

# Comparative Politics Newsletter

The Organized Section in Comparative Politics of the American Political Science Association

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## Letter from the Editors

by Matt Golder & Sona N. Golder

The Pennsylvania State University

Welcome to the Spring 2018 issue of the Comparative Politics Newsletter. Our current issue includes a symposium on the comparative politics of policing guest edited by [Charles Crabtree](#) from the University of Michigan. Charles has been invaluable as an editorial assistant throughout our time as editors. His published research addresses different aspects of repression and discrimination in comparative, American, and international politics, and his dissertation focuses specifically on the politics of policing. His research background makes him the ideal guest editor for this issue of the Newsletter. As such, we leave it to him to provide a more detailed [introduction](#) to our symposium.

### *I. New Editors for the Comparative Politics Newsletter?*

We wanted to remind you that our time as editors of the Newsletter is drawing to a close. Our last issue will be published this Fall and will focus on information manipulation and fake news. As yet, there is no new editorial team to take over the running of the Newsletter.

We believe that the Newsletter is an important and valued part of the comparative politics community within the American Political Science Association (APSA). We have used our editorial position to address the topics we think are important in the comparative politics subfield, to build bridges across different scholarly communities, and, in particular, to highlight the research of young up-and-coming scholars. Among other things, our issues of the Newsletter have addressed:

- [Race and ethnic politics in comparative perspective](#) (Fall 2017).
- [Women/gender and comparative politics](#) (Spring 2017).
- [Populism in comparative perspective](#) (Fall 2016).
- [Data access and research transparency](#) (Spring 2016).
- [Training the next generation of comparative politics scholars](#) (Fall 2015).
- [Studying sensitive political phenomena](#) (Spring 2015).

The current issue on the comparative politics of policing also addresses a topic we think is both politically salient and understudied. As you can see, editing the Comparative Politics Newsletter provides a great opportunity to

highlight and promote the types of research and scholars you think are important. We should also note that your audience is large, with well over 1,000 members from around the world in APSA's Comparative Politics section receiving the Newsletter.

For those interested in becoming the new editorial team for the Newsletter, we encourage you to contact Cathie Jo Marin ([cjmartin@bu.edu](mailto:cjmartin@bu.edu)), who is President of APSA's Comparative Politics Section, and/or Karen Jusko ([kljusko@stanford.edu](mailto:kljusko@stanford.edu)), who is chairing the selection committee tasked with finding a new editorial team. If anyone wishes to discuss with us our experience running the Newsletter, you should feel free to contact us at [mgolder@psu.edu](mailto:mgolder@psu.edu) or [sgolder@psu.edu](mailto:sgolder@psu.edu).

### *II. Congratulations*

We want to finish by congratulating some of the graduate students who have worked with us on the editorial board of the Newsletter. Two are starting tenure-track jobs in the Fall. [Molly Ariotti](#) studies political institutions in African democracies and is starting as an assistant professor at the University of Georgia. [Amanda Fidalgo](#) studies subnational authoritarianism and is starting as an assistant professor at New College of Florida. Another student, [Kostanca Dhima](#), who studies gender and political representation, will be leveraging what she has learned on the Newsletter editorial board as she takes on a new role as the editorial assistant at *Political Science Research & Methods*. We wish them well!

Two other graduate students, both of whom have acted as editorial assistants for the Newsletter, Charles Crabtree and Yaoyao Dai, will be on the job market this Fall. Charles, who is also the guest editor for this issue of the Newsletter, is interested in research design and uses machine learning and experiments to study different aspects of repression and discrimination. Yaoyao uses experiments, quantitative text analysis, and computational science to study populism in authoritarian regimes, information manipulation (censorship and propaganda), and anti-corruption campaigns. We encourage you to check out their webpages at <http://charlescrabtree.com/> and <http://sites.psu.edu/yaoyaodai/>.

Matt and Sona

# Symposium: The Comparative Politics of Policing

## Introduction: The Comparative Politics of Policing

by [Charles Crabtree](#)

University of Michigan

As guest editor, I am excited to introduce this symposium on the comparative politics of policing. By police, the contributors and I are referring to domestic security forces broadly conceived, including the police, militia, para-police, and other agents of the state authorized to use force domestically (primarily, though not necessarily exclusively) in the pursuit of crime or social control. In a well-known passage of ‘Politics as a Vocation,’ Weber (1946) defines the state as a “human community that (successfully) claims the monopoly of the legitimate use of physical force.” While scholars have subsequently taken issue with various aspects of this definition, such as the emphasis on the ‘monopoly’ and ‘legitimate’ use of violence, almost all contemporary definitions of the state acknowledge that the *sine qua non* of the modern state is its reliance on coercion and its use of violence. As such, the comparative politics of policing refers to a core aspect of politics writ large – how, when, and why the state uses physical force or the threat of force in a given geographic territory.

As the personification of the state’s coercive power, individuals often come into contact with the police. In America, for example, about 20 percent of all adults have some kind of encounter with the police in a given year (Eith and Durose, 2011). Public-police interactions occur about as frequently in other countries. It has been estimated, for instance, that one in two citizens in Belgium, Finland, and Sweden will be approached, stopped, or contacted by domestic security forces within a two-year time period (Staubli, 2017). According to the same research, more than one in every four citizens can expect to experience interactions with the police over the same two-year time period in at least 16 other European countries. While similar statistics for other countries, particularly autocracies, are often unavailable, we can imagine that these types of interactions are just as, if not more, common. This would mean that every year millions of people, perhaps hundreds of millions, cross paths with the coercive arms of their states.

Given their coercive powers and the frequency with

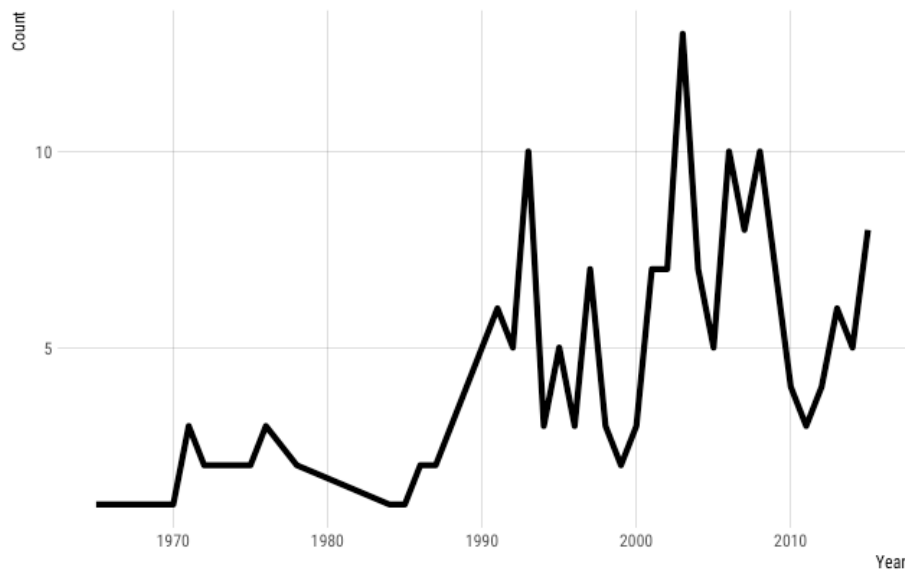
which they interact with citizens, it is perhaps not surprising that the police hold a prominent position in the public’s consciousness and imagination. Indeed, there is evidence that the police are increasingly on the minds of the public in countries like the United States. In Figure 1, I show the number of songs from the annual Billboard 100 that make reference to the police. From 1965 to 1985, it was rare for popular songs in the U.S. to mention law enforcement. However, this situation changed markedly after the late eighties. Since then, about 1 out of every 20 songs in any given year mentions the police. Figure 2, which plots the relative frequency of weekly Google searches for news items that include the word ‘police,’ provides evidence of a more recent upsurge in American public interest in policing that tends to coincide with the police killings of Eric Garner and Michael Brown. The vertical axis is scaled from 0 to 100, so that 100 represents the highest number of searches in a week for a news item that includes the word ‘police’ between 2010 and 2018. Among other things, Figure 2 shows that individuals ‘googled’ for news about the police almost twice as frequently from 2014 as they did from 2010 to 2014.

### *I. Survey of the Comparative Politics of Policing Literature*

Given the core constitutive role that the police play in the functioning of the state, as well as the frequency of, and interest in, citizen-police interactions, we might expect the politics of policing to occupy a prominent place in the social sciences. However, this is not the case. The politics of policing remains relatively understudied across the social sciences, and in political science in particular. In what follows, I provide a brief overview of the general contours in the politics of policing literature within political science. Specifically, I focus on the frequency with which the police have been the subject of political science research; I describe the geographic coverage of the politics of policing research; and I identify the central topics that dominate the existing literature.

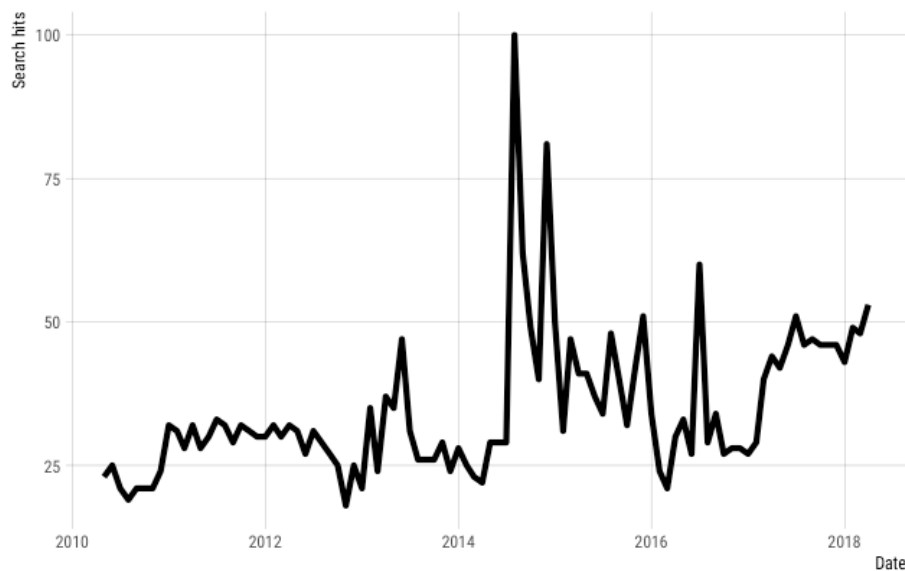
**Data:** My survey of the literature draws on a large corpus of peer-reviewed publications related to policing. Specifically, I collected the population of journal articles available on [JSTOR](#) that include the terms ‘police,’

Figure 1: Police and Billboard 100 Songs, 1965-2017



*Note:* Figure 1 presents the number of Billboard 100 songs that mention the police from 1965 to 2017. The vertical axis indicates the number of songs that contain the word 'police,' 'cops,' or 'sheriff'. The horizontal axis indicates the year.

Figure 2: Public Interest in 'Police' News, 2010-2018



*Note:* Figure 2 indicates the frequency with which individuals used Google to search for news items that include the word 'police'. The vertical axis is scaled from 0 to 100, so that 100 represents the highest number of searches in week for a news item that includes the word 'police' between 2010 and 2018. The horizontal axis indicates the week.

‘policing,’ or ‘security agent’ from 1980 to 2018.<sup>1</sup> This corpus comprises 65,285 texts. After removing articles with incomplete metadata, I am left with a cleaned corpus of 58,827 articles across 2,365 journals.<sup>2</sup> These articles obviously appear in the journals of multiple disciplines. Once I limit myself to only those articles that appear in political science journals, I am left with 14,309 articles in 95 journals.<sup>3</sup>

To address the fact that not every article that includes the terms ‘police,’ ‘policing,’ or ‘security agent’ is focused on the politics of policing, I remove those articles that only infrequently include phrases related to law enforcement. Specifically, I count the number of times that ‘police’ and the many derivatives of this word, such as ‘sheriff’ and ‘cop,’ appear in each article. I then calculate the 90<sup>th</sup> percentile of this variable (5), and remove from the corpus any articles that have a lower count than this. This leaves me with 1,439 articles published in political science journals that make frequent mention of domestic security agents. This final corpus contains 10,689,081 words, with an average of 7,164 words per article ( $\sigma = 5,861$ ).

After identifying the corpus of interest, I transform it into a document-term matrix (DTM) for analysis. This is a data frame where the rows are documents, the columns are words, and the cell entries contain the counts of word occurrences. In doing this, I remove a set of stopwords that include the 100 most frequently used words in the English language, some additional words related to errors created in the article digitization process, and all numbers from 1 to 1,000,000. Following standard practice, I also stem words, reducing them to their base forms.

**How often do political science journals publish articles on policing?** Figure 3 shows the number of policing articles that have been published in political science journals from 1980 to 2018. The black line refers to the

articles in all political science journals, whereas the orange line refers to only those articles published in the *American Journal of Political Science*, the *American Political Science Review*, and the *Journal of Politics*. On average, only about 40 articles per year have been published on policing in political science. This is an incredibly low number given the importance of the police to state governance and the total number of articles published in all of political science. While the overall volume remains low, the upward sloping black line in Figure 3 does indicate a steady increase in academic research on policing in political science.<sup>4</sup> Interestingly, the increased interest in policing in political science research is not reflected in the publications that appear in the discipline’s top journals. Indeed, it is rare to see any articles on policing in these journals in a given year. Overall, the information portrayed in Figure 3 indicates that despite its importance the police remains a peripheral topic in the political science literature.

**Where have we studied policing?** Policing-related articles in political science tend to focus on only a handful of countries around the world. Figure 4 shows the geographic coverage of political science research on policing. Countries shown in darker colors have received more attention in the political science literature.<sup>5</sup> Perhaps unsurprisingly, the United States is by far the most studied country in the policing literature. Specifically, the United States is mentioned in 787 (54.7%) of the policing articles published in political science journals. The next three most frequently studied countries are China (403), India (386), and Russia (321). In contrast, the Global South receives very little attention in the policing literature. Indeed, a number of countries there and elsewhere are not mentioned at all.

On the whole, the map shown in Figure 4 suggests that we probably know little about the politics of policing in many areas of the world. Institutional and disciplinary incentives naturally encourage researchers to

<sup>1</sup> I gathered this data from JSTOR’s extremely useful, but relatively underused, [Data for Research service](#).

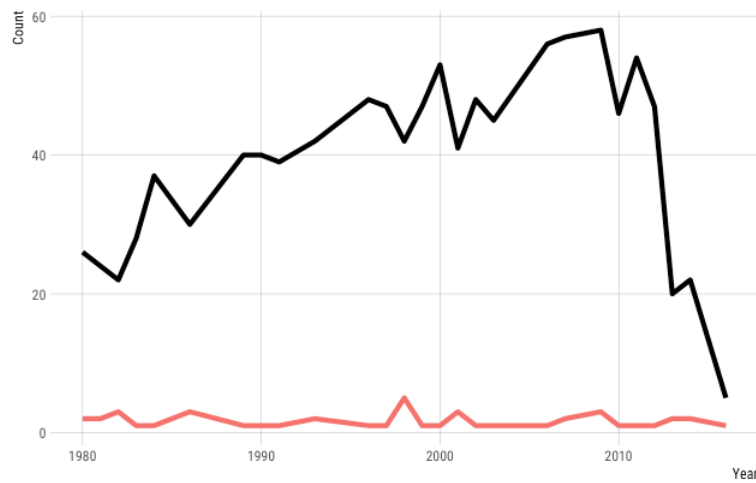
<sup>2</sup> The metadata that I collected for each article includes the name of the article, the names of its authors and their institutional affiliations, the name of the journal that published it, the year in which it was published, and the included citations.

<sup>3</sup> I used those journals listed by [Giles and Garand \(2007\)](#) to identify political science journals. I updated the Giles and Garand list to include political science journals that have appeared since its publication: the *Journal of Experimental Political Science*, the *Journal of Global Security Studies*, *Political Science Research & Methods*, the *Quarterly Journal of Political Science*, and *Research and Politics*.

<sup>4</sup> While it might appear that there has been a sharp decline in published research on policing since 2012, this is likely an artifact of the embargoes used by JSTOR. In effect, JSTOR embargoes access to the articles published in some political science journals until a certain time period has elapsed. Indeed, the length of this embargo period varies across journals.

