

Workshop in Political Theory and Policy Analysis

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Bloomington, Indiana 47401



Report 173

R 75-7

ON RIGHTEOUSNESS, EVIDENCE, AND REFORM:
THE POLICE STORY

by

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NCJRS

AUG 19 1976

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AUTHOR'S NOTE: The author is appreciative of the support provided by the Research Applied to National Needs Division of the National Science Foundation in the form of Grant Number GI-43949. Vincent Ostrom's comments and Jnana Hodson's editorial skills have greatly improved the current draft over that of earlier drafts.

To be published in a forthcoming issue of Urban Affairs Quarterly.

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The "Need" for Police Reform

The predominant wisdom has for many years argued that particular types of jurisdictional arrangements are conclusive evidence of a low output of governmental services and inefficient utilization of public resources. In 1972, for example, the Committee for Economic Development severely criticized the criminal justice "non-system" which, though in "dire need of modernization," would not be helped by "piece-meal tinkering" (CED, 1972: 13).

One major obstacle to broad national reform lies in the complex nature of American federalism as it relates to crime and justice, making evasion of responsibility easy. Citizens who desire better protection for persons and property become confused over which level of government or which agencies are primarily at fault. Wherever they turn, they find a resistance to change traditional in both bureaucratic and political circles. The result is continuing deterioration -- a trend that must be reversed, promptly and decisively, to secure a viable society. The main constitutional responsibility for crime prevention and control rests upon the states, an assignment they have botched. They have failed to keep their criminal codes up-to-date, and they have turned responsibility for enforcement over to a welter of overlapping counties, municipalities, townships, and special districts. Despite the obvious and urgent need, the states have neither straightened out their tangled and ineffective patterns of local government nor assumed direct responsibility for law enforcement (CED, 1972: 14).

The CED is asserting that law enforcement services in the U.S. are grossly inadequate. They see "the complex nature of American federalism"

as a major cause of this inadequacy. In their chapter proposing solutions, "Clearing the Hurdle of Federalism," they argue:

Piecemeal reform of the patchwork structure of criminal justice will fail; a more fundamental approach must be taken. The highly complex multilevel federal system, evolved from simpler beginnings, has its merits -- but an ability to solve the American crime problem is not among them. The present intricate division of responsibilities, functions and financial support among national, state and local levels is the chief barrier to acceptable patterns of criminal justice (CED, 1972: 64).

This view of American federalism as "the chief barrier" to acceptable levels of governmental services is not confined to analysts focusing only on police services. Congressman Henry S. Reuss, for example, has argued:

The fragmentation and overlapping of local government spells inferior services, waste, and the high taxes that necessarily follow. Little towns, villages, and counties have inefficiency built into their smallness and lack of human and financial resources. They cannot attract experts or specialists or take advantage of the savings accruing from automation and data-processing that are within the financial reach of larger units of government (Reuss, 1970: 56).

Reuss proposes, in his book and in legislation, a "marriage of revenue-sharing and of state-local government modernization" (Reuss, 1970: 124). Reuss would tie a block grant program to the creation within a state of a "modern-governments program" which "must include plans and timetables for a whole series of reforms" (Reuss, 1970: 125). He describes these reforms in the following manner:

The laundry list of possible reforms is derived from recommendations over a long period of time by such good-government organizations as the Committee for Economic Development, the U.S. Chamber of Commerce, the Advisory Commission on Intergovernmental Relations, the Council of State Governments, the National Municipal League, the National League of Cities, the Mayors' Conference, and the National Association of Counties (Reuss, 1970: 125).

He sees the possibilities for a "centralizing and regionalizing revolution in local government" which would be distinguished by several new developments. The first he points to is:

Fewer local governments. The number of counties, towns, villages, and special districts could be drastically reduced from its present 81,000 in order to enable local government to obtain adequate geographical powers and revenue sources effectively to solve local problems and to eliminate wasteful Lilliputs. Many rural counties too small to be efficient could consolidate with their neighbors for regional cooperation. Archaic township governments -- 17,000 of them -- could be steadily abolished. All told, it could be the greatest decimation of redundant governments since the consolidation of rural school districts under the pressure of state governments in the 1950's (Reuss, 1970: 145).

