of offending will be reduced' (Weisburd and Eck, 2004: 59). One community leader in Hayward said, 'People on this block will not get more involved because they are afraid' (quoted in Grinc, 1994: 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: 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 and 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: 450). No communication means no coproduction.

As a result of the strong incentives for police to be nationally rather than locally focused and the lack of incentives for community members to participate in coproduction, police departments have demonstrated a failure to be truly community orientated even when adopting the rhetoric of community policing. Community policing has existed in many jurisdictions in name only, and many law enforcement agencies implemented community policing strategies without taking the necessary first step of embracing the culture (Robin, 2000: 89–94; Rosenbaum, 1994: 177–179; Rosenbaum and Lurigio, 1994). Consequently, the recent history of community policing should not be interpreted as policing through self-government as proposed by the Workshop. Instead, modern

experiences with community policing demonstrate the sensitivity of community-based initiatives to action at higher levels within the nested structure of a polycentric system.

5. Conclusion

One of the virtues of a federal system is that it enables individuals to choose at which level of government they would like to contract for provision of a particular service (Ostrom, 2008: 9). Rational individuals will allocate a particular power to the federal government if and only if the federal government is believed to be the least cost provider of the service in question (Buchanan and Tullock, 1962: 47–57). However, the reality of the recent history of American policing is that the transition to increasing federal control has in fact been rather costly.

This should perhaps not be surprising. The analytical tools of the Bloomington school are built around the presumption that individuals can be and are self-governing. As such, these tools require modification when applied to collective action that bears more strongly the hallmarks of government by others than government by the self. In the case of public safety, the necessary modification is to account for increasing federal influence on police officers. With so few agencies making decisions for so many local police departments and their customers, less and less account has been taken of the costs of public safety borne by members of the community who have little to no influence in the process. In this way, the approach taken in our paper is fundamental to understanding policing as it analyzes the incentives for community collective action and closes the gap in the literature on the perceived failures of community policing efforts. The application of this framework contributes to broader research areas not only in policing, but also in other collective action situations where federal aid can shape the failures or successes of public goods provision by localities.

The increasingly hierarchical and militaristic nature of the provision of public safety carries with it a set of risks that should not be underestimated. 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: 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. Many communities in the United States are now witnessing a new surge of police brutality events and ‘trigger-happy’ police officers. The

federal government and many states have begun to initiate police reforms. The most popular reform aims to require all police officers to wear body cameras. The argument is that these videos can serve as evidence to prosecute police officers when they have overstepped their boundaries. While the body cameras requirement is a step in the right direction, it is no panacea. For one, there are always competing interpretations of videos – a police officer who is caught on tape beating a citizen who is fighting back can be interpreted as the citizen ‘resisting arrest’. This was the case with the video evidence of Rodney King. Experts described that King was aggressing and resisting arrest, thus justifying the actions of the police officers. In short, the body camera requirement does not align the incentives of the police to be more accountable to their citizens. Reforms need to be aimed at cultivating community policing, and this requires an understanding of the broader institutional environment within which policing takes place. We contend that 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 now and in the future.

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