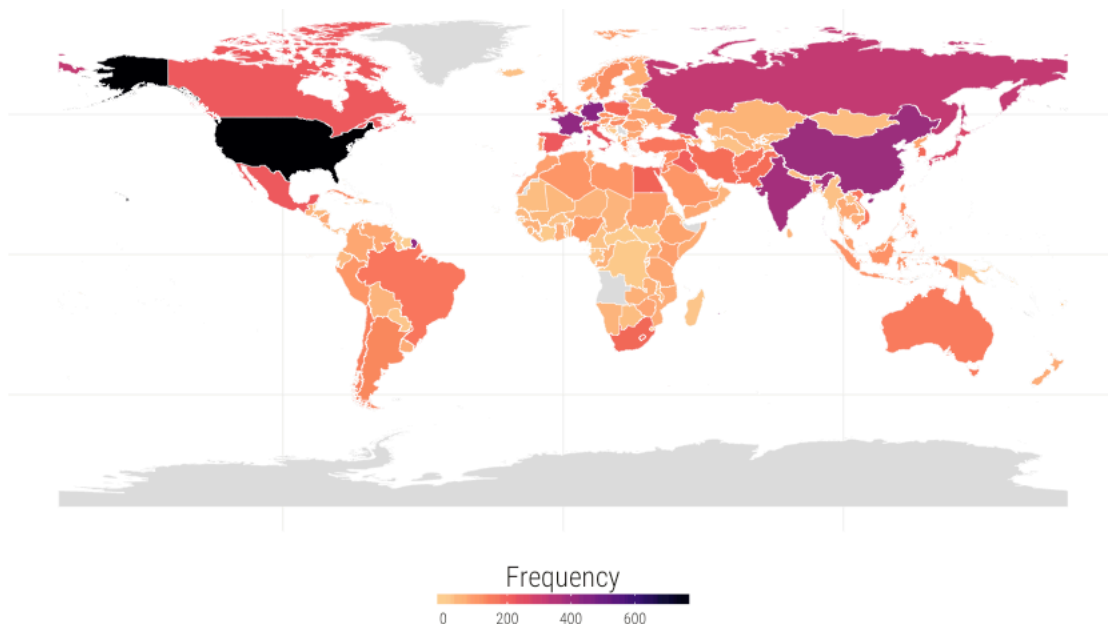
<sup>5</sup> To determine the frequency with which different countries are mentioned in the political science literature on policing, I use a dictionary-based approach in which I search my corpus for the 220 country names listed by the [Correlates of War Project](#). I then count how many articles contain each country name. This approach acknowledges that an article can focus on more than one country.

Figure 3: Number of Policing Articles Published in Political Science Journals



Note: Figure 3 presents the number of political science articles published on policing over time. The vertical axis indicates the count of articles and the horizontal axis indicates the year. The black line represents the number of articles published in all political science journals, while the orange line represents the number of articles published in the *American Journal of Political Science*, the *American Political Science Review*, and the *Journal of Politics*.

Figure 4: The Geographic Distribution of Political Science Research on Policing



Note: Figure 4 maps the mentions of country names in policing articles published in political science journals. Darker values represent more frequent country mentions.



examine law enforcement in the largest and most powerful (economically, militarily, or otherwise) countries. But by focusing on these countries, we are significantly limiting our understanding of police behavior and outcomes to a handful of particular contexts. This narrow scope likely impedes theoretical and conceptual development, and poses questions about the generalizability of our empirical claims.

### What are the central topics in the policing literature?

To address this question in an exploratory manner, I estimate a structural topic model using a Latent Dirichlet allocation algorithm (Jockers, 2014; Blei, Ng and Jordan, 2003). This algorithm allows me to identify both the mixture of topics in my corpus of policing articles and the mixture of words in each topic. Using the approach outlined in Griffiths and Steyvers (2004), I am able to identify four distinct topics in the policing literature. To determine the substantive domain of these topics, I examine the most ‘relevant’ terms in each topic.<sup>6</sup> The top ten most relevant stemmed terms for each topic are listed in Table 1.

Based on the words listed in Table 1, we can loosely define the different topics. Topic 1 appears to deal with the domestic security apparatus in communist countries, such as the Soviet Union and the German Democratic Republic. This is indicated by the fact that terms like ‘communist’, ‘union’, ‘class’, ‘soviet’, and ‘worker’ are among the most relevant for this topic. Topic 2 seems to focus on policing in China and the Middle East. Other relevant terms for this topic that are not displayed in Table 1 include ‘iraq’ and ‘peac’. Topic 3 clusters articles on the political institutions that shape policing practices. This can be seen by the relevance of terms such as ‘court’, ‘legal’, ‘legisl’, and ‘elector’. We can perhaps think of this topic as having to do with ‘who polices the police’. Finally, Topic 4 seems to center on issues dealing with race and ethnicity and policing, particularly in the American context. We can perhaps think of this topic as having to do with the characteristics and consequences of ‘who polices’.

## II. Symposium: The Comparative Politics of Policing

As my brief survey of the literature indicates, research on the comparative politics of policing is relatively scarce and what there is tends to focus on just a few topics in a handful of countries. In some respects, the study of policing is in its infancy, with much scope for theoretical, empirical, and methodological development. The issues that are at the heart of the policing literature are substantively important as they speak directly to what it means to be a state and because the use and misuse of state violence against citizens is increasingly drawing public scrutiny, both domestically and internationally, in many countries around the world. This issue of the Comparative Politics Newsletter joins several other recent efforts in political science in trying to advance the comparative study of policing.<sup>7</sup> My hope is that it will encourage more research on this important topic and help to build a sense of community among scholars working on police-related issues across political science and beyond.

To a large extent, the contributions to the Newsletter fall into four general categories. One set of contributions focuses on issues related to the causes and consequences of ‘who polices.’ These contributions fit squarely within one of the four central topics I identified in the existing literature. In their essay, Adam M. Butz, Brandy A. Kennedy, Nazita Lajevardi, and Matthew J. Nanes examine the descriptive representation exhibited by local police forces in the United States. Among other things, they note that the degree of racial representation in local police forces has been declining over time, not because the number of minority officers has declined but because it has failed to keep up with the growing diversity in the American population. Counter-intuitively, they find that police-involved citizen fatalities are actually higher when police officer demographics more closely match those of the civilian population. Travis Benjamin Curtice also looks at the descriptive representation of the police, but in more authoritarian settings. As Travis explains, authoritarian leaders face a tradeoff when deciding whether to incorporate ethnic minorities into the police. On the one

<sup>6</sup>‘Relevance’ is calculated as a weighted average of the probability that a term appears in a topic, and a term’s lift, which is the ratio of a term’s probability of appearing within a topic and its marginal probability of appearing in the corpus.

<sup>7</sup>*Perspective on Politics* devoted a special issue to the American politics of policing in 2015. Various groups have organized conferences and mini-conferences on the politics of policing in the last couple of years. For example, Courtenay Conrad and I organized a well-attended and successful mini-conference on the Politics of Policing at this year’s annual meeting of the Western Political Science Association. Independent of these efforts, several major conferences have also featured a large number of panels devoted to policing (and criminal justice issues more broadly) in the last academic year.

Table 1: Top 10 Most Relevant Stemmed Terms by Topic

	Topic 1	Topic 2	Topic 3	Topic 4
1.	movement	china	court	app
2.	soviet	militari	feder	black
3.	communist	chines	democraci	counti
4.	class	minist	model	review
5.	union	foreign	vote	american
6.	women	us	elector	white
7.	cultur	arab	legisl	african
8.	worker	isra	reform	inc
9.	german	presid	legal	paper
10.	war	israel	research	citi

Note: Table 1 lists the 10 most relevant stemmed terms for each of the four topics identified by an LDA model.

hand, filling the police with coethnic loyalists is a way to reward supporters and reduces the likelihood of a coup. On the other hand, employing local ethnic groups allows for ingroup community policing and better information transmission from the public. [Matthew J. Nanes](#) adopts a similar framework, looking at how demographic inclusion in the police affects citizen-state relations in divided societies. Matthew argues that incorporating minority groups in the police makes repression more costly for the state, thereby signaling that the state is truly committed to recognizing minority and human rights. Empirically, Matthew examines how perceptions of police inclusiveness influence attitudes towards the police and the government in Israel.

Two other contributions address ‘who polices’ but from a different angle. In her essay, [Lynette H. Ong](#) examines when and why states recruit third-party violent agents – actors she refers to as ‘thugs-for-hire’ – to implement contested state policies and coerce/repress citizens. In particular, she draws on qualitative data from countries like China to look at how the proclivity to use thugs-for-hire is associated with weakening

states. Adopting a supply and demand framework, [Barbara Piotrowska](#) investigates the use of informants by the secret police (Stasi) in communist East Germany. Among other things, Barbara finds that the Stasi had to pay informants more in those areas of East Germany that had access to West German television and that were therefore less likely to support the regime.

A second set of contributions also follows an existing strand in the literature, this time by looking at issues related to police oversight and ‘who polices the police.’ [Hernán Flom](#) argues that there are three basic possibilities when it comes to political control of the police: (1) the police are free of political control, (2) police politicization, and (3) police professionalization. Hernán calls on scholars to adopt a political economy approach for understanding the institutional and political incentives actors have when it comes to designing and implementing (reform) policies with respect to the police. In her essay, [Kristine Eck](#) describes the huge institutional variation that exists in the different systems that countries have adopted to check police abuse. Kristine goes on to describe some of the methodological



difficulties that arise when trying to determine the relative effectiveness of these different systems at reducing police misconduct. Focusing on a particular institution, [Courtenay R. Conrad](#) employs a principal-agent framework to examine how courts can affect human rights outcomes by changing the judicial costs of various types of police outcomes. With respect to the United States, Courtenay finds that court rulings limiting the use of TASERS are associated with an increase in more violent police tactics such as shootings. And with respect to India, she finds that court-mandated police complaint authorities have led to a reduction in police violence. Drawing on qualitative evidence from both the U.S. and France, [Cathy Schneider](#) argues that the blame for police abuse rests with political authorities that fail to sufficiently hold their instruments of violence accountable. Cathy suggests that strong community-based organizations and responsive political authorities are both necessary to reduce police killings and urban violence. In his essay, [William S. Isaac](#) focuses on the limits and biases of predictive policing algorithms that seek to exploit 'big data' to predict who is likely to commit crime, when, and where. Arguing that objective data is a myth, William calls for more oversight of predictive policing algorithms to promote public safety and minimize any disparate impact across racial and ethnic groups.

A third set of contributions adopts a more explicitly institutional approach to studying policing. In their essay, [Mirya R. Holman and Emily Farris](#) describe the important role that the institution of sheriff plays in making local policy in the United States. In particular, Mirya and Emily focus on the way that sheriffs affect immigration outcomes and provide services to domestic violence victims. Like several of our other contributions, and another strand identified in the existing literature, [Henry Thomson](#) focuses on policing in communist Eastern Europe. Studying the actions of contemporary coercive state actors can be difficult due to the secrecy that often surrounds their activities. Henry argues that access to the archives of the former secret police in Eastern Europe, along with the large institutional variation that existed across these different agencies, provides a fertile ground for both theoretical and empirical development in the policing literature.

Our final contribution, which comes from [Christopher M. Sullivan](#), addresses how we study the police. In particular, Christopher highlights a key empirical and methodological problem in the policing literature,

namely the selection bias that exists with respect to much of the available comparative police data. Among other things, Christopher discusses the widespread and systematic underreporting that is likely to plague data on police misconduct and indicates some of the problems associated with using news media accounts to identify and code events involving the police.

### *III. Some Potential Avenues for Future Research: Better Data and New Research Designs*

In his essay, Christopher Sullivan touches on an important issue in the politics of policing literature, namely the quality and paucity of the available data. Over the last several years, there has been increasing public concern that domestic security forces around the world are treating citizens in repressive and discriminatory ways ([Pitts and Krupanski, 2013](#)). In America, for example, it is a fact that you are much more likely to be shot by the police if you are black than if you are white ([Davis, 2017](#); [Ross, 2015](#); [Soss and Weaver, 2017](#); [Kennedy et al., 2017](#)). In many countries, empirical regularities such as these have led to debates among policy makers, the media, and the public about whether the police discriminate against members of some groups and, if so, why they do so and with what consequences. These debates often occur, unfortunately, without good data and in the absence of sound social science research.

As an example, we do not have high-quality data on the race or ethnicity of individuals killed by the police in the United States ([Zimring, 2017](#); [Brewer, 1994](#)). This means that the debates about racial discrimination in police violence that take place in the media, among the public, and among policy makers are not as well-informed as they might be. This has obvious potential implications for (1) how we talk about these subjects and reach common ground on the 'known facts', and (2) the appropriate policy implications for decreasing racial biases. Thus, one obvious potential avenue for advancement in the politics of policing literature involves increased data collection and better measurement of our theoretical concepts. These data collection efforts will obviously have to take account of the potential systematic biases that Christopher Sullivan indicates are likely to be endemic in our sources of policing data.

We also need to seek out new sources of data. While there are surveys that examine the attitudes of citizens towards the police, there are no regular surveys that explicitly focus on the attitudes and behavior of the

domestic security agents themselves. In an attempt to redress this imbalance, I have established the organizational infrastructure for the [Annual Law Enforcement Survey \(ALES\)](#), which will be used to collect data on local security service administrators (or their international equivalents) and their views on police policies, problems, and future priorities. To help me lead this project, I have gathered together a cross-institution [board of directors](#) that includes researchers on policing, repression, race and ethnic politics, judicial politics, and survey methods. The initial survey will be conducted this summer with the population of American municipal and county law enforcement administrators. My hope is that this survey will be conducted annually and that it will be expanded to cover additional countries in subsequent years. Data from the survey will be made publicly available shortly after its completion.

In addition to more and better data, there is room for researchers in the politics of policing literature to employ more creative research designs to test their theoretical arguments. Although political scientists, sociologists, and criminologists all study police repression and discrimination ([Soss and Weaver, 2017](#)), consensus is lacking on many of the field's most important questions. One reason for this is that while an increasing number of observational studies offer suggestive evidence that law enforcement agents across the globe exhibit differential treatment against some groups ([Bowling, 1990](#); [Sun, Wu and Hu, 2013](#); [Cashmore and McLaughlin, 2013](#); [Bigo and Guild, 2005](#); [European Union Agency for Fundamental Rights, 2009](#)), this research frequently lacks a credible causal identification strategy. The general problem here is that any observed differences in policing across groups might not be because of race or ethnicity but due to some other unobserved factor. As a result, it is not always clear how compelling existing evidence is with regards to particular aspects of police discrimination and repression. This has important implications if we are trying to devise policies to improve the situation — we might be trying to solve a problem that does not exist exactly as imagined, or employ a strategy that will not work. In some sense, it is the lack of compelling evidence that allows for the endless public debate as to whether there is a problem and what causes it.

A related issue is that the research that *does* leverage creative research designs to isolate the causal effect of group identity on policing practices presents conflicting findings. In some cases, law enforcement personnel appear to discriminate ([Zimring, 2017](#)); in others, it seems that they do not ([Fryer, 2016](#)). One explanation for these findings is that discrimination is context dependent. If this is true, then researchers will have to develop their theories further to account for this context dependency and employ research designs that rely on interactive model specifications and factorial experimental designs.

A key limitation in the existing literature, particularly from a policy design perspective, is that our research designs do not typically isolate the mechanism(s) driving any observed discrimination in police practices. This is primarily because the empirical literature has tended to focus on identifying where and when discriminatory policing occurs, rather than distinguishing between different causal mechanisms. This is similar to other literatures that address discrimination, such as those that focus on gender, race, and ethnicity. Contributions to those bodies of research often look for evidence of discrimination — do local politicians respond differentially to black and white citizens, are men treated differently than women, and so on. There are many explanations for why this unequal treatment could occur, though. Without a full understanding of the factors that drive discrimination, we cannot possibly determine the most appropriate policy interventions to stem inequality. Future research, for example, might usefully seek to identify if and when police discrimination tends to be taste-based (preference-based) discrimination ([Becker, 2010](#)) as opposed to statistical discrimination ([Arrow, 1972](#)).<sup>8</sup>

As my brief survey of the literature indicates, research on the politics of policing in political science is in a somewhat nascent state. Many avenues for future research on this important topic are, therefore, open. I hope you enjoy reading the contributions to this issue of the Comparative Politics Newsletter as much as I did bringing them together.