The other possibilities he sees include metropolitan government, home rule, the short ballot, and the merit system. He, too, is concerned about the major handicaps of a federal system and argues that his proposal for federal revenue-sharing "as a device to induce states to modernize local governments could be what is needed to make federalism work" (Reuss, 1970: 147).

In its recent report, American Federalism: Into the Third Century, Its Agenda, the Advisory Commission on Intergovernmental Relations adopts a similar perspective, though somewhat modified from some of their own earlier reports.¹ Fragmentation of local government structure is considered "tragic for urban America" (ACIR, 1974: 8). ACIR urges a policy upon the states to discourage "non-viable" units.

For a variety of reasons -- to dodge city taxes, to entice industry, and to avoid certain kinds of neighbors -- thousands of independent political subdivisions have been incorporated in the absence of strong state boundary supervision. These areas contribute heavily to metropolitan fiscal disparities, to urban sprawl and to the overlapping metropolitan jurisdictional map.

ACIR seeks State action to discourage the formation of new

units and the merger of existing non-viable units with viable general purpose governments. . . (ACIR, 1974: 10).

Jurisdictional arrangements are considered by most "good-government organizations" as the primary factor affecting the quality of governmental services in metropolitan America. Large numbers of jurisdictions serving an area are equated automatically with inferior governmental services. Complex structures are presumed to be bad. The consistent solution in this diagnosis of "inadequate" governmental services is to move toward a more unitary system and away from the more polycentric system which has developed in the American federal system. Federalism by its very nature implies multiplicity, fragmentation, and overlap. These "hurdles," however, are the very things the "good-government organizations" wish to eliminate in their proposals to make federalism work.

Two Perspectives on Reform

One can examine the proposals of the CED, ACIR, Reuss, and many other of the "good-government organizations" that Reuss mentions, from either of two perspectives. The first is related to the central theme of this volume -- making urban public policy useful and corrigible. This approach accepts Norton Long's hope that "the explanatory theory that underlies the intervention strategy could be made explicit and testable in terms of practice and hence corrigible."² In this perspective, one would attempt to elucidate the explanatory theory underlying proposals for large-scale consolidations and to test empirically the propositions derived from such theory. Proposed interventions would be based on some estimate of the likely consequences derived from empirical evidence.

The second perspective is expressed by Robert C. Wood, who in a 1958 article extrapolating trends toward metropolitan government for 1975, urges political science "to repair to its traditional role of normative commentary" (Wood, 1958: 109). He concludes his extrapolation by asserting:

In the end, the case for metropolitan reform, the drive for larger governments and for one community is as strong as ever. It is not a case built on necessity, on the threat of impending disaster, or on the consequences of modern technology. It is a case dependent on value judgments and philosophical disputation. But it is a strong case and perhaps a more appealing and persuasive one since its norms have been frankly admitted, and pretensions of scientific objectivity left behind. Metropolitan reform may not have been right so far as its analysis of empirical data is concerned, but it has always been righteous in the best sense of the word, and it remains righteous today (Wood, 1958: 122, my emphasis).

Wood's perspective would have us recommend urban public policy based on the motives or passions of the proponents and not on an analysis of empirical evidence. Thus, the policy recommendations of the "good-government organizations" should be examined from the point of view of their righteousness rather than by their potential effects.

While Wood's perspective has dominated much of the analysis of metropolitan reform, Long's perspective is the one that receives my support. Indeed, righteousness is an important value. But without the scientific objectivity which Wood eschews, one can be both righteous and wrong. An ethics appropriate for public policy analysis must include an ethics of consequences as well as an ethics of motives. Public policies adopted for righteous motives but lacking in empirical validity can evoke unanticipated and harmful consequences. The cure can be worse than the disease! The results can be counterproductive of the intent.