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<sup>8</sup>Taste-based discrimination occurs when individuals treat the members of some groups worse than others because they are unwilling to pay the psychic costs of treating everyone the same. Statistical discrimination, on the other hand, occurs when individuals use information about the average member of a group to make decisions about individual members.

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## Race and Representative Bureaucracy in American Policing: New Data, New Opportunities

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In 2014, a series of African American civilian deaths at the hands of police officers thrust race relations between police and civilians into the public eye. These incidents sparked a public discourse on the effects of racial representation in policing, an issue that has interested researchers across the social sciences for decades. Existing research on racial representation reveals, for example, that the underrepresentation of minorities is a common reality for many local police departments across the country (Cayer and Sigelman, 1980; Stokes and Scott, 1996) and that this underrepresentation is related to a variety of economic, organizational, demographic, and political factors (Warner, Steel and Lovrich, 1989). Despite the laudable contributions of existing research to understanding the causes and consequences of racial representation in policing, data constraints have restricted most analyses to case studies of a limited number of jurisdictions. This makes it difficult to estimate broader trends across America’s thousands of local police departments at a given point in time, let alone changes across these units over time.

Our book, *Race and Representative Bureaucracy in American Policing* (Kennedy et al., 2017), aims to fill

this gap. The backbone of the book, and one of its most important contributions to social science research on racial representation in government institutions, is a new dataset of police officer demographics. The dataset consists of two parts. First, we compile data on officer race for approximately 1,500 counties across all fifty states. Importantly, and in contrast to most publicly available data that are limited to one snapshot in time, these data cover a 15-year time period, with yearly observations in 1993, 2000, 2003, and 2007. The panel dataset contains more than 6,000 county-year observations. The dataset provides researchers with the means to track broad trends in police representation over time, across geography, and for different racial groups, as well as to conduct county-level analyses on the effects of representative policing. Second, the dataset provides detailed information on police departments serving America's 100 largest cities for the years 1993, 2000, 2003, 2007, and 2013. By limiting our geographic scope to these municipalities, we are able to assemble more complete covariates for analyses related to both the causes and effects of racial representation.

The geographic scope of our data — about 1,500 counties in any given year — constitutes one of the primary strengths of our dataset. Perhaps even more important, however, are the opportunities for analysis that the panel structure provides. One of the main challenges when comparing across cases is that cities (or counties) are simply not equivalent to one another. For example, there are many social, political, and demographic differences between Los Angeles County, CA and Dekalb County, GA. This means that there are many potential confounding variables that researchers might need to consider when analyzing the effects of police demographics on policing outcomes. One way to address these differences across policing jurisdictions is to control for covariates in multivariate models, but this solution is limited by researchers' abilities to identify relevant covariates and the existence of data on those covariates. Important statistics like unemployment are often unavailable for small geographical units like cities and counties, while other variables, like metropolitan culture, are nearly impossible to quantify. Thanks to repeated observations over a 15-20 year time span, our data allow researchers to hold constant any location-specific confounds when exploring the causes and effects of changes in officer demographics, both over time and within a particular location.

We offer this new dataset as a public good for researchers interested in examining racial representation in local law enforcement and hope that other scholars will use it to conduct their own analyses, contributing to a more complete understanding of the way that race impacts policing and citizens' well-being across the United States.<sup>1</sup>

### *I. Empirical Analyses of Racial Representation: Strengths and Limitations of Existing Studies*

Considering the salience of race and policing in American society, surprisingly little research addresses the descriptive variation in the representation of minorities across local police forces. One exception is [Cayer and Sigelman \(1980\)](#), who examine representation across federal, state, and local agencies from 1973-1975. While minority representation grew in police departments across the years examined, broad patterns of underrepresentation persist across the U.S. More recently, [Stokes and Scott \(1996\)](#) examine the extent of minority representation among nineteen municipal police departments. Looking specifically at Hispanic and Asian employment, [Stokes and Scott \(1996\)](#) find that in 1990, only the force in Buffalo, NY had Hispanic representation proportionate to its population. No cities represented Asians proportionally to their population share.

A parallel literature seeks to identify the causes of variation in representation among groups across public agencies. These studies point to a variety of economic, organizational, demographic, and political factors that may influence the extent to which police departments and other public agencies are demographically representative of the civilian populations they serve. [Warner, Steel and Lovrich \(1989\)](#), for instance, argue that economic downturns — following the old maxim of “last hired, first fired” — likely lead to a disproportionate number of females and minorities being let go. General municipal fiscal strength is also an important factor in hiring and retaining minority officers. Given this prior literature, we expect agency growth and the overall unemployment rate to influence the ratio of minorities in law enforcement positions.

A number of demographic factors might also influence minority representation. Plausible candidates include the size of the minority population, minority education levels, city size, and region ([Dye and Renick,](#)

<sup>1</sup> The dataset and supporting documentation are available for download at <http://m.nanes.org>.



1981; Meier, 1993; Warner, Steel and Lovrich, 1989). The size of the minority population can have varied effects. On the one hand, cities need to reach a threshold in order to expect the minority population to influence employment levels (Dye and Renick, 1981). On the other hand, there may be a point of diminishing returns where cities with large minority populations fail to attain parity in minority hiring. Increased minority education levels may lead to increased representation as the minority population becomes more competitive for employment opportunities. Finally, Warner, Steel and Lovrich (1989) argue that larger cities have a greater acceptance of affirmative action programs and therefore should have higher numbers of minority officers. Similarly, regional variation may occur due to regional differences in social and cultural acceptance of affirmative action policies.

Police departments were less representative of the populations they served in 2013 than they were decades ago. [...] The data suggests that the change is caused not by a decrease in the proportion of minority police officers. Rather, the issue is that police departments are failing to recruit new minority officers at the same rate as the country is diversifying demographically.

Organizational factors influencing demographic representation include agency size, union presence, and residency requirements (Kim and Mengistu, 1994; Cornwell and Kellough, 1994; Stein, 1985; Mladenka, 1989). Agency size may have a negative relationship to minority representation. This stems from a similar logic to the diminishing returns hypothesis discussed previously. For larger agencies, each new minority hire makes a smaller contribution to the overall representation of minorities, making it harder for larger organizations to maximize representation. The presence of collective bargaining has long been considered a hindrance for minority employment in police forces, as unions have been thought to successfully block the implementation of affirmative action policies.

Scholars disagree on the expected effects of residency requirements on minority employment. On the

one hand, some argue that residency requirements enhance minority representation by forcing agencies to hire from the immediate community population. Conversely, others argue that requirements may decrease minority hires by placing artificial limits on the hiring pool, encouraging potential nepotism or political favoritism to operate above merit considerations (Kim and Mengistu, 1994).

According to Warner, Steel and Lovrich (1989), minorities in elected positions may directly oversee the increased hiring of minorities, or they may indirectly play a role by shaping generally inclusive attitudes across local agencies, encouraging more minority hires. Thus, increasing minorities in elected positions in local offices, such as mayors, is expected to positively influence minority employment on local police forces.

While the causes of descriptive representation are important in their own right, we also seek to understand how changes in representation affect outcomes like administrative procedures, policing practices, and the treatment of citizens. Recent studies in the field of representative bureaucracy focus primarily on the extent to which demographic representation translates into responsive public policy outputs. While a rich line of research focuses on the effects of representation on policy in other service-oriented institutions, especially public education (Meier and Stewart Jr, 1992), applications to police departments are relatively recent. Wilkins and Williams (2008) examine whether increasing the number of minorities on police forces decreases racial profiling in routine traffic stops. In counterintuitive fashion, their study finds that increasing Black police officer presence increases racial disparity in vehicle stops. They argue that socialization into White dominant organizational culture within police departments may account for this unexpected finding by hindering the translation of passive representation into more equal protection. Nicholson-Crotty, Nicholson-Crotty and Fernandez (2017) report that increasing Black police presence increases police-involved homicides, at least until a critical mass of minority composition is reached, at which point greater racial representation lowers the frequency of police-involved homicides.

Our book builds upon these and other studies by examining the effect of descriptive representation on outcomes like excessive force complaints and police-involved fatalities.

## II. Constructing Meaningful Data on Racial Representation

To construct a dataset capable of providing meaningful insights on racial representation, we collect, organize, and synthesize a wide range of data. We begin with department-level data from the publicly-available Law Enforcement Management and Administrative Statistics (LEMAS) dataset, a census of law enforcement agencies conducted periodically by the U.S. Bureau of Justice Statistics (BJS). We use data from the last five waves of this census (1993, 2000, 2003, 2007, and 2013). All police departments are supposed to respond to the census. In practice, though, a number of departments — particularly smaller ones — enter and exit the dataset from one year to the next. As we note, however, “there is little reason to believe that this selection is systematically related to officer demographics, as officer race is only one of the many variables that are reported in LEMAS. In other words, missing departments should not prevent us from using the LEMAS data to draw inferences about the trends, causes, and consequences of racial representation” (Kennedy et al., 2017, 41).

The raw LEMAS data is difficult to analyze for two reasons. First, variables which measure the same information are often coded and named differently from one year to the next. This means that researchers interested in over-time analysis must tediously reconcile the different LEMAS datasets. Second, important outcome variables of interest like crime rates, police brutality, and socioeconomic changes are often measured at a different level from a police department’s jurisdiction. Overlapping jurisdictions between departments compound this problem.

Counterintuitively, we find that county-years in which police officer demographics more closely match those of the civilian population have a *higher* probability of police-involved citizen fatalities.

Our dataset solves the first problem by standardizing and recoding key variables so that they are comparable across years. We address the second problem by creating two aggregated versions of the dataset — one at the county level for all counties with data, and a second at the city level for the 100 largest cities in the U.S. by population size as of July 1st, 2014. For cities, we code

two versions of officer variables, one for all departments with jurisdiction in the city (excluding state and federal agencies) and one for only those officers from the city’s primary municipal police department. We add to both datasets various demographic and political covariates, descriptions of which are available in Chapter 3 of our book.

Quantifying demographic representation is not a trivial task. Our theoretical arguments on both the causes and consequences of representation deal with the extent to which police officer demographics deviate from civilian demographics. To operationalize this concept, we construct the *Disproportionality Index*, which is a continuous variable that indicates the cumulative degree of misrepresentation for five racial groups: Whites, Blacks, Hispanics, Asians, and Native Americans. We calculate this variable using the same formula as Gallagher’s (1991) ‘least squares index’ of legislative representation, but with racial groups substituted for political parties, and police officer positions substituted for legislative seats. The exact formula is

$$D = \sqrt{\frac{1}{2} \sum_{i=1}^{\infty} (p_i + c_i)^2}, \quad (1)$$

where  $D$  is the *Disproportionality Index*,  $p$  is the group’s proportion of police officers, and  $c$  is the group’s proportion of the civilian population for each racial group  $i$ . The index has a theoretical minimum of 0, which would indicate that every group has exactly the same proportion of police officers as its share of the civilian population, and a theoretical maximum approaching 1, which would indicate complete divergence between officer and civilian demographics. Our dataset includes a disproportionality score for each city-year and county-year for which data is available.

For researchers interested in the representation of specific racial groups, we also calculate proportionality scores for Whites, Blacks, Hispanics, Asians, and Native Americans by subtracting each group’s share of police officers from its share of the population. A group is overrepresented if the score is greater than 0, and underrepresented if the score is less than 0. Finally, to allow comparisons across groups of different sizes, we provide a second set of proportionality scores that are standardized by each group’s population share.



It bears repeating that the appropriate measure of representation depends on the theoretical concept in which researchers are interested. Researchers interested in officer diversity might use the formula for *Ethno-Linguistic Fractionalization* (ELF), which calculates the probability that any two randomly-selected officers will come from different groups. Other cross-jurisdictional analyses use the proportion of non-White officers (Donohue III and Levitt, 2001), the ratio of percent Black officers to percent Black citizens (Smith, 2003), and the squared percentage of Black officers (Nicholson-Crotty, Nicholson-Crotty and Fernandez, 2017). Scholars should be mindful to select measures that reflect the theoretical construct they seek to test. In particular, they should take care to distinguish between statistics that provide an absolute measure of officer diversity and those that compare officer demographics with civilian demographics, as well as those that support the presence of multiple groups versus those that allow only for two all-encompassing groups.

### III. Trends and Changes, 1993-2013

Three striking findings emerge from our analysis of descriptive trends in representation over time across counties and cities. First, racial representation varies substantially across local law enforcement agencies. Figure 1 shows the average *Disproportionality Index* scores associated with local law enforcement agencies by county in 2007. Figure 1 clearly illustrates the geographic variation in the racial disproportionality of local law enforcement agencies across the country.

Second, the degree of racial representation is decreasing over time. Figure 2 shows the distribution of counties creeping slowly but steadily to the right side of the racial disproportionality scale, indicating an increasing number of agencies becoming more disproportionate with each passing year. This trend extends to the 100 largest cities as well; police departments were less representative of the populations they served in 2013 than they were decades ago. This finding is surprising in light of the increasing prevalence of race-conscious policies intended to promote descriptive representation (Gilens, 1991). Interestingly, the data suggests that the change is caused not by a decrease in the proportion of minority police officers. Rather, the issue is that police departments are failing to recruit new minority officers at the same rate as the country is diversifying demographically.

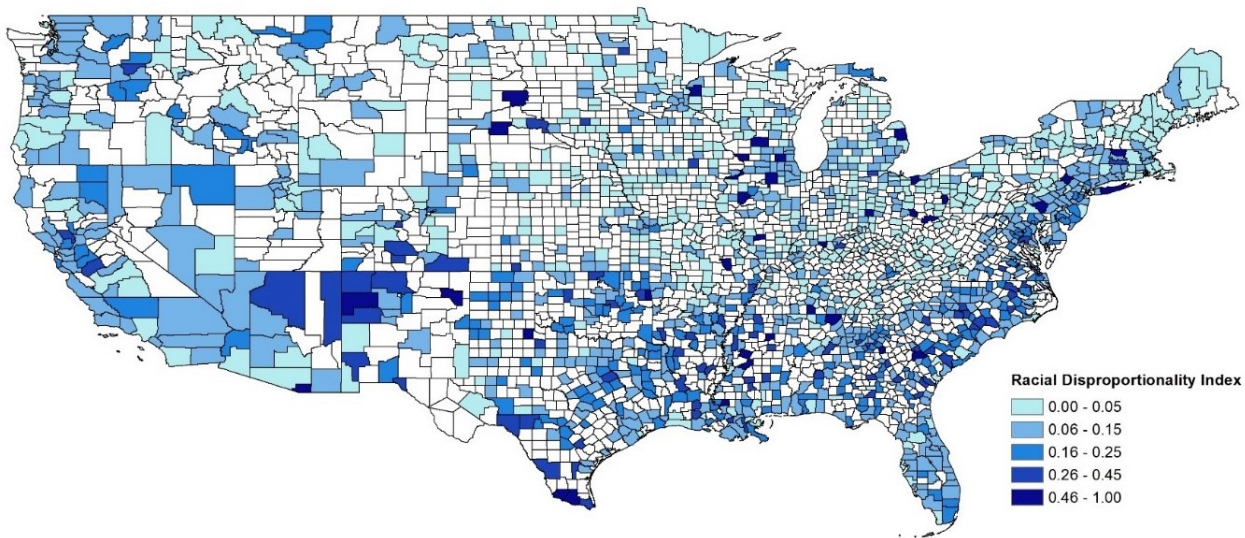
Third, racial representation varies markedly across different racial groups, and the extent of misrepresentation is highly sensitive to the specific measure used. A raw calculation of officer share minus civilian population share suggests that Blacks are far more underrepresented than Hispanics, Asians, or Native Americans. The magnitude of Black underrepresentation is particularly stark in large urban areas. On the other hand, Table 1 shows that when we standardize our measure of racial representation by group size (by dividing by each group's population share), the magnitude of racial underrepresentation is similar across Blacks, Hispanics, and Asians. That different measures lead to different conclusions underscores the notion that there is no single 'right' measure of racial representation. Scholars must be careful to use measures of representation that match their theoretical construct of interest.

### IV. Causes and Consequences of Racial Representation

The data presented above demonstrate an important point: There is a great deal of variation in racial representation in cities and counties over time. But is this variation related to incidents of excessive force by police officers? We test the effects of disproportionality on "deaths due to legal intervention," or cases in which a coroner codes law enforcement intervention as a factor in the cause of death, using data compiled by the Centers for Disease Control. Counterintuitively, we find that county-years in which police officer demographics more closely match those of the civilian population have a *higher* probability of police-involved citizen fatalities. We think that this finding reflects the ambiguous nature of fatalities, as we cannot distinguish between those caused by unjustified or excessive force and those in which a police officer acted heroically to save the lives of others by eliminating an active threat. We speculate that the observed positive relationship between racial representation and police-involved fatalities may be caused by increasingly responsive policing rather than by systematic uses of excessive force by officers in more representative counties. More research is needed on this important question.

We reach more definitive findings in two areas. One is that the presence of residency requirements, which mandate that officers live in or near their jurisdiction, correlate with more racially-representative police forces. This finding underscores an important and rarely-discussed benefit of residency requirements

Figure 1: Racial Disproportionality in U.S. Law Enforcement - 2007



*Note:* Figure 1 shows the average racial disproportionality of local law enforcement agencies by county in 2007. Counties shown in white were not assessed. Darker colors indicate greater racial disproportionality. Racial disproportionality is calculated using the formula shown in Eq. (1).

Figure 2: Racial Disproportionality in U.S. Law Enforcement Over Time



*Note:* Figure 2 shows the distribution of counties according to the racial disproportionality of their police departments in 1993, 2000, 2003, and 2007. Observations further to the right in each time period indicate higher levels of racial disproportionality. Racial disproportionality is calculated using the formula shown in Eq. (1).

Table 1: County-Level Police Disproportionality by Racial Group, 1993-2007

	1993	2000	2003	2007	Total	Standardized <sup>a</sup>
White	0.068	0.063	0.070	0.069	0.067	0.058
Black	-0.034	-0.030	-0.033	-0.032	-0.033	-0.263
Hispanic	-0.021	-0.020	-0.024	-0.020	-0.021	-0.290
Asian	-0.007	-0.007	-0.009	-0.006	-0.007	-0.229
Native American	-0.006	-0.005	-0.003	-0.008	-0.005	-0.146

<sup>a</sup> Reported  $\times 10^4$ .

*Note:* Table 1 shows the racial disproportionality with respect to particular groups for local law enforcement agencies by county in 1993, 2000, 2003, and 2007. Racial disproportionality is calculated as the share of officers belong to a particular racial group minus that group's share of the civilian population. Negative scores indicate that a group is underrepresented, while positive scores indicate that a group is overrepresented. 'Total' refers to the average racial disproportionality for the whole time period, and 'Standardized' refers to the 'Total' scores divided by each group's share of the civilian population.

in the face of their declining popularity nationwide. We also find that departments in which hiring is governed by a collective bargaining agreement tend to have less representative police forces. Another is that departments in which the police are more representative from a racial perspective are more likely to have citizen-friendly policies like a formal procedure for handling citizen complaints and the adoption of a civilian review board. In other words, while the effects of representation on officer behavior remain ambiguous, representation has a clear effect on the responsiveness of agency policies and procedures.

### V. Conclusion and Avenues for Future Research

Our data provide researchers with an opportunity to test both the causes and effects of police representation on any number of potential outcomes beyond our preliminary analyses. We view our book as the first of hopefully many attempts toward analyzing our extensive dataset on police representation. We pose and test a number of hypotheses about the causes and effects of racial representation in American policing. While we find strong evidence for our expectations in some areas, particularly regarding the relationship between racial representation and police administrative procedures, many of our findings raise more questions than answers. We hope that future research will leverage this

dataset to pursue these questions.

One important question is whether smaller police departments operating within historically exclusive suburban and exurban spatial contexts face unique challenges when it comes to racial diversity recruitment and retention, or whether they have unique organizational and cultural dynamics that shape street-level policing, irrespective of the level of racial representation. One particularly challenging context might involve older suburban areas that are experiencing dramatic demographic shifts caused by the influx of minorities. For instance, the highly racially unrepresentative Ferguson, MO is an inner-ring suburb outside of St. Louis City that only recently became majority-Black in the past few decades, and perhaps local administrative bodies, including and especially the local police department, have not caught up with this demographic shift.

Another potentially fruitful area of inquiry would involve investigating conditional effects related to racial representation and policing outcomes. For instance, we report that the robust dampening effect of racial disproportionality on police-involved fatalities is conditioned on the presence of a large Black population. Racial disproportionality is associated with a much larger decrease in police-involved fatalities when the Black civil-

ian population share is smaller. Future research should explore additional contextual factors that might interact with racial representation, such as income, racial segregation, or political context. The same strategy might be taken with regard to police procedures. For instance, racial representation might have less of an effect on citizen well-being in departments that use implicit bias training or community policing, as these procedures may serve as partial substitutes for descriptive representation.

Future scholarship may also continue to unpack the relationship between demographic representativeness and policy responsiveness. What factors influence successful diversity recruitment and hiring efforts? What contexts are likely to produce administrative responsiveness regarding agency policy adoptions? What mechanisms underlie racial representation and policing outcomes at the street-level? Empirical research linking demographic representation and policy outputs in American policing is growing but lacks theoretical richness. Our study also suffers from this weakness. For example, we find that the race of the mayor is linked with enhanced police force representation but we are unclear as to exactly how or why the presence of minority mayors yields greater racial representation in American police forces. Future research will need to tease out these theoretical complexities.

Finally, our data on the 100 largest cities might be combined with data from smaller municipalities in order to identify distinct patterns and effects across settings that are more or less urban. In a similar vein, researchers may supplement our data with data from state or federal agencies to explore how different levels of government condition the effects of racial representation in law enforcement.

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# Why do Courts Protect Human Rights? Investigating the Mechanisms by Focusing on the Police

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Effective domestic courts are consistently cited by scholars as key mechanisms for limiting government violations of human rights (Blasi and Cingranelli, 1996; Cross, 1999; Hathaway, 2005; Hill and Jones, 2014; Keith, 2002; Powell and Staton, 2009; Crabtree and Fariss, 2015). Because the rule of law is intended to protect minorities from abuses by the majority, courts are better than majoritarian institutions at protecting vulnerable populations from violations of human rights (Conrad, Hill and Moore, 2018). Judicial independence — the ability of the court to make decisions without undue influence and a key component of judicial effectiveness — has more predictive power in reducing repression than many other empirical indicators, suggesting the importance of courts in limiting government violations of human rights (Hill and Jones, 2014).

In explaining the positive association between courts and the protection of human rights, scholars argue that government authorities incur consequences — ranging from negative press to policy changes to prison — when victims allege in court that their rights have been violated. Even in countries where courts were created for reasons unrelated to the protection of human rights, they can have the unintended effect of holding leaders accountable for rights violations (Moustafa, 2003). Litigation creates meaningful costs that authorities would prefer to avoid: they must expend resources responding to accusations and defending themselves in court, and there is potential negative publicity to be countered or silenced (Powell and Staton, 2009).

Although scholars have investigated the relationship between national-level judicial effectiveness and government respect for human rights, little attention has been paid to the effect of the law and courts on the incentives of agents — the police, prison guards, and members of the military who are responsible for carrying out the (repressive) orders of their leaders. Scholars arguing that the cost of violating human rights for leaders is higher in countries with effective domestic courts simply assume that the litigation costs faced by agents accrue to the national-level executive — that leaders

also face increased costs when their agents are exposed to costs at the behest of a court (Conrad and Ritter, 2013).

In what follows, I discuss extant work on the principal-agent relationships in policing and the extent to which the court can act as a principal to improve human rights outcomes. I then discuss two working papers in which I argue that national-level court rulings can change the costs of violating human rights and influence behavior at the level of the agent.<sup>1</sup> The first paper focuses on the relationship between change in the judicial cost of one police tactic — U.S. circuit court decisions regarding the extent to which police can be held individually accountable for excessive force using an electronic control device (ECD) — on the extent to which police use other tactics. In the second paper (co-authored with Shengkuo Hu), I argue that the creation of court-ordered, regional bodies to which citizens can report allegations of police abuse provide a mechanism of “fire-alarm” oversight (McCubbins and Schwartz, 1984) by which police officers can be monitored for rights abuses.

## *I. Principal-Agent Relationships in Policing*

Democracies exhibit chains of delegation (Moe, 1984): principal-agent relationships between voters and politicians, politicians and bureaucrats — and between those actors and agents responsible for public safety like police officers. In canonical agency models, principals face problems with choosing the wrong agent — adverse selection — and in keeping the chosen agent honest — moral hazard (Moe, 1984). As “street-level bureaucrats” (Lipsky, 1980), policing is subject to a classical agency problem in which principals must determine how to motivate officer compliance with directives under incomplete information (Brehm and Gates, 1999; Miller, 1993).

A wealth of academic research has focused on understanding the characteristics of individuals who become police officers (Balch, 1972; Eberhardt et al., 2004; Fielding and Fielding, 1991; Gelman, Fagan and Kiss, 2007; Lockwood and Prohaska, 2015; Twersky-Glasner, 2005). Unfortunately, there is little evidence to suggest that interventions focusing on the personal characteristics of police officers are successful in mitigating agency loss that occurs because of adverse selection

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<sup>1</sup> For complete drafts of the working papers described below, please see <http://www.courtenayconrad.com>.

(Mummolo, 2018; Paluck and Green, 2009). Because police officers work in an environment where discretion is key and oversight is costly, the level of information asymmetry between principals and police agents is high (Goldstein, 1960; Wilson, 1968). As such, Brehm and Gates (1999) argue that mitigating agency loss in policing should focus on minimizing adverse selection problems rather than the creation of institutional incentives to alleviate moral hazard.

But monitoring does not always entail a principal hovering over her agent to ensure compliance; rather, ex post rules can serve as monitors to encourage compliance within the hierarchy and incentivize preferred officer behavior (Alchian and Demsetz, 1972; Miller, 2005). Incentives and sanctions can motivate agent behavior in a wide variety of contexts where traditional monitoring is difficult (Huber and Shipan, 2002; McCubbins, Noll and Weingast, 1987). In a rare exception focusing on how institutional incentives change police behavior, Mummolo (2018) investigates the extent to which police managers and departments can design internal institutions to better control police officers. But other actors in the chain of democratic delegation can also set directives that influence the behavior of both police managers and their agents.

The conventional view of police violence is that the root cause of excessive use-of-force rests in the personalities of the individuals who choose to become police officers. But this answer offers little guidance for reform; personalities cannot be intentionally altered en masse.

## II. Judicial Oversight of Police 'Agents'

In this essay, I summarize two working papers that examine how national-level courts in the United States and in India affect police behavior.

**Why Fourth Amendment Rulings Limiting TASERS Increase Shootings.** In 2016, the U.S. Supreme Court declined to hear on appeal a Fourth Circuit Court of Appeals decision that police use of an electronic control device (ECD) — known as a TASER — amounted to an unconstitutional use-of-force. Ronald Armstrong was killed in April 2011 following a confrontation with police in which he was shocked with an ECD five times.

Mr. Armstrong's family sued the city, and in *The Estate of Ronald H. Armstrong vs. The Village of Pinehurst*, the Fourth Circuit Court of Appeals ruled that officers used excessive force in violation of Mr. Armstrong's Fourth Amendment rights.

In a working paper investigating the extent to which courts limit police violence by making rulings that hold individual officers accountable for rights violations, I argue that police respond to changes in the law surrounding TASER use by retraining and retooling to avoid being held accountable for abuse. When U.S. courts create new precedent that changes the costs and/or the benefits of a particular police tactic, police departments adjust their training protocols accordingly. Following the ruling in *Armstrong*, for example, the North Carolina Justice Academy advised state law enforcement agencies of the new law governing TASERS. "Effective immediately, TASER use as a pain compliance tool...is prohibited by the Fourth Amendment unless the police can articulate 'immediate danger'...please pass this information along to your TASER/defensive tactics instructors..." The South Carolina Criminal Justice Academy issued a similar memo: "...contact your legal counsel to discuss this case and amend your policy on the use of TASER..."

I argue that police officers are less likely to deploy ECDs following jurisprudence that increases the personal liability of that action. In some scenarios, officers will use less violent methods than TASERS when the potential for litigation costs increases. But a negative externality of the court's influence on police behavior is that officers may also increase other — sometimes more abusive — policies when courts limit the use of particular tactics. When a police officer feels threatened, she may prefer to engage a suspect with a more violent tactic if a TASER is not available. Even when an officer is carrying a TASER, she may prefer to deploy a firearm instead of an ECD once the situation poses an immediate safety risk; if the personal liability for the use of an ECD and a firearm are similar, I argue that officers will prefer the alternative that prioritizes personal safety.

*Electronic Control Device Hypothesis:* When courts increase the personal liability of ECDs, (1) ECD use decreases, and (2) the use of more violent tactics increases.

The U.S. Supreme Court's landmark 1989 decision in *Graham vs. Connor* provides the most important national directive regarding police use-of-force. Un-



der *Graham*, victims of police violence have the right to sue officers for excessive force in civil court. In *Saucier vs. Katz*, the U.S. Supreme Court determined that police officers can receive “qualified immunity” to avoid standing trial if a judge determines (1) that the use-of-force was constitutional, or (2) that the law was not “clearly established” at the time of the incident. I test my hypotheses by taking advantage of the fact that federal circuit courts are split regarding (1) ECD level of force, and (2) the proper application of the decisions in *Graham* and *Saucier* to ECDs.

Looking at just a few police departments, changes in law that increase the personal liability of TASERs do seem to decrease TASER use. Following *Armstrong*, the Norfolk Police prohibited officers from carrying ECDs for five months. The Henrico County Police Department saw a decline from 58 ECD deployments in 2015 to 10 in 2016. Police in Baltimore responded to *Armstrong* by limiting the conditions under which officers can deploy ECDs, resulting in a reported 181 deployments in 2016 — down from 347 deployments in 2015. Unfortunately, these few data points are insufficient to test my first hypothesis; I am currently creating a panel dataset of TASER deployments using public records compiled by Reuters to better test the first part of the *Electronic Control Device Hypothesis*.

In a preliminary test of the second part of the *Electronic Control Device Hypothesis*, I used [FatalEncounters.org](http://FatalEncounters.org) data on allegations of police shooting deaths for 39 U.S. states from 2000 to 2016, using the sum of allegations aggregated to the state-year as my dependent variable. To generate a measure of the personal liability of ECD deployment, I collected information on U.S. Circuit Court of Appeals decisions related to police use-of-force. My main independent variable is a binary variable coded 1 in state-years in which a Court found an officer’s use of a TASER to be unconstitutional or rejected claims of qualified immunity. Using these data, I estimated the within-state effect of an increase in the personal liability on police shooting deaths using a quasi-experimental generalized difference-in-difference design. The design allows me to compare the average change in shooting deaths in states before and after a change in law with the average change in shooting deaths in states that did not have a change in law. My results show that increases in personal liability have a positive and statistically significant effect on police shooting deaths, increasing them by an average of over

1.5 deaths per state-year.

### Judicial ‘Fire Alarm’ Oversight and Police Violence.

In 1996, Prakash Singh, a retired Indian Director General of Police, filed a Public Interest Litigation with the Supreme Court of India to address “the direct violations of the rights of citizens in the form of unauthorized detentions, torture, harassment, fabrication of evidence, malicious prosecutions, etc.” Ten years later, the Supreme Court issued a ruling in *Prakash Singh and Ors vs. Union of India and Ors 2006*, requiring local Indian governments to reform the police in part through the creation of state and district-level Police Complaints Authorities (PCAs) that hear and investigate citizen complaints of police misconduct.

This case motivated me to write a second working paper, co-authored with [Shengkuo Hu](#), in which we propose another mechanism by which national courts can limit government violations of human rights — by issuing rulings requiring local governments to create accountability institutions for victims of human rights to report allegations of state repression. In India, public trust in the police is exceedingly low ([Jauregui, 2011, 2013](#)). As a result, the preferences of the police cannot be assumed to be derived from the median voter (with some agency loss) via the traditional chain of democratic delegation. Instead, we propose a mechanism by which national courts can limit government human rights violations — by issuing rulings requiring local governments to create accountability institutions for violators of human rights. We argue that the creation of court-ordered, regional bodies to which citizens can report allegations of police abuse provides a mechanism of court-created “fire-alarm” oversight ([McCubbins and Schwartz, 1984](#)) by which police officers can be monitored and held accountable for abuses of power — even in countries where corruption of the police is a well-documented concern and police principals may not desire the protection of human rights.