Concern for evidence and scientific objectivity has not characterized

the analysis of the many national commissions in recommending major structural reforms of the urban police industry. The commission reports seem to assume that there is a valid explanatory theory and supporting evidence without any need to array it. The reports provide us with considerable insight into how assertions are used as proxies for evidence in the preparation of recommendations. The assertions have been repeated for so many years, and by such righteous groups, that few questions have been raised about their empirical validity.

Why is Evidence Crucial?

The issue of empirical validity is crucial. Future urban policies are being molded to conform to righteous reform proposals that lack evidence concerning their empirical warrantability. The Law Enforcement Assistance Administration, for example, has offered substantial financial inducements to localities to undertake consolidation in one form or another. The National Advisory Commission on Criminal Justice Standards and Goals has recommended the elimination of all police departments with fewer than 10 full-time officers (National Advisory Commission on Criminal Justice Standards and Goals, 1973: 110). The Michigan Commission on Criminal Justice has recently recommended the adoption of a statewide standard that urges the elimination of all police agencies of fewer than 20 full-time officers. If the basis for these reforms is righteousness alone, and if empirical evidence indicates that adverse consequences may flow from the adoption of these reforms, it is important indeed to examine the empirical base for the assertions made by reform commissions.

An Examination of the Evidentiary Base for Some Recent National Reports on Police Reform

Let us turn first to the Task Force Report: The Police, written in 1967 for the President's Commission on Law Enforcement and Administration of Justice. This report has been widely distributed to federal, state, and local public officials throughout the country. It is in the working library of almost every criminal justice coordinating council at all levels of government. It is cited extensively in state documents recommending major consolidation of law enforcement agencies.³

In a chapter on "Coordination and Consolidation of Police Service," the task force asserts: "Formal cooperation or consolidation is an essential ingredient in improving the quality of law enforcement" (Task Force on Police, 1967: 68). For the first part of the chapter, various methods of providing staff and auxiliary services through cooperation are explored. But when the task force turns to its discussion of "Police Service and Jurisdictional Consolidation," it comments:

Thus far, this chapter has considered methods of ameliorating the effects of decentralized local police administration through the coordination or consolidation of staff, auxiliary, and certain field functions. It has not considered coordination or consolidation in relation to basic patrol services; yet, if these services are not considered, it must be on the assumption that every police agency, regardless of size is capable of providing them effectively if staff, auxiliary, and certain field services are available on a coordinated or consolidated basis. Such an assumption is not valid (Task Force on the Police, 1967: 98).

The task force then states its preference for partial or complete consolidation rather than the mixed coordinative devices described earlier in the study.

Partial or complete consolidation of police services reduces conflicts over jurisdiction; with consolidation there are fewer jurisdictions with which to contend. The more compelling

reason for consolidation is the elimination of the law enforcement powers of jurisdictions that do not provide quality law enforcement because of administrative deficiencies or financial inadequacies (Task Force on the Police, 1967: 99).

What evidence is cited to support this contention? Only lists of departments indicating their size of manpower employed! For example, the task force states:

A recent survey of police manpower in two counties in the Chicago metropolitan area revealed that many of the small departments employ more part-time (not auxiliary) police officers than full-time officers. Indeed, one department was entirely so staffed. . . . A similar survey in Onondago County, Syracuse, N.Y., showed that there are 13 towns and 17 villages employing a total of only 34 full-time police officers and that the bulk of police service is provided by 104 part-time officers (Task Force on the Police, 1967: 98-99).

Lists of agencies and the number of officers employed tells us nothing about their comparative performance. The reason given for the assumption that part-time police officers are less effective than full-time officers is that part-time officers are assumed to be less well trained. Yet no evidence is provided to show that training is in fact associated with better performance. In our own study of the comparative performance of 29 police agencies serving the St. Louis metropolitan area, we did not find positive relationships between the level of entry training provided officers in a department and several measures of police performance (Smith and Ostrom, 1974). Further, depending upon state law, part-time officers may be as well trained as full-time officers. No necessary connection exists between the level of training and the employment status of an officer.