The Court initially mandated full implementation of its order with regard to state and district Police Complaints Authorities by the end of 2006. When few states complied with the Court’s directive by creating PCAs, the Court doubled down, issuing a statement that states had three months from January 2007 to comply in full with the Court’s ruling related to the creation of PCAs. The majority of Indian states loosely complied with the extension, issuing Police Acts or government orders to

create PCAs before the March 31, 2007 deadline. Although many PCAs were de jure in existence at that point, however, few complied de facto with the spirit of the Court's ruling, instead creating institutions "dominated by bureaucrats and the police, serving and retired, with little representation from the community and civil society" (Commonwealth Human Rights Initiative, 2007).

Despite the fact that Indian states have been hesitant to fully implement the Supreme Court's order, we expect the creation of court-ordered fire alarm oversight institutions to decrease police violence and improve police respect for citizen rights. Following literature on the effect of courts on human rights (Ritter and Conrad, 2016), we argue that PCAs impose costs on accused violators of human rights even when the probability of enforcement is low. In the context of courts, experiencing litigation creates costs for the accused that they would prefer to avoid. Importantly, these costs exist even if the government is not found in violation of the law (Powell and Staton, 2009) and especially if the barriers to litigation are low (Lupu, 2013).

*Police Complaints Authorities Hypothesis:* PCA creation decreases police violence.

To test this hypothesis, we use a quasi-experimental difference-in-difference research design that capitalizes on cross-sectional and temporal variation in the implementation of state Police Complaints Authorities (PCAs) across 29 states and 7 union territories between 2001 and 2015 following the Supreme Court's ruling in *Prakash Singh and Ors. vs. Union of India and Ors.* Our dependent variable is police violence, measured by the number of deaths in police custody, as reported by the National Crime Record Bureau.

Our empirical results strongly support our hypothesis. We find that the creation of a state PCA reduces deaths in police custody by an average of 40 percent across myriad empirical specifications. We believe these results support our argument that court-ordered monitoring institutions can limit police violence — even in countries where governments are well-known to be corrupt and reluctant to implement police reforms.

### III. Concluding Thoughts

The conventional view of police violence is that the root cause of excessive use-of-force rests in the personalities

of the individuals who choose to become police officers. But this answer offers little guidance for reform; personalities cannot be intentionally altered en masse. Drawing on principal-agent theory and investigating the role of courts in changing police behavior, my co-author and I show that police officers respond to court directives. In addition to issuing rulings that directly affect police officers' assessment of the costs and benefits of particular tactics, courts can mandate the creation of independent 'fire-alarm' institutions to which victims can report allegations of rights violations against the police.

This is important for two reasons. First, changes in law are easier to implement than changes to officer personalities. With a better understanding of how these mechanisms work together to produce appropriate, and alternatively, inappropriate uses of force, we can rearrange police incentives and reorient police training to guide officers' behavior in a direction that is better for citizens and officers alike. Second, the ability to mandate the creation of accountability institutions — thereby sidestepping potentially politicized and corrupt police services, as in the case of India — means that domestic courts can be incredibly powerful actors in limiting government abuses of human rights. Courts have enormous power not only to influence the decision-making of police officers *directly*, but also to mandate the creation of independent institutions that monitor police officer behavior and improve human rights outcomes *indirectly*.

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# The Autocrat's Dilemma: The Politics of Ethnic Policing

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The threats autocrats face and their responses to political opposition are often characterized by violence (Svolik, 2012b; Greitens, 2016), so it should be no surprise that how they maneuver authoritarian rule influences the politics of policing and repression. Yet the question of how a state's internal security apparatus shapes individual behavior in multiethnic autocracies remains understudied. I was first drawn to questions of security and ethnicity after working in Bosnia Herzegovina and Uganda and then working with election observer missions in Kenya, Liberia, and Nepal. Existing research has long considered the relationship between ethnicity and conflict (Lyall, 2010; Fearon and Laitin, 2000; Horowitz, 1985; Varshney, 2001; Sambanis, 2001). Yet, ethnic politics in the internal security apparatus influences political violence and security threats in important ways beyond conflict.

This gap in our understanding is troubling because security and policing affects so much of political life and the phenomena we study. Repression, rule of law, human rights, and political participation are influenced by how individuals relate to domestic political institutions, particularly the state internal security apparatus. Only a few studies, however, systematically analyze the politics of policing in multiethnic societies (Hassan, 2016; Karim, Forthcoming; Blair, Karim and Morse, 2018; Ariola, 2013).

My research seeks to address this topic by exploring how the structure of a state's internal security apparatus influences individual behavior. For example, why do some people cooperate with the police by providing information while others are unwilling to cooperate with them? Why do some people go to the police for safety when they are threatened by political violence yet others won't turn to the police for security? I develop a theory of ethnic policing that argues that ethnic politics plays an important role in how leaders structure their security forces, which in turn affects the way individuals cooperate with the police.

Consider Kenya's highly contested December 2007

general election, which sparked post-election violence resulting in the death of over 1,000 people and the displacement of almost 700,000. Although the majority of the violence was perpetrated by civilians, the post-election crisis demonstrated the inability or unwillingness of the police to provide security and an estimated 36% of the 1,133 officially recorded casualties were killed by the police (Kenya National Commission on Human Rights, 2008; Lynch, 2009).

Autocrats are likely to [ethnically] stack their internal security apparatus to deter coups (Harkness, 2016; Quinlivan, 1999; Roessler, 2011) and ensure repressive compliance (Hassan, 2016). ...[This] engenders a dilemma for autocrats because excluding members of opposition ethnic groups is likely to generate an information problem, with the absence of ingroup members in the police forces likely decreasing ingroup cooperation.

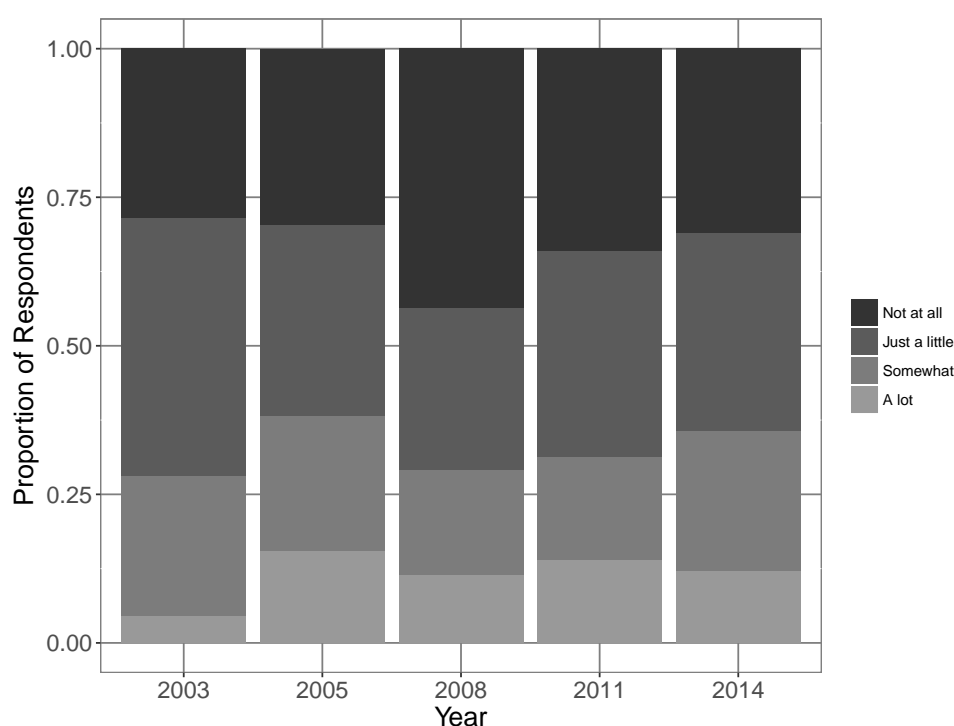
In the aftermath of the violence, Kenya's government took several steps to ostensibly promote public trust and confidence in their internal security apparatus by reforming the National Police Services (NPS). Parliament created the Independent Policing Oversight Authority in November 2011 and the new constitution required that the security forces, including the police, would be balanced to reflect the gender, ethnic, and regional diversity of the Kenyan people. Despite these domestic reforms, there remains a lack of public trust in Kenya's police force.

The information shown in Figure 1 reveals that a majority of Kenyans either do not trust the police at all, trusts them just a little, or only somewhat trusts them. Of the responses shown in Figure 1, 68 percent said that they do not trust the police or only trust them a little bit (32 percent and 35 percent respectively). Only 11 percent said they trust the police a lot. In 2008, 44 percent of respondents said that they did not trust the police at all. In 2014, only 12 percent of respondents reported having a lot of trust in the police.<sup>1</sup>

<sup>1</sup> Figure 1 does not reflect missing data or respondents who said that they did not know or had not heard enough to say. However, only 1.6 percent of the data were in these categories.



Figure 1: How much do you trust the police?



Note: Data are based on survey responses in Kenya from Rounds 2, 3, 4, 5, and 6 of the Afrobarometer.

There is another problem in addition to this lack of trust. President Kenyatta and Deputy President Ruto's respective coethnics, Kikuyu and Kalenjin, are disproportionately represented in the NPS (37 percent) relative to their share of the population (30 percent). Comparatively, the leader of Kenya's opposition coalition National Super Alliance (NASA), Raila Odinga, is from the Luo group that dominates the west of Kenya and the coast. His coethnics compose approximately 11 percent of the population, but they remain underrepresented in the police, making up only 8 percent of the NPS.

Riots and protests erupted following Kenya's most recent general election in 2017 and again highlighted concerns regarding the role of ethnicity within the Kenyan police force. When the Independent Electoral and Boundaries Commission declared electoral victory for the incumbent candidates President Kenyatta and Deputy President Ruto before the constituency results had been tallied, supporters of Odinga took to the streets to protest perceived electoral fraud. The government response was strong-handed; the police killed over 215 people in the weeks following the August 8

election. After Kenya's Supreme Court invalidated the results, the police were suspected of threatening court justices to ensure that the results of the second election would not be overturned.

When the opposition organized a demonstration and declared Odinga the people's president, the regime responded by shutting down media, ignoring court orders, and charging political opponents with treason. On 6 February 2018, the [Washington Post Editorial Board](#) wrote that President Kenyatta is "leading the country back toward the autocracy it thought it had left behind." The police in Kenya provided critical support for Kenyatta and Ruto, even as those actions undermined recent democratic reforms.

Considering the structure of the state security apparatus is important for authoritarian politics because autocrats, like elected politicians, prefer to maintain power. Yet unlike democracies where politics unfolds under the umbrella of the rule of law, the survival of autocrats and the politics of authoritarian regimes plays out under the ever present threat of violence. Political

survival in multiethnic societies is further complicated as the political lines of inclusion and exclusion are often drawn along salient ethnic divides (Arriola, 2013).

Autocrats have to determine the most effective way to police communities because they do not personally engage in repression. Instead they task their agents to intern members of society, mass confiscate property, displace, imprison, torture, or engage in extra-judicial killings or genocide. Yet the same agents are also tasked with providing security and deterring criminal activities. Scholars have acknowledged the classic principal-agent problem that leaders face when they rely on repression (DeMeritt, 2015; Svolik, 2012b). Yet these studies focus on the three-actor dynamics that occur between the autocrat, the military, and the public rather than exploring the dynamics between individuals, the police, and the autocrat. Svolik (2012b), for example, refers to soldiers as the “repressive agent of last resort.” By contrast, in many multiethnic societies the police are the regime’s repressive agent in ordinary times.

### *I. The Autocrat’s Dilemma*

Democratically elected politicians must simultaneously deter intra-party threats and successfully campaign for voter support to maintain political office. Similarly, autocrats must deter the twin threats to their rule that emerge from within their ruling coalition and those that come from those they have excluded from power.<sup>2</sup> Recent contributions to the literature on authoritarian politics focuses on how leaders coopt opposition to quell unrest, consolidate control, and spur economic growth and manage labor relations (Kim and Gandhi, 2010; Conrad, 2011; Gandhi, 2008a; Gandhi and Przeworski, 2006; Gandhi, 2008b). Yet, at the end of the day, one of the defining features of authoritarian politics is not how elites are coopted but the ever present threat of the autocrat to employ violence to purge and suppress those willing to engage in collective action challenging the regime. Accordingly, coercive institutions are “a dictator’s final defense in pursuit of political survival, but also his chief obstacle to achieving that goal” (Greitens, 2016, 4). How autocrats structure the repressive apparatus is critical to how they maintain power.

When autocrats in multiethnic societies structure their internal state security apparatus, navigating the principal-agent problem associated with repression,

they face a dilemma. On the one hand, they can fill the police force with loyalists or coethnics as a means of protecting them against possible coups and ensuring repressive compliance. I call this process ‘stacking.’ On the other hand, they can use ingroup community policing tactics that employ local ethnic groups, which is likely to increase civilian cooperation and information transmission from the public. I call this process ‘mixing.’

Autocrats are likely to have the following preferences regarding repression: they want to ensure protection from internal threats while ensuring that political opponents within the population are effectively repressed. When they stack the police force to accomplish these goals, they are less likely to foster community trust and cooperation. Alternatively, when autocrats mix their police force, they are likely to increase security force access to local information networks and civilian cooperation. By exploring the autocrat’s dilemma, I argue that the actions autocrats take to neutralize threats from within and ensure their agents are willing to repress cause ‘presence effects’ that decrease their capacity to target political opponents. This is because their tactics undermine civilian confidence in the domestic institution. To understand how autocrats pursue these preferences in multiethnic societies, we need to first understand how and why ethnicity is likely to matter.

### *II. Why Ingroup Policing Matters*

Ingroup policing matters for members of the public and autocrats. Presence effects, associated with greater ethnic presence within the security apparatus, are likely to lead to increased cooperation from the ethnic groups included. The autocrat’s coethnics might be more likely to cooperate with the security apparatus because they identify with the ethnic group in power — regardless of the ethnic composition of the police force. Yet presence effects — ingroup policing — differ from merely identifying with the ethnic group in power. To understand why ethnicity affects the way individuals relate to the police, it is helpful to discuss the various mechanisms that make ingroup ethnic cooperation more likely. Why might the ethnic composition of the security apparatus generate presence effects? Habyarimana et al. (2009) identify several mechanisms for why coethnics are more cooperative with each other.

**Personal Preference.** Individuals in autocracies, like

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<sup>2</sup>Svolik (2012b) refers to these twin challenges as the problems of authoritarian powersharing and authoritarian control.



elsewhere, prefer economic development and growth; access to healthcare, housing, and education; political empowerment; and safety and security. There are several reasons why, when individuals observe descriptive representation, it might encourage ingroup ethnic cooperation. First, the *other-regarding preferences* mechanism suggests that increased cooperation could occur because people believe that ingroup police officers will take the welfare of the ethnic group into account. Second, the *preferences in common* mechanism posits that cooperation with ingroup police officers will increase because people will believe that ingroup police officers prefer similar outcomes.

**Technology.** Additionally, presence effects might operate through various technology mechanisms. For example, individuals may be more likely to cooperate with ingroup police officers because they are able to function together more efficiently. Such efficacy could be because members from an ingroup interact more frequently, are better able to gauge each other's reaction, or are more capable of tracking each other down.

**Strategy Selection.** Finally, in an environment of control and fear where one actor is contracted by the state to use violence, presence effects are likely to operate through an important *strategy selection mechanism*. Accordingly, ingroup members may be more equipped to punish each other for failing to cooperate (Fearon and Laitin, 1996; Lyall, 2010).

### III. Empirical Approaches

I test these mechanisms by exploring ethnic presence effects in the context of electoral violence, an important subset of political violence. By focusing on electoral violence, I explore a 'most-likely' scenario as ethnicity is likely to be more salient in periods of high political contestation (Fearon and Laitin, 2000; Eifert, Miguel and Posner, 2010). In this context, presence effects are more likely to engender cooperative gain — people providing information to the police — when the internal security apparatus has ingroup police officers.

I use data from surveys conducted in Kenya in 2016 and 2017 along with data on the ethnic composition of Kenya's police force to see whether higher levels of ethnic representation within the police make it more likely that individuals go to the police when threatened with electoral violence. I find suggestive support for my theory. Namely, individuals are more likely to go to the

police if threatened by electoral violence as their ethnic composition in the police force increases, even when controlling for a number of possible confounders at the county level, such as the level of police and communal violence, in addition to respondent characteristics, such as incumbent political support, age, and gender.

Like any study, this one has its limitations. Theoretically, the scope discussed above is broader than election violence. The theory presented above suggests that we should expect ethnicity-based presence effects in civilian cooperation in any ingroup policing situation. Methodologically, the ethnicity of the police officers are not randomly assigned. This is potentially a problem because previous work shows that electoral autocrats strategically shuffle their security apparatus during elections, which might exacerbate ethnic tension (Hassan, 2016). So even when the police force is mixed, autocrats are likely to strategically shuffle officers.

Additionally, there are three channels of bias that might affect how survey participants respond to sensitive questions like those relating to policing and security. First, there is likely to be systematic measurement error due to *social desirability bias*. When asked about their level of trust and willingness to provide information to the police, respondents might misrepresent their 'true preferences' so that they are seen as more favorable to the regime. Second, fear of the police might be a strong mechanism hindering civilians from expressing their sincere preferences. Third, there is likely to be systematic underreporting as respondents are likely to skip sensitive questions. To address the methodological hurdles associated with eliciting the 'true' preferences of respondents in violence-prone/repressive contexts requires a creative approach.

To overcome these potential limitations of my observational design, I plan to field a survey experiment on community policing. In my experiment, I will collect information about how respondents perceive the relationship between the community and the police and their level of institutional trust in the police. I will then employ a choice-based conjoint design that asks participants to read various hypothetical situations and indicate which police officers they would prefer to interact with across these vignettes.

Each respondent will evaluate a set number of com-

parisons between police officers. Officer profiles will vary along five relevant attributes: ethnicity, gender, age, rank, and willingness to pay for information. By varying the ethnicity of the police officers, I can directly test whether individuals are more likely to cooperate with ingroup members. Similar to list and endorsement experiments, conjoint analysis can possibly reduce social desirability bias. This is because conjoint decisions ask respondents to focus not only on one characteristic in a situation but several (Hainmueller, Hopkins and Yamamoto, 2014). In this approach participants are less likely to feel pressure to make the ‘right’ selection based on the ethnicity of the officer.

#### IV. Conclusion

In multiethnic autocracies, autocrats are likely to stack their internal security apparatus to deter coups (Harkness, 2016; Quinlivan, 1999; Roessler, 2011) and ensure repressive compliance (Hassan, 2016). Yet as I argue in my work, this decision is not innocuous and has important implications for how individuals interact and cooperate with the police on such matters as reporting threats of electoral violence, criminal activity, and opposition movements. The politics of policing in multiethnic societies engenders a dilemma for autocrats because excluding members of opposition ethnic groups is likely to generate an information problem, with the absence of ingroup members in the police force likely decreasing ingroup cooperation. My hope is that the results from my experiment will provide additional evidence for how ingroup presence effects shape how individuals relate to the police, as well as broader insights about how the structure of the internal security apparatus affects individual behavior.

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## Institutional Variation in Police Misconduct Oversight Systems

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Police are granted exceptional coercive privileges to restrict liberty and exercise force.<sup>1</sup> The legitimacy of the law enforcement system relies on them exercising sound discretion in the execution of these privileges. Unfortunately, they occasionally step outside of acceptable bounds. Sometimes these unacceptable actions are egregious or seemingly systematic.

Police misconduct involves the violation of rules and laws regarding appropriate behavior. Certain facets of police misconduct have garnered more attention than others, including corruption, racial profiling, and excessive force (brutality). I focus on excessive force because unlike other forms of misconduct, most countries legally circumscribe the parameters for the acceptable use of force by police, typically requiring necessity and proportionality. In addition to national law, the use of state force against civilians is regulated by international human rights law, within other supranational law like

the European Convention on Human Rights, and by several UN instruments (UN Code of Conduct for Law Enforcement Officials and the Basic Principles on the Use of Force and Firearms for Law Enforcement Officials).<sup>2</sup>

In the past 30 years, acts of police brutality in the U.S. have garnered widespread media attention and been the focus of periodic protest activity. But this phenomenon is not unique to the United States. Indeed, even countries like Sweden appear in human rights datasets as engaging in "ill treatment and torture" due to claims of police brutality (Eck and Fariss, *Forthcoming*).<sup>3</sup> While no reliable figures about police misconduct (or policing, more generally) exist in many countries, we have reason to believe that the degree of police misconduct varies cross-nationally (Osse and Cano, 2017). For example, surveys have found that more than 50 percent of police officers in India self-report using torture against suspects (Vadackumchery, 1996 in Perez, 2000), while in Kenya, 30 percent of citizen respondents had experienced police misconduct in the past twelve months (Osse, 2016).

### I. Regulating Police Use of Force

States wishing to enforce regulations on the use of police force face a principal-agent problem.<sup>4</sup> The challenge is to create oversight mechanisms and feedback loops that can facilitate the identification of violators. Already in 1972, the Knapp Commission, which investigated corruption in the New York Police Department (NYPD), concluded that, "there was an inherent tendency for all police agencies to degenerate into the same chronic state of corruption and abuse as occurred in the NYPD unless strong preventive measures were put in place and maintained over time" (Prenzler and Ronken, 2001, 154). Police departments have since developed different institutional mechanisms to address citizen misconduct complaints.

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<sup>1</sup> Following the UN Basic Principles on the Use of Force and Firearms, I use the term 'police' to denote all law enforcement officials; that is, "all officers of the law, whether appointed or elected, who exercise police powers, especially the powers of arrest or detention."

<sup>2</sup> Several countries have adopted these regulations into their own legislation (Osse and Cano, 2017).

<sup>3</sup> Importantly, Eck and Fariss also point out that Sweden's appearance on this dataset is largely due to the transparency of its institutions, which means that information about police brutality complaints are made public.

<sup>4</sup> Many states are not interested in establishing or regulating restrictions on police force. In dictatorships, the police force is often the most efficient and direct instrument of repression. As states transition from authoritarianism, they face particular challenges in transforming a repressive institution into one that respects human rights. Patronage systems also pose particular challenges because there are incentives to protect clients. Scholars of weak and transitional democracies note widespread political interference in criminal investigations and prosecution, and report that police are frequently used as an instrument for those in power rather than a service to the people (Hansen, 2008; Osse, 2016).

These systems have two primary aims. The first is deterrence. Enforcement processes serve as a signaling mechanism about the costs of future infractions to potential violators. The second is to signal state commitment to enforcement in order to increase public confidence in the rule of law and to counter perceptions of impunity.<sup>5</sup> How states respond institutionally to police misconduct is central to normative commitments to human and civil rights. In constitutional democracies, citizen oversight also functions as a check and balance on the legitimacy of the state's monopoly over the use of force. Moreover, abusive policing can create or exacerbate political tensions — narratives of contentious social movements and political violence often note how police brutality has resulted in escalated hostilities and entrenched conflict.

The current state of knowledge regarding the design and performance of police misconduct institutions is virtually nil. [...] At present, best practice regarding institutional design is based on normative considerations and anecdotal evidence, underscoring the need for systematic and comparative analysis.

Despite the importance of understanding institutions that address police misconduct complaints, remarkably little cross-national or systematic work has been undertaken in this area, leaving scholars and policymakers with little empirical basis for understanding which institutional designs function best.<sup>6</sup> The need for an evidence-based approach to this question is evinced by the fact that despite the plethora of different complaints systems in the U.S., the Department of Justice does not promote any particular system of police accountability (Finn, 2001). In general, there is a paucity of cross-national data on policing.<sup>7</sup>

## II. Unpacking Regulatory Institutions

Previous work in criminology on police complaints systems has focused primarily on the question of what

is an appropriate level of police involvement in complaint systems. This literature uses a variety of terminology — independent oversight, external review, civilian monitor, civilian review, internal review, ombudsman — that tend to be arranged on a spectrum of police operated versus non-police operated systems (Smith, 2004). These categories, however, mask important institutional and functional variation (Finn, 2001). There are a number of different components that may be relevant for understanding institutional design. Here I discuss formalization, standardization, centralization, independence, accessibility, sanctioning powers, procedural transparency, and retributive risk. The aim here is to initiate a discussion about which institutional facets may affect the utility of these systems to prevent police misconduct and increase citizen legitimacy. This is particularly important since dysfunctional or non-existent mechanisms to address police misconduct may fuel grievances against the state and prevent feedback loops about suboptimal performance of state agents. Data from the British Crime Survey, for example, reveal that 80 percent of people who were “really annoyed with the police” did not complain (Smith, 2009); this pattern is likely replicated cross-nationally.

**Formalization.** The obvious starting point is to ask whether there is an institutionalized procedure for filing and investigating claims of police misconduct via the state. Many countries have no such state-run systems, although civil society often fills in where governments fail, through human rights reporting and investigation. While these organizations can raise awareness about abuse and engage in advocacy, they have no direct channels for punishment. Countries lacking complaints procedures may offer the opportunity for adjudication through civil court procedures, although these processes cannot result in criminal charges and the evidentiary responsibility rests with the plaintiff (i.e. the victim of abuse), often posing an insurmountable hurdle. Some ‘systems’ are entirely informal. In Japan, for example, citizens can contact police supervisors with some expectation that their complaints will be responded to appropriately due to social norms regarding police service. Nonetheless, there are no for-

<sup>5</sup>There is greater variation in citizen attitudes than this claim suggests. Scholars note the ‘noble cause’ problem: people are often willing to tolerate police brutality when they perceive that the ends justify the means in terms of combating certain crimes and security threats, or if they lack confidence that criminals will be punished in the criminal justice system.

<sup>6</sup>There are also internal operative systems designed to identify potential offenders; for example, early warning systems which flag problem officers. Though related, these measures are outside the scope of this essay.

<sup>7</sup>I have noted elsewhere that there are only three variables related specifically to the police in the comprehensive Quality of Government dataset (survey data on bribes, corruption, and quality of policing) (Eck, 2018) and none in the Varieties of Democracy dataset.



mal mechanisms ensuring a fair or predictable process within such informal systems.

**Standardization.** At a minimum, one can distinguish between extraordinary and standard procedures. Extraordinary procedures are one-off investigations, often prompted by public outcry; the Knapp Commission and the Christopher Commission in Los Angeles are examples. The mandate of such commissions is typically circumscribed to investigation and recommendation, and rarely do they have any power to enforce their recommendations. The two processes can exist in tandem, as in the U.S.

**Centralization.** The criminology literature has observed that some states exhibit subnational variation in the design of complaints systems, typically in federal states like Australia (provincial-level) and the U.S. (municipal-level). In other countries, like Sweden and Norway, there are nationalized systems where complaints are forwarded to a central office. Once there, complaints are initiated, conducted, and concluded. Research has not probed whether there are any effects of this within-country plurality of design, nor has it sought to leverage subnational variation to conduct comparative work on system design; for example, through matching or other observational designs.

**Independence.** Independence relates to the extent of police versus civilian involvement in the complaint system. At one end of the spectrum are Internal Affairs or Professional Standards divisions in which the police investigate themselves. Observers, though, have questioned whether the police can be trusted to execute impartial peer review. There are several possible concerns here including cronyism and the ‘blue code’ of silence.

At the other end of the spectrum are systems that integrate civilians, although pure civilian systems are rare. Most are hybrid systems that rely to some degree on police cooperation, though the nature of this cooperation varies across institutional designs. Some of these constitute citizen review. In these systems police conduct investigations into their abuse by their own agents but an external agency plays a monitoring role (Goldsmith, 1991); it may or may not be able to override police decisions, however. For example in the UK, police forces deal with the majority of complaints, and must themselves refer the most serious cases to the Independent

Office for Police Conduct (IOPC).<sup>8</sup>

In systems of citizen control, the power to investigate is vested in citizens and is independent of the police themselves. In the U.S. and elsewhere, a local prosecutorial authority (such as a District Attorney) may be responsible for investigating misconduct. This can be problematic because of the dependence of District Attorneys on police cooperation for prosecuting (non-police) crimes, which constitutes the bulk of their caseload. Some countries, like Sweden and Canada, seek to circumscribe this dependency by creating separate and independent prosecution units dedicated to abuse by law enforcement (and the judiciary).

In the early 1980s, the vast majority of police forces in the U.S. used exclusively internal mechanisms. The 1990s saw a move to increased citizen oversight (Finn, 2001), with over a hundred oversight bodies established in American cities by 2005 (De Angelis, 2009). Most of these systems are not completely free from police involvement, in part because of concerns that non-police are unable to appreciate the nature of police work and therefore should not have investigatory responsibility.

At the heart of this discussion is the idea that the functioning of the system and its legitimacy in the eyes of the public is contingent on the incentives of agents involved in misconduct investigations to shirk. The push for civilian oversight is based on the assumption that when social acceptance or career advancement are unrelated to the investigatory mandate, investigators are more likely to make unbiased decisions.

**Accessibility.** Complaints systems vary in their level of accessibility. One facet of accessibility is the ease by which citizens can access information about the laws and procedures regulating misconduct complaints. Are citizens entitled to advice, assistance, or representation? Surveys from the UK and Australia show that police can use a range of techniques to discredit and dissuade potential complainants (Box and Russell, 1975), and are often successful at this (Maguire and Corbett, 1989; Prenzler et al., 2010). Another facet of accessibility is whether there are requirements that must be met in order to file a complaint.

It is also worth considering that people who are disempowered are often disproportionately exposed to po-

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<sup>8</sup><https://policeconduct.gov.uk/>. Accessed 2018-02-20.

lice misconduct and at the same time have the greatest to fear in terms of retribution or adverse repercussions, such as harassment or the possibility that police will not come to their aid later if called (Smith, 2009). Barriers to accessibility might also systematically disenfranchise certain groups of citizens.

**Sanctioning Powers.** Some complaint systems, for example the South Africa Independent Police Investigative Directorate (IPID), only have investigatory and not prosecutorial authority. IPID recommendations are forwarded to the National Prosecuting Authority, which can then decide to request more information, decline to prosecute, or prosecute. Without enforcement power, bodies mandated to investigate police misconduct have no teeth, and in such systems victims often do not file complaints because they are aware of this (Amnesty International, 2009). In some systems, the possibility of performance-based punishment (such as suspension or pay docks) or criminal charges is completely moot.

**Procedural Transparency.** In systems with full transparency, complaint details and details of any investigation are available to the complainant, as well as to the public, upon request. Transparency is particularly central to citizen confidence in the investigation and adjudication process. Non-transparent systems feed beliefs that the use of lethal force may not have been fully justifiable. Policing scholars have also noted that procedural justice in state responses to misconduct is at the heart of legitimizing these institutions. If the policing process is perceived as fair, consistent, and impartial, citizens are more likely to perceive the policing system to be legitimate regardless of the outcome of a particular decision (Donner et al., 2015; Mazerolle et al., 2013).

**Retributive Risk.** There are both *de jure* and *de facto* dimensions to the risk that a complainant faces of retaliation. Most of the criminology literature focuses on the latter: citizens' (often justified) concerns that making a complaint against the police will result in negative externalities. But there are also legal dimensions to this question. For example, in France police can sue claimants for defamation or outrage (insulting a law enforcement official) and this is, in fact, a popular course of action (Amnesty International, 2009).

### III. Methodological Challenges

Studying police misconduct systems is fraught with numerous inferential challenges. The first question to ask

is how one can best evaluate the relative 'success' of different institutional designs. What is success in a particular context, and how is it best measured? The criminology literature on police complaint systems widely accepts the benefits of transparency, accountability, and civilian oversight, but these conclusions are drawn on normative rather than scientific principles. For example, scholars note that internal systems of complaint have failed to stymie abuses and turn to countries like Canada and Norway to demonstrate the benefits of external systems. They generally fail to consider, however, the possibility that the apparent relationships between abuses and systems might be illusory, the result of omitted confounders.

The number of misconduct complaints filed is a poor proxy for the population of actual police misconduct violations because the reporting process itself is conditioned by institutional structure. That is, citizen awareness of and confidence in complaints systems is likely to be correlated with an increased willingness to report violations.

If the desired social outcome is the reduction of misconduct, important measurement issues arise. The number of misconduct complaints filed is a poor proxy for the population of actual police misconduct violations because the reporting process itself is conditioned by institutional structure. That is, citizen awareness of and confidence in complaints systems is likely to be correlated with an increased willingness to report violations. Thus improvements to the complaint system may result in increases in misconduct complaints. Research has highlighted that there are likely to be strong selection effects at work (Prenzler and Lewis, 2005).

Substantiation rates and convictions are also poor proxies because they suffer from the same reporting dynamic: as the barrier to complaining is lowered, the system is likely to receive a greater number of complaints that do not meet the legal requirements for punishment, particularly since the burden of evidence for conviction typically requires documentation that only occasionally exists (video footage, reliable witness testimony, and so on).