Given the focus by the task force on the list of agencies with part-time personnel serving the Chicago metropolitan area, it is also

important to note that an empirical study of the performance levels of two of the predominantly part-time departments listed by the task force and of the full-time, professional Chicago department did not establish that the Chicago Police Department performed more effectively than the part-time departments (Ostrom and Whitaker, 1973). By the task force's compilation, East Chicago Heights employed five full-time and four part-time officers and Phoenix employed seven full-time and 13 part-time officers. Both departments serve predominantly black communities. These police departments, which the task force finds "distressing," were shown in our data to perform at least as well as the professional Chicago Police Department in serving similar black neighborhoods within the City of Chicago.

While the finding that two extremely small, part-time police forces could perform at the same level as the large, professional Chicago Police Department would be rather surprising to many, our findings in regard to efficiency are even more startling. In studying the resources devoted to the neighborhoods served by the Chicago Police Department, we discovered that the city allocated 14 times more resources per capita to provide police services in these neighborhoods than were available to the Police Departments serving Phoenix and East Chicago Heights (Ostrom and Whitaker, 1974). Given similar levels of performance, the great disparity in costs would indicate that the small, part-time departments -- which the task force criticized -- were more efficient.

The righteous indignation of the task force concerning the distressing presence of small police departments relying heavily upon part-time employees, may have prevented the residents of these two black communities from

receiving more effective police services. The two communities rely heavily upon part-time police because of their relative poverty. The individual police department budgets for these two communities in 1970 averaged around \$40,000 a year. But, when the police chiefs from these two departments sought federal or state funds to increase their financial resources, the only substantial grants for which they were eligible (because of their small size and low budget) were planning grants -- to consider consolidation with adjacent communities. And, because in both instances these black municipalities were surrounded by communities populated primarily by white residents, such a consolidation was politically infeasible. The joint proposal by Phoenix and East Chicago Heights to the Illinois Law Enforcement Assistance Commission to consider consolidation of some of these staff services (such as records, purchasing, and field laboratory services) was rejected because the communities were located seven miles apart. Somehow, if we are to believe the traditional reasoning, it is efficient to have one record keeping system or one crime laboratory for an entire metropolitan area -- to serve all municipalities regardless of distance -- but it is inefficient for two departments located only seven miles apart to share joint facilities.

At several places in the Task Force Report: The Police, the staff appears to have relied upon only one respondent to supply information on controversial questions. In discussing criminal investigation services, for example, the report discusses several arrangements including those in Suffolk County, New York, and in the Metropolitan Police Department in Nashville-Davidson County. In Suffolk County it found that the county provided only follow-up criminal investigation within separately

incorporated communities. Then it reports:

The Metropolitan Police Department of Nashville-Davidson County provides a similar service, but there is an important difference resulting from the way the police services in the two jurisdictions are organized. The Nashville-Davidson department provides complete police service to all Davidson County including the areas served by three small municipal departments, none of which employs criminal investigators. If a citizen in an area served by a separated department needs immediate service, he may call either the metropolitan police or the independent department; but even though it receives the initial call, the independent department usually relays it to the metropolitan department. Thus, the metropolitan department assumes complete control of cases from initial through follow-up investigation (Task Force on the Police, 1967: 94).

The source of this information was an interview with Hubert O. Kemp, Chief of the Metropolitan Police Department of Nashville-Davidson County. This information was apparently not verified with any of the other three police departments involved.

By contrast, when Rogers and Lipsey undertook their study of Nashville-Davidson County in 1973, they asked respondents living in Berry Hill (an independently incorporated community) and in Woodbine (an adjacent neighborhood), "What police department has jurisdiction in this neighborhood?" Ninety-eight of the 106 Berry Hill respondents indicated Berry Hill alone, while the remainder (other than one "don't know") indicated some joint or individual responsibility by the Metro police force. Of those living in Woodbine, who were formally served only by Metro, 15 percent indicated that Berry Hill had either sole or joint responsibility for police services in their neighborhood (Rogers and Lipsey, 1974: 34). These findings surprised Rogers and Lipsey and they asked to ride with the Berry Hill police to see why respondents outside the jurisdiction of Berry Hill had indicated service by the small adjoining department. In the normal

course of patrol, they found that the Berry Hill police routinely patrolled into the adjacent area.