There are also issues of reverse causality: problems with police brutality are likely to drive reforms, and inefficiencies and pathologies are themselves likely to drive institutional experimentation. Alternatively, criminologists often rely on citizen survey data to measure public trust and perceptions of good governance. Perceptions, however, often fail to map on to objective measures of performance, and increased awareness about misconduct complaints systems may increase citizen perceptions of brutality as a problem. Acquiring inferential leverage over institutional performance will require creative approaches to experimentation, matching, and other tools to mitigate the problems of observational data.

#### IV. Beyond Institutions

Finally, it is worth noting that studying institutional design is likely to only provide part of the answer to why some systems perform better than others. Other factors also come into play when considering functional performance. Institutions often fail to function as intended. Sometimes explicit or implicit biases lead to discriminatory patterns in investigation and adjudication (Eck and Crabtree, 2018). Issues of timeliness of case completion and under-resourcing affect citizen satisfaction with complaint systems. Most research on complainant attitudes find that they are dissatisfied with the complaint process (De Angelis, 2009; Landau, 1996; Smith, 2009) and this is often due to dissatisfaction with both institutional and functional considerations. The current state of knowledge regarding the design and performance of police misconduct institutions is virtually nil. There is a massive demand to address the question of police brutality and its regulation both in democracies but also in transitioning countries engaged in security sector reform. At present, best practice regarding institutional design is based on normative considerations and anecdotal evidence, underscoring the need for systematic and comparative analysis.

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# Police, Politics, and Political Science

by [Hernán Flom](#)

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Police are responsible for the basic function of the Weberian state: the exercise of legitimate violence. They are one of the largest street-level bureaucracies ([Lipsky, 2010](#)) and, for better or worse, the most familiar (if not the only) face of the state for individuals from underprivileged social sectors. Nonetheless, even as political scientists have recently paid greater attention to crime and violence ([Arias, 2017](#); [Duran-Martinez, 2017](#); [Lessing, 2017](#); [Trejo and Ley, 2018](#)), the police remain a relatively understudied subject in comparative politics. This gap accrues particularly to police relations with governing politicians in democratic regimes. Police are neither free from political interference nor devoid of internal and external politics, especially in countries with weak formal institutions. This essay suggests a few lines of inquiry to address this topic and outlines the principles of a new conceptual framework to study this key state actor.

## *I. How Weberian?*

The state's monopoly of legitimate violence is more an ideal than a reality in most developing countries, whether democratic or authoritarian, for at least three reasons. First, in these countries other actors — such as terrorist groups, guerrilla insurgents, or criminal warlords — contest the state's authority ([Weinstein, 2006](#); [Arjona, 2016](#)). State actors in these countries are also confronted with Mafias, drug trafficking organizations, and criminal gangs ([Gambetta, 1996](#); [Lessing, 2017](#)), to whom they often cede authority and the ability to enforce order.

Second, police (and other criminal justice institutions) frequently engage in illicit — and potentially illegitimate — behavior when performing their assigned functions ([Yashar, 2013](#)). Police, for instance, often charge fees to protect the development of the very criminal activities they are supposed to prevent; sometimes they go as far as to actively manage these illegal enterprises ([Snyder and Duran-Martinez, 2009](#)). Furthermore, police often abuse their prerogatives and carry out gross violations of human rights against presumed criminals, including torture and summary executions. For example, the Military Police in the Brazilian State of São Paulo has killed more than 1,000 people per year since the 1990s, far more than the Armed Forces during

the country's twenty-year dictatorship ([Caldeira, 2000](#); [Human Rights Watch, 2009](#)). Most of these cases were labeled as “deaths while resisting authority,” in effect exonerating the police and blaming the victim for his own death.

Finally, and related to both of the previous points, various sectors of civil society openly challenge police authority when they perceive that the police are deeply involved in organized crime, or more likely to harm them than the actual criminals ([Cruz, 2009](#)). This situation might also appear when the state's repressive activities are (or appear to be) biased against certain social sectors, based on race ([Davenport, Soule and Armstrong, 2011](#)), ethnicity ([Wilkinson, 2006](#)), or social provenance ([Stuart, 2016](#)).

Given these limits of state legitimacy, what can politicians do with respect to the police? What have political scientists taught us regarding these problems? What can the discipline contribute? I will center this discussion on democracies in developing countries, which generally possess weak formal institutions ([Helmke and Levitsky, 2006](#)). However, some theoretical implications could also apply to the United States or other advanced democracies.

In short, a political economy framework could enable a richer understanding of the role police play in the public security policymaking process, what steps are involved in implementing policies, and how police relate to other relevant actors, such as the judiciary and the penitentiary system.

## *II. Police-Government Relations*

With the advent of the third wave of democratization, politicians gradually found out it was as necessary to reform police institutions as military forces ([Stepan, 1988](#)). However, while most governments have managed to subdue the military to civilian control, political control over the police is less evident in developing democracies. I posit that there are three main patterns of police-government relations. The first is when police run amok, free from any political control, which allows them to dictate their internal governance and external operations ([Flom, 2017](#)). This situation rarely endures, as politicians have various means at their disposal to

intervene with the police when it is not working in their favor, despite police resistance. For example, they can remove commanders, cut police budgets, or place the police under civilian control. The persistence of this scenario may not only indicate police capacity to resist political encroachment but also political benefit from police 'autarky' and therefore some political control over the police.

The second scenario is police politicization. In this case, elected officials control the police such that it acts in their personal or partisan benefit, without regard to the rule of law or human rights. This system is based on personal accommodation rather than professional merit. Police might curry favor with their political patrons through the supply of funds derived from the protection of criminal activities or through the selective repression of the government's political or societal opposition. Politicians can reward this police acquiescence with prized appointments, transfers or promotions, and, perhaps most importantly, with protection from administrative sanctions or judicial investigations and allow police to keep the proceeds of their illegal activities. This system works best with a centralized transfer of funds along the police chain of command, which depends on the complete submission of the rank-and-file to superior officers.

Under politicization, officers will rarely have incentives to perform well or develop their skills, because their career trajectories will be determined by fealty to their commanding officers and, ultimately, political sponsors. In the same vein, few would investigate crimes that involve fellow police officers, since that investigation is sure to kill their own chances to advance their careers. For example, Graham Denyer Willis' research on the São Paulo police uncovered various tactics by which officers distorted investigations into homicides committed by their peers, which ultimately justified them (Willis, 2015).

The third, and least common, scenario is police professionalization. Police act according to depersonalized norms beyond the whim of any elected official. Police forces' criminal investigations and order maintenance actions can still be guided by political directives yet they

are restrained by depersonalized judicial guarantees. This scenario must necessarily be conflated with police acting in accordance with democratic principles when dealing with democratic regimes. Professional police are expected to be respectful of human rights and apply lethal force only when strictly necessary, following a rigorous protocol. Moreover, officers who are presumed to disregard these regulations are duly investigated and, if necessary, punished. Furthermore, police do not engage in widespread corruption or complicity with organized criminal rackets and investigate other state actors who engage in this behavior.<sup>1</sup> Officers are promoted based on merit, measured with objective indicators such as clearance rates and citizen satisfaction, rather than political affinity with the incumbent. In most developing countries, implementing these shifts requires a wholesale reform of the national and/or subnational police force.<sup>2</sup>

### *III. Political Science and Police Studies: Reform and Policy Impact*

Most political science research on the police has focused on the conditions that enable or inhibit reform implementation. Starting in the late 1990s, this literature has provided useful insights on the obstacles of reform, including partisan turnover, conflict between multiple government tiers, and opportunist politicians (Davis, 2006; Eaton, 2008; Arias and Ungar, 2009; Moncada, 2009). Most police reforms effectively succumbed, as evidenced by the continuity of systematic corruption and extra-legal violence in the forces of most developing regions (Hinton and Newburn, 2009). The few successful police reforms have come in the wake of major scandals, such as murder by police of children or journalists (Gonzalez, 2014). However, many studies in this literature lack comparative focus, including within-case process tracing. Thus, they sometimes reveal more about the cases analyzed than about theories explaining advances or setbacks in police reform.

In the last decade, the causal inference revolution has produced a second wave of policing studies, which sought to isolate the impact of different public security policies typically on the level of crime and/or violence.<sup>3</sup> One central finding of this literature is that increased police presence reduces crime rates, at least in the short-

<sup>1</sup> A positive example in this sense is the Brazilian Federal Police, which carried out the Lava Jato investigation.

<sup>2</sup> This explains the conflation of reform with the democratization of security and 'counter-reform' with changes in an authoritarian direction.

<sup>3</sup> Of course, this does not imply that police are the only, or even the most effective, means to reduce crime.

term (Levitt, 2002). Di Tella and Schargrodsky utilized a natural experiment — a terrorist attack — to reveal this insight in the city of Buenos Aires (Di Tella and Schargrodsky, 2004). However, saturation strategies often put undertrained officers on the streets and selectively target lower-income neighborhoods, with the risk of increasing institutional violence, as well as crime displacement to adjacent areas.

A second series of experimental and quasi-experimental studies has focused on different policing strategies, such as how police control crime. In Latin America, the most popular policy interventions are variants of ‘hot spot policing’ and ‘proximity policing’. In the former, governments increase police presence in a specific geographical area where certain crimes are more frequent. In the latter, police complement their geographical assignments in troubled areas with a broader, peacekeeping role beyond merely repressing crime. One such intervention has been the Police Pacification program (UPP) in Rio de Janeiro, Brazil, which set up more than 40 police units in turbulent areas of the city since 2008 in preparation for the 2014 World Cup and 2016 Olympics. This program reduced homicide rates as well as police lethal violence in favelas (slums) by approximately 60 percent (Magaloni, Franco and Melo, 2015). However, it has recently fallen prey to the state’s budget cuts and the consequent resurgence of criminal gangs. This newer wave of studies on policing strategies tends to focus on its presumed impact while ignoring the political conditions that enable such programs or their systematic effects on the police as an institution. This perspective is problematic given another typical shortcoming of experimental studies — their potential lack of external validity. Governments are prone to mimic ‘successful’ strategies without due attention to context and process.

In fact, Latin American governments have increasingly incorporated randomized or semi-experimental designs to their security policies, in large part due to the financial and technical assistance from international organizations (Jaitman and Guerrero Compeán, 2015). While evidence-based policies are certainly a positive change, the region’s police forces still exhibit high levels of social distrust while organized crime continues to thrive and homicides do not subside. Addressing this

situation requires a more integral approach to citizen security policies that incorporates different actors, their incentives, and the arenas where they interact.

#### *IV. Political Economy of Citizen Security: A Conceptual Framework<sup>4</sup>*

Implementing a political economy approach to policing requires a greater understanding of the policymaking process.<sup>5</sup> This framework starts by defining the institutional and political incentives of the actors involved (including elected officials, government bureaucrats, police officers of different rank, judges, and prosecutors) and the arenas in which the design and implementation of policies takes place (such as the executive, Congress, police departments, and patrols). A political economy framework underscores that policies are not simply the result of external shocks or purely economic considerations, but that the distribution of political power shapes the availability and attractiveness of different policy interventions and political strategies for decisionmakers. It also models policy formulation as a repeated game in which the players know they will have future interactions, perhaps under a different distribution of power. This theoretical framework could, in principle, make three contributions to the study of police politics.

First, this framework allows us to adopt a more nuanced view of police organizations. In general, policing studies assume that police forces are relatively homogeneous, centralized entities, when there are, in fact, many formal and informal divisions within the police. For instance, units in charge of controlling street protests have different assignments, training, and career paths than those responsible for crime investigations or gathering intelligence. While scholars tend to consider crime prevention the primary police function, police maintenance of order (or repression of social protest) is crucial, especially in a context of widespread mobilization against center-right or populist administrations in Latin America and the U.S. At the same time, despite popular imagery, most police officers’ working hours are spent on tasks other than combating serious crimes, such as responding to distress calls or filing paperwork for small misdemeanors.<sup>6</sup> Moreover, a large portion of police officers are not assigned to street patrol but rather to administrative duties or perform auxiliary functions within the force, such as education, health, and logisti-

<sup>4</sup>This section borrows from my technical note for the Inter-American Development Bank (Flom, 2018).

<sup>5</sup>For theoretical reference and empirical application of these concepts, see Spiller and Tommasi (2008) and Stein et al. (2008).

<sup>6</sup>See Moskos (2009), who provides an ethnographic study of the Baltimore police.



cal services.

Second, thinking in terms of actors and arenas can enrich the description of the policymaking process. Studies on policing, especially police reform, often either explain outcomes based on individual leaders' decisions or regard security policies as a mere technical issue without political implications. Knowing the different stages and the potential roadblocks along the way — from the legislature to reactions by criminal actors — is vital to understanding the effects that those policies can have (and why many projects do not occur).

Third, adopting a political economy approach can incorporate new actors. For instance, police studies have mostly neglected judges and prosecutors, even though they conduct criminal investigations and establish guidelines for police to act; therefore, they can either speed up or slow down inquiries into drug trafficking, money laundering, corruption, and other types of organized crime. The judiciary also enforces legislation with respect to police use of force. In this sense, Daniel Brinks has shown how the convergence between formal and informal norms held by police and judges manifests in different judicial responses to police killings (Brinks, 2007). However, we have yet to explore when judges' criteria change, how politicians influence such decisions, and apply this framework to non-lethal forms of police violence, such as the rise of incarceration rates accruing from pre-trial detention (Flom and Post, 2016). Organized criminal actors are another relevant actor that can be included to study the public security policymaking process. As Lessing (2015) has illustrated, drug trafficking organizations can exert "violent lobbying" techniques to overturn unfavorable policies.

In short, a political economy framework could enable a richer understanding of the role police play in the public security policymaking process, what steps are involved in implementing policies, and how police relate to other relevant actors, such as the judiciary and the penitentiary system. More generally, political science can benefit from interaction with other disciplines in all of these areas. Sociological and anthropological studies provide fine-grained insights into the various police sub-cultures and inner workings of the organization. Legal studies can offer a greater understanding of the formal constraints with which the police, politicians, and judges must deal. Collaboration with economists could allow us to discuss budgeting and spending, a

typically obscure but vital agenda. Thinking about the police is crucial for anybody who tries to understand the state, as political scientists certainly should.

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## Sheriffs in the United States: Authority and Autonomy in Local Criminal Justice

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### I. Introduction

For many, a sheriff brings to mind either the evil and greedy villain of Nottingham or the Western sheriff in a white hat, protecting a frontier town from threats from within and without. Yet, despite the mythological markers that loom large around the office, the reality is that more than 3,000 American sheriffs control vast and varying levels of resources and serve unique and important roles in maintaining peace, order, and justice at the local level. The political development of the office of sheriff, reaching back to 1000 in Norman England, has produced an office that is unlike any other in law enforcement or local politics in the United States: directly elected with high levels of autonomy and almost no oversight by other leaders and a large amount of discretion in policymaking choices. In what follows, we outline the history of the office, with a focus on the factors that shape what the office looks like today.

One of the unique characteristics of sheriffs is that most sheriffs are directly elected by their counties. We discuss sheriff elections, offering evidence of the racial and gender homogeneity of sheriffs: they are almost entirely white men. At the same time, sheriff elections

vary widely in other institutional factors. As such, the office of sheriff provides scholars with the opportunity to study how factors like term length, term limits, partisan and nonpartisan elections, degrees of authority, management of public resources, and role in the community might shape the behavior of both sheriffs and voters.

Sheriffs also have an impressive level of autonomy in the United States, stemming from the political development of the office and the direct election of sheriffs. The autonomy means that sheriffs can work as independent leaders, which produces opportunities for policy innovation. Yet, policy innovation is not always a good thing, as autonomy provides challenges in holding sheriffs accountable for their bad behavior.

Sheriffs are in a distinctive position of having a great deal of discretion in both policymaking choices and in the implementation process. This makes the office unique in function and purpose in the United States. We discuss two policy areas (domestic violence and immigration) where the attitudes of sheriffs shape the office's policies, demonstrating a clear representation-to-policymaking link.

Despite the large number of sheriffs, and the opportunities they present to evaluate questions of representation, policymaking, and bureaucratic accountability, little scholarly attention has been paid to the office. We argue that sheriffs offer a unique opportunity to evaluate how political institutions, identities, and incentives shape the policymaking, law enforcement, and bureaucratic behavior of these local actors. We close our essay with a discussion of opportunities for future research and investigation.