They further found that Berry Hill Police at times answered calls for the Metro Police Department in adjacent areas due to the thin coverage offered by the Metro police in general and the absence of all Metro patrols from the streets during roll call three times each day.⁴ Thus, claims to the effect that the Metropolitan Police Department of Nashville-Davidson county pursues most calls in the independent communities from the beginning appear to be unsubstantiated when involved residents are interviewed and observations of day-to-day operations are made.

Later in the same report, the task force indicates that the continued existence of private police forces and small municipal police departments has been a problem for the Nashville-Davidson County area.

This is unfortunate because of some overlapping jurisdiction and because the residents of areas served by the metropolitan department and the private or small municipal agencies, as a matter of local choice, are paying more for police protection than is necessary. As has been noted, however, jurisdictional problems are minimized by the unquestioned authority of the metropolitan department. As a practical matter, the chief of the metropolitan department feels that the independent departments served a useful purpose in the period following the reorganization before the metropolitan department could adequately cover the suburban and rural areas. This situation has now been remedied through the addition of personnel and an increase in patrol coverage (Task Force on Police, 1967: 102).

The task force relied for information about both interjurisdictional arrangements and comparative performance levels upon an interview with one chief of police in the larger jurisdiction. The evidence they use to support their analysis of the performance of large and/or consolidated departments generally does not appear to be any better than the evidence

used to support their evaluation of the performance of the Metropolitan Department of Nashville-Davidson County in particular.

Even more startling, when one thinks about it, is the circumstance that the parent body of this task force -- the President's Commission on Law Enforcement and Administration of Justice -- spent a large sum on empirical research. It contracted with the National Opinion Research Center at the University of Chicago for a nation-wide victimization survey and a general survey of citizen attitudes toward the local police. Neither the President's Commission nor NORC included information about the size of jurisdictions nor the number of jurisdictions rendering police services to respondents in each sample area. But when we added information from the Municipal Year Book on city size and expenditure levels to the NORC data, our analysis supplied evidence to reject several of the Commission's recommendations as being empirically unwarranted (E. Ostrom and Parks, 1973).

In general, examining the responses from approximately 2,000 respondents residing in 109 cities of more than 10,000 population, we found consistent but weak inverse relationships between size of jurisdiction and general evaluations of police services. All significant relationships run counter to those which would support the assumption that large-sized departments are more effective. Feelings of safety decrease with size; fear of break-in and attack increase with size; the rating of police honesty decreases with size. We were able in this study to explore the possibility that the relationship between size of police department and performance is curvilinear. Indeed, we found the direction of the relationship between size and citizen evaluation to change at

20,000 citizens served for suburban communities and at 100,000 citizens served for center cities. There is, thus, some preliminary evidence that evaluations of medium sized departments may be higher than either those of the very small or large departments.

In regard to the cost of police services, we found a positive relationship between city size and per capita costs. We then controlled for the quality of services provided. If difference in quality of service were the explanation for the positive relationship between size and cost, the relationship would disappear or would change signs. There was virtually no change in the coefficient when quality levels were controlled (Ostrom and Parks, 1973).

The National Advisory Commission on Criminal Justice Standards and Goals appears to have used evidence no better than its predecessor did. In its list of references for the chapter on "Combined Police Services," no empirical studies of the relationship between size and costs or performance are listed. Instead, several textbooks, anecdotal articles describing innovation in The Police Chief, and various reports of local study commission or local police departments are listed.

The lack of evidence, however, does not deter them from making such assertions as:

Consolidation can frequently upgrade police service and lower its cost. This is often the case when counties consolidate municipal and county police agencies to create a single county-wide police force. Because it is larger, the consolidated agency usually has superior resources. Because it eliminates much duplication, it is usually less expensive -- citizens get more for their money (National Advisory Commission on Criminal Justice Standards and Goals, 1973: 109).