## *II. Historic Origins of the Office of the Sheriff*

The office of sheriff traces its origins as far back as at least 10th century Norman England and the shire-reeve (or 'county guardian'), who served to enforce the King's laws and protect the Crown's interests in local areas (Morris, 1918). While the shrieval office's original purpose was simply to serve royalty, officers were soon seen as representing the earl's power in the area and sheriffs grew in power (Sharpe, 2016). Sheriffs participated as advisors and participants in the writing of the Magna Carta. Indeed, the Magna Carta frequently mentions the office of the sheriff and 27 of the 63 clauses relate to the duties, office, or restrictions of the sheriff (Holt,

Garnett and Hudson, 2015).

When colonists moved to the Americas, so did the office of the sheriff. The office of the sheriff in the United States, however, departs in at least one important way from its English predecessor — it derives its authority from popular mandate through direct election (Falcone and Wells, 1995). This institutional change was purposeful, as the colonists saw a royally controlled sheriff as an imposition of power from the British Empire. It was also profoundly important. While the office of High Sheriff in England has devolved into a weak, symbolic position (as the power of the throne also declined), sheriffs in the United States continue to play an important role in local policing and law enforcement, in part because of their electoral connection to the public they serve (Sattler, 1992).

The office of the sheriff offered an opportunity for colonists, and subsequently, new Americans, to adopt the best practices of Anglo-Saxon sheriffs without also inheriting the accountability to the crown or the growing weakness of the office in England. Indeed, Thomas Jefferson would remark that the sheriff was "the most important of all the executive officers of the country" (Jefferson, 1905). The rural nature of early America combined with the sheriffs' election "meant that sheriffs were amongst the first public officials to be elected in any newly settled area and were therefore able to develop their role with little opposition from competing organisations or officials" (Gullion, 1992, 1152).

By the time William Murfree wrote his treatise on sheriffs in 1884, the office was widely recognized as essential in early American government. As he writes, "the sheriff is, in each of the United States, a constitutional officer, recognized *eo nomine* as part of the machinery of the state government" (Murfree, 1884). Because of this, although state legislatures could add or subtract powers from his portfolio of duties, it was, "beyond their powers to circumscribe his common-law functions or to transfer them to other officers" (Murfree, 1884).

It is also during this time that the sheriff begins to assume legal independence beyond that obtained by other local offices. While cities struggled to comply with Dillon's law during this time, and the legal assertion that cities owe their origins (and thus some degree of control) to the state legislature, sheriffs did

not face such challenges (Krane, Rigos and Hill, 2001). Indeed, Murfree (1884) writes that the state legislature “cannot strip him [the sheriff] of his time-honored and common-law functions and devolve them upon the incumbents of other offices created by legislative author.” State court rulings affirm the sheriffs’ independence, noting that the sheriff “possesses certain common-law powers and duties of which he cannot be deprived by legislature” (Clyde F. Snyder & Irving Howards, County Government in Illinois 78 (Carbondale: U. of Ill. Pr. 1960) and that the sheriffs’ powers are via “constitutional implication” (Cnty. of Edgar vs. Middleton, 86 Ill. App. 3rd 502 (1899)).

The origins of the office continue to have important implications today. For example, the Supreme Court in *Sweat vs. Waldon*, 167 So. 363 at 364 (Fla. 1936) referenced the history of the office as a justification of the power of the sheriff: “The office of sheriff is one of ancient origin. Its creation goes back to the time of King Alfred of England, and maybe further. The holder of the office has always been the chief executive officer and conservator of the peace in his county.” As such, the power of the sheriff is “paramount” over the powers of other county and local offices (Willis, 1979).

The constitutional origins of the office of the sheriff further contribute to its uniqueness. In 35 states, the sheriff’s office is constitutionally created, which differs significantly from the administrative or legislative origins of most police agencies and local political actors (Falcone and Wells, 1995). The constitutional origins of the office mean that the sheriff has a much higher level of autonomy than do other local actors; the state legislature, county citizens, or other layers of government cannot easily impede on the ability of the sheriff to carry out her duty.

### *III. The Election of Sheriffs in the United States*

The political development of the office also has the consequence that almost every sheriff in the United States is elected, with the exceptions of Alaska and Hawaii, which lack counties as meaningful political boundaries, and Connecticut, which changed to appointed sheriffs in 2000 via an initiative vote. A few other specific counties in the United States have appointed sheriffs; for example, the sheriff in Saint Louis County, Missouri is appointed. As a result, there are 3,080 elected sheriffs in the United States. Of those, 3,012 had at least one employee in 2013 (Bureau of Justice Statistics, 2016).

Sheriffs are elected via a variety of different institutional and electoral mechanisms. In most states, sheriffs are elected via partisan elections (83 percent of states) to 4-year terms (83 percent of states) without term limits (86 percent of states). In two-thirds of states, sheriffs are elected in off-year elections, further increasing the low-information nature of the contests. Many states have one or two counties that are exceptions to the general state rules; for example, in Colorado, some sheriffs are limited to two terms, while others are limited to three or four terms (National Sheriffs Association, 2016).

Sheriffs offer an opportunity to understand how elections, bureaucracy, and policymaking interact in an environment with legal autonomy. The combination of elections and autonomy make sheriffs unique in local politics, while the combination of elections and policymaking make them unique in policing.

Qualitative research has found that sheriffs spend a large amount of time campaigning for election, attending campaign events, and demonstrating responsiveness to public demands (Struckhoff, 1994). These activities are not confined to the time around elections. As one sheriff noted, “Even when you’re not campaigning in an election, you are [campaigning] because you’re seeking out friends, support and alliances while you’re in office in expectation of running again” (Sheriff Shelly, as quoted in Struckhoff, 1994, 143). Sheriffs also have groups of constituents, including voters, party officials, employees of the sheriff department, courts and justice personnel, those incarcerated in the county, other county and city officials, and peer sheriffs, police, and correction administrators. These groups often have competing goals and a sheriff’s attention may shift focus from one group to another, given changing events like elections or union negotiations. Some criminal justice scholars theorize that county sheriffs may interact more frequently and intimately with residents than other police officials because of the political nature of the office and direct citizen accountability (Decker, 1979; Falcone and Wells, 1995), suggesting that studying the election campaigns of sheriffs might be an ideal way to understand personal campaign management or “soaking and poking” (Fenno, 1978).



Sheriff elections also offer scholars an opportunity for research on political decision making in low information contexts. While we believe that most voters have little knowledge about sheriff candidates, their partisanship and incumbency can serve as important signals. It is unclear, though, how voters understand many things that might be important in evaluating candidates, such as the incumbent sheriff's behavior. We also do not know what effect overlapping law enforcement authorities in local communities or the multiple roles of sheriffs have on public evaluations.<sup>1</sup> Future research might explore how these factors shape citizen perceptions of the office and incumbent performance in elections.

#### IV. Who are Sheriffs?

In his 1884 evaluation of sheriffs, Murfree wrote "...all property qualifications have been swept away, and eligibility to the office is dependent only on age, sex, citizenship, and residence. On this point it is sufficient to say that in every state a sheriff must be a man ..." (Murfree, 1884, 6). For most purposes, this is still the case today. Sheriffs are overwhelmingly white and male, with some law enforcement background or experience. From our data, gathered in 2012 and updated in 2013, 93.5 percent of sheriffs are white men. Indeed, only 31 sheriffs are women, meaning that about 1 percent of sheriffs nationwide are women, which makes it the office with the second lowest-level of gender parity in the United States after the office of the president. Indeed, far fewer women serve as sheriffs than in any other local government position (Holman, 2017). Of the non-white sheriffs, 93 (or 3 percent of all sheriffs) are Black, 69 (or 2.2 percent) are Latino, and 7 (or 0.2 percent) are Native American. Again, far fewer elected sheriffs are non-white than other offices, including local offices (Farris and Chambers, 2018).

What accounts for the relatively low numbers of women and people of color in the office of the sheriff? First, sheriffs overwhelmingly emerge from law enforcement backgrounds, and deputies and law enforcement employees are largely white men. Women made up 14 percent of sheriff employees in 2013, up from 12 percent in 2007. In 2013, Hispanic employees make up — for the first time — the largest group of non-white sheriff employees, at 11.7 percent of employees, followed by Black sheriffs' employees, who are 9 percent of sheriff employees, Asian employees (1.6 percent) and Native

American employees (0.4 percent) (Bureau of Justice Statistics, 2016). Thus, if the pipeline to the office is from deputies working for the sheriff, there is a lower supply of potential candidates than there might be for other elected offices, where specific previous experience is not assumed or required.

#### V. What do Sheriffs Do?

Sheriffs control substantial portions of law enforcement resources in the United States with large amounts of discretion over how those resources are used. In 2013, sheriffs' offices employed 352,000 full-time sworn and civilian personnel, representing more than a third of the nation's general purpose law enforcement personnel. The number of sheriff offices' employees has increased 57 percent since 1993 (Bureau of Justice Statistics, 2016). Sixteen sheriffs' offices have more than a thousand employees. As has been true in the past, the Los Angeles County Sheriff's Department is the largest sheriff office in the United States, with more than 16,000 employees. To evaluate the importance of sheriffs in policymaking, we discuss how sheriffs address two policies of interest: immigration and domestic violence.

We provide a snapshot into sheriff policymaking in these two arenas. For both evaluations, we use data gathered from a 2012 original survey of over 500 sheriffs, where we asked sheriffs about their attitudes on a variety of issues, as well their offices' policies in arenas like providing services for victims of domestic violence and when their office typically checks the immigration status of individuals.

**Immigration.** In the summer of 2014, during the height of the crisis that involved migrant children crossing the border into the United States, Sheriff Paul Babeu (Arizona's Pinal County) sparked a series of anti-immigrant protests when he revealed the location of minors detained for crossing the border. In defending the protestors, Babeu expressed frustration with immigrant policymaking: "Local residents have every right to be upset and to protest. Our federal government has failed to enforce any immigration laws" (Pfeiffer, 2014). The National Sheriffs' Association has drawn attention to concerns about sheriffs' burden in immigration enforcement. In a position paper, the organization noted the uncomfortable role that sheriffs had been thrust into: "Sheriffs have no desire to become [f]ederal border

<sup>1</sup>Some sheriffs often hold a dual role, serving as the coroner (such as in California), tax collector (such as in Arizona, Louisiana, and Texas), or treasurer (such as in Illinois and West Virginia) in the county (National Sheriffs Association, 2016).

agents; however, until the [f]ederal government provides the necessary resources, manpower, and equipment needed to secure the borders, the responsibility for protecting their communities falls to the nation's sheriffs" (National Sheriffs Association, 2013).

A growing body of literature demonstrates the resulting uneven, localized nature of immigration enforcement today. In evaluating local immigration policy, Varsanyi et al. (2012) find that police chiefs in cities and county sheriffs differ in both their cooperation with federal immigration authorities and their concern for reputational costs among immigrant communities. For instance, sheriffs were twice as likely as police chiefs to say they viewed federal officials as "influential" in shaping their offices' immigration enforcement practices and policies (Lewis et al., 2012; Lewis and Ramakrishnan, 2007). We continue this line of work in our article, "All politics is local? County sheriffs and localized policies of immigration enforcement" (Farris and Holman, 2017).

Future research might evaluate why it is that sheriffs are so much more conservative on gun rights than police chiefs or other law enforcement, where the majority of police chiefs support most types of gun control.

Figure 1 details the distribution of responses to "When your officers encounter individuals who might be unauthorized immigrants in each of the following situations, do they typically check their immigration status with Immigration and Customs Enforcement?" The results show tremendous variation, with just over a quarter of sheriffs reporting that they check immigration status when a suspected individual is interviewed as a victim or witness or stopped for a traffic violation. In comparison, almost 90 percent of the sheriffs indicate checking the immigration status of suspected unauthorized immigrants when they are booked into jail.

The variation in when sheriffs check immigration status also allows us to use the replies to this question as a dependent variable and evaluate if local factors, including sheriff attitudes about immigrants, influence when they check immigration status. We find that more conservative counties elect sheriffs with more negative attitudes

about immigrants. In turn, those sheriffs with more negative attitudes about immigrants are more likely to check immigration status more frequently.

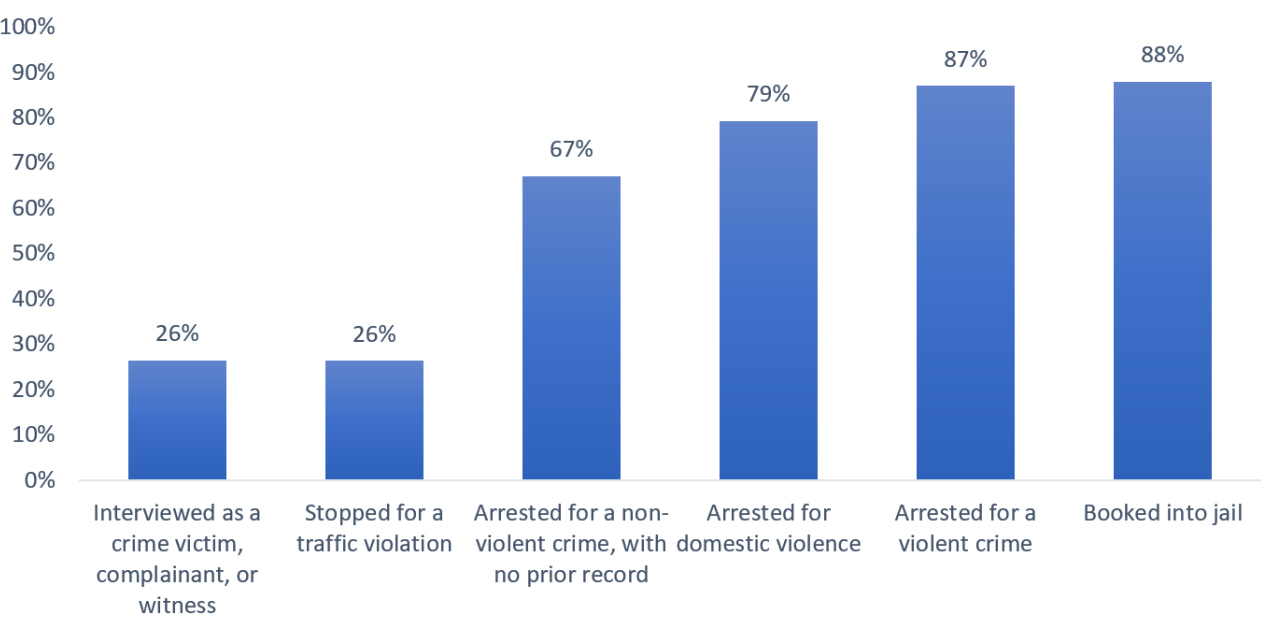
**Domestic Violence.** Sheriffs' offices regularly serve as the first point of contact in situations involving violence against women, including domestic violence and sexual assault. Nine of ten sheriffs report addressing domestic disturbances in the previous year (Bureau of Justice Statistics, 2012) and the office exercises extensive discretion over domestic violence policies. The evidence also suggests that sheriffs' offices, while routinely responding to intimate partner violence, lag behind other law enforcement agencies in addressing domestic violence. While 70 percent of local police departments reported having a specialized unit with full-time personnel assigned to address domestic violence, only 28.8 percent of sheriffs note having such a unit (Bureau of Justice Statistics, 2012). In our article, "Public officials and a 'private' matter: Attitudes and policies in the county sheriff office regarding violence against women" (Farris and Holman, 2015), we explore the policies that sheriffs' offices have to address violence against women.

On our survey, we asked sheriffs about their policies on addressing violence against women, including whether their office allowed or required warrantless arrests for domestic violence and had policies to provide services to victims of domestic violence. Their replies are displayed below in Figure 2. Sheriffs were also asked if their employees had ever received training to respond to sexual assault and rape, with 77 percent of sheriffs' offices responding in the affirmative. We then leverage the answers to these questions as a dependent variable and examined what factors are associated with sheriffs providing more or fewer services. We found strong connections between sheriffs' attitudes about women's equality and their attitudes about violence against women. In turn, their attitudes about gender-based violence related to their departments' training and policies for domestic violence and sexual assault. In short, those sheriffs who had negative attitudes about women's equality and negative views of victims of domestic violence and sexual assault were also less likely to have reported that their office provides services and support to those victims.

## VI. What's Next? Future Research on Sheriffs and Policy Making