The few studies of the effects of consolidation which have been undertaken have shown that per capita costs of services such as police have risen

considerably after consolidation (McArthur, 1971; Kaplan, 1967). The literature of public finance has focused on this question through the years. Most of the empirical studies in this tradition have found a positive relationship between city size and per capita costs of police service (Bahl, 1969; Brazer, 1959; Gabler, 1969, 1971; Fowler and Lineberry, 1972). Other studies have found no relationship between city size and per capita expenditures on police (Hirsch, 1959; Weicher, 1970). None of these empirical studies have reported a negative relationship between city size and per capita expenditures on police. Nevertheless, in describing the recent consolidation of the City of Lexington and Fayette County, Kentucky, the National Advisory Commission reports:

The city and county police departments have merged and the chief of the merged department reports to the chief executive of the urban county government.

Combining police responsibilities under one agency permitted the consolidation of such functions as communications, records and identification, investigation, and traffic and patrol. The result has been greater overall efficiency (National Advisory Commission on Criminal Justice Standards and Goals, 1973: 113, my emphasis).

There is no citation of any evidence to support this assertion about "greater overall efficiency."

The Report continues by discussing the Jacksonville-Duval County, Florida consolidation:

The Jacksonville consolidation demonstrated that although consolidation may be more efficient, it is not necessarily more economical. Consolidation may require more personnel to bring all areas up to the level of desired service; it may involve salary increases to equalize the salaries of personnel involved in the merger, and it may cost more to equip and house the larger staff. Consolidation is much less likely to save money than to improve effectiveness (National Advisory Commission on Criminal Justice Standards and Goals, 1973: 113, my emphasis).

Again, no citation or evidence is presented to support these claims of

improved effectiveness and increased efficiency. Despite the consolidation, police coverage remains below the average for the 40 largest police departments in the country surveyed each year by the Kansas City Department. In regard to the number of police officers per 1,000 population, Nashville-Davidson County, Jacksonville, and Indianapolis are among the lowest seven departments included in the Kansas City Police Department's 1973 report. In regard to the number of policemen per square mile of area patrolled, Nashville and Jacksonville are two of the lowest three departments in the 1973 report.

The National Conference of State Criminal Justice Planning Administrators, in its 1974 report on the State of the States on Crime and Justice, indicates as cited above that many states are studying the need to assimilate smaller police departments into larger units. In prefacing this report of state activities, the National Conference observes:

Several recent studies have indicated that small police departments -- those with fewer than ten officers are usually cited -- often provide inadequate services and are not cost effective (National Conference of State Criminal Justice Planning Administrators, 1974: 43).

Even though the report is generally footnoted, no references are cited for this statement. One would like to know where to gain access to these studies!

Each task force or study group whose report I have discussed in this section willingly recommends rather sweeping reforms of our current organizational arrangements for the provision of police services in the United States. But little or no evidence on the effects of the suggested reforms has been supplied.

Why?

Once one becomes aware of how little evidence has been used by the various national and regional groups in arriving at their recommendations for large-scale consolidation of such local government services as police, one begins to wonder why. Two answers seem reasonable. The first is that the presumptions underlying the proposed reforms have been so unquestionably accepted by so many scholars and analysts that they have been presumed true (V. Ostrom, 1973). The presumption, for example, that larger scale leads to economies has considerable face validity since in some private goods industries, larger scale has indeed led to economies. There has also been a tendency to assume that because large capital investments are required to provide services such as crime laboratories, and because, therefore, economies of scale may be involved in the provision of these services, that consolidation of all police services is similarly desirable. The study commissions and others have acted as if they had an empirically valid theory. So long as an alternative theory or set of diverse hypotheses was not posed, the need for empirical data to ascertain the nature of relationships between size and fragmentation on the one hand, and effectiveness, efficiency, and equity, on the other, was not perceived.

There has been one task force appointed in recent years that did not assume that the presumptions underlying the consolidation proposals were true. In the early spring of 1973, a Task Force on Local Government Reform was appointed by the Governor of California to explore the effects of jurisdictional arrangements on governmental services. The State of California has been frequently cited as one of the states in which problems

of fragmentation and overlap are most severe. In 1973 there were 4,703 units of local government in California, including 58 counties, 410 cities, and 4,235 special districts (Task Force on Local Government Reform, 1974: 6). The task force undertook an extensive research effort on the relationship of size and fragmentation to costs and performance. Its research focused almost exclusively on California data, but a general review of the empirical literature about these relationships was also presented.

The task force did not adopt the assumption stated by ACIR that political subdivisions have been created only "to dodge city taxes, to entice industry and to avoid certain kinds of neighbors." The task force argued that "the number of local governments must be seen as a function of citizen demand for certain services and the kinds of governments that provide them" (Task Force on Local Government Reform, 1974: 8).⁵

Thus, the number of units seems to increase with an area's need for specialized services, either technical (and often agricultural) services such as irrigation, land reclamation . . . or limited urban services like sewage, lighting and water supply. Only 20% of all independent special districts are found in the 12 most populous counties, which represent over 72% of California's population. Indeed, taken to its logical (but, in this case farcical) conclusion, as measured by number of governments per capita, Alpine, Modoc and Sierra are the most "fragmented" counties, while Los Angeles, Alameda and Santa Clara counties are least "fragmented" (Task Force on Local Government Reform, 1974: 8).

In addition to several supporting empirical studies, the final report of the task force presented a rather extensive summary of empirical data related to the effects of size and fragmentation on services costs and economies of scale. Minus references to specific data, the task force outlined its findings in the following manner:

1. Service Costs

a. Per Capita Expenditures

- 1) In a given area total per capita local government expenditures do not rise as the number of units increases. . .
- 2) Per capita costs increase along with the size, rather than the number, of government units. . .
- 3) Per capita expenditures by function also increase with size. . .

b. Economies of Scale

- 1) The Task Force found no statistically significant relationship for labor intensive services between the size of government unit and the cost of performance. The Task Force conducted studies on the relationship of size to cost for the following services: County Assessor's Services, County Tax Collection, County Elections, Municipal Fire Protection, County Road Maintenance, Municipal Street Maintenance, Sewage Treatment, Education, County Welfare, County Medical Assistance. . .
- 2) Research has suggested that public agencies and particularly large ones may not capture economies of scale. . .

c. Public and Private Service Contracting

- 1) Contracting for service provides local governments with a choice of service producer and allows small units to realize cost savings where they exist. . .
- 2) Private service provision also offers local governments an excellent opportunity to reduce service costs for many functions (Task Force on Local Government Reform, 1974: 10-15).

After a consideration of the evidence, the task force concluded:

a system of highly flexible and independent local government units is as capable or more capable of providing the quality of service that people expect than a centralized and consolidated government system. In fact, our evidence on functional costs, on economies of scale and on the impact of professional influence indicates that a reduction in the number of governmental units, through consolidation of local units, would

produce a system less likely to provide public services of a quality and at a cost that suit the diverse preferences of the citizens of California (Task Force on Local Government, 1974: 23).

The data gathered and analyzed by the California task force, together with the data and analysis of a number of studies designed and carried out by the Workshop in Political Theory and Policy Analysis at Indiana University,⁶ consistently challenge the presumptions used by the national commissions. Reiterations of assertions, accepted on faith by "good-government organizations," does not establish the empirical warrantability of those assertions. It can only be hoped that future study commissions at local, state, and federal levels will do more than accept the traditional dogma before they make righteous proposals for major reform which will not lead to the consequences which these very groups say they wish to achieve.

A second reason for the lack of evidence concerning the presumed relationships between size of local government unit and performance, is the great difficulty in measuring the performance of most local government services. This is particularly compounded in the case of police services. The F.B.I. crime statistics have been strongly rejected by both social scientists and police administrators as being neither valid nor reliable measures of performance. None of the records routinely maintained by police departments themselves enable an analyst to compute easily the effectiveness of a particular police force. The internal records of most police departments consist mainly of workload data -- rates of reported crime, traffic citations, and clearance of reported cases, for example (Parks, 1975). The indeterminacies involved in the production of police services has led some top police officials

to place special emphasis upon "improving" performance as measured by such indicators. Thus, police-maintained indicators of output may be inflated because of internal pressures within a police department to produce the "right" data.

It is possible to utilize a multi-mode approach to the measurement of police output and to that of other local public services (E. Ostrom, 1975c). Such a multi-mode approach involves a conscious gathering of performance indicators from more than a single source of data. While any one measure may have biases of its own, a multiple set of measures enables one to examine and compare patterns across indicators. If all indicators of performance move in the same direction, one can begin to have confidence in any one of them or in predictions about performance that would be made from the set.

In the police area, one would want to include a number of indicators derived from internal and external data sources. These would include such activity data as: 1) Volume of call responses made; 2) Speed of the responses made; 3) Number of calls referred to another and proper agency; 4) Emergency runs made; 5) Number of arrests made; and 6) Clearance rates. A different type of indicator would be produced by examining citizen complaints against police and the number of arrests made for resisting arrests. Ascertaining the division of manpower internal to a department would provide an indicator of the proportion of the force devoted to patrol and other services. Citizen surveys produce data on victimization rates, perceptions of service levels, and evaluations of that service. Additional indicators such as the proportion of warrants issued to warrants applied for by local prosecutors may, in some instances, be appropriate measures of performance (Parks, 1975; Advisory Group on Productivity in Law Enforcement, 1973).

Where statistics routinely gathered during the course of a working situation are not adequate measures of performance, the costs of obtaining the additional measures are high. But the cost of measurement should not deter reform-minded commissions from engaging in some carefully designed empirical studies before recommending major structural reforms. If reforms are adopted and the performance of local governmental units becomes worse instead of better, the costs of such failures would far exceed the costs of obtaining better data.

NOTES

¹However, in other recent ACIR publications a different approach has been taken. See, for example, ACIR, 1974b.

²Letter of November 21, 1974.

³See, for example, the report entitled Law Enforcement in Virginia written for the Virginia Division of Justice and Crime Prevention in 1973 which refers extensively to the Task Force Report: The Police. A count of the footnotes in this volume reveals that one-third of the citations are to this report.

⁴Personal communication with Bruce Rogers. The low coverage of the Metro Police has become a major issue in Nashville. The following editorial appeared in the Nashville Banner on January 10, 1974:

For many years, Nashvillians have known, to one degree or another, that their police department was not adequate for its job. People have not always agreed on why this was true -- and indeed there have been various operational shortcomings over the years. But behind the inadequacy has long been -- and certainly is now -- a lack of money.

While the crime rate goes up and up, the Metro Police Department is in critical need of funds to support even basic policing operations. The extent of the need is vividly shown in the survey of 40 police departments across the country made by the Kansas City Police Department. Nashville ranks near the bottom in almost every phase of the survey -- while serious crimes here increase 13.4 per cent -- to 17,859 -- during the first nine months of last year over the same period of 1972. . .

Metro ranks very low among the 40 cities studies as to its number of policemen related to area and population; fourth from the bottom in its police budget per-capita; ninth from lowest in total budgeted dollars, and equally as low or lower in salaries of officers -- all this despite the fact that a number of the cities are smaller than Nashville-Davidson County, which are combined into our one local government.

⁵Since this report was released in only a small quantity and there has been considerable interest in it nation-wide, it was reproduced by the Workshop in Political Theory and Policy Analysis of the Department of Political Science at Indiana University for distribution at cost. Anyone wanting to receive a copy of this report can obtain information about availability and cost from Publications Secretary, Workshop in Political Theory and Policy Analysis, Morgan Hall 121, Indiana University, Bloomington, Indiana.

⁶In addition to the papers and articles discussed in the text, see E. Ostrom, et al. (1973), E. Ostrom (1975a and 1975b), Parks (1975 and 1976), McDavid (1974), and Gregg (1974).

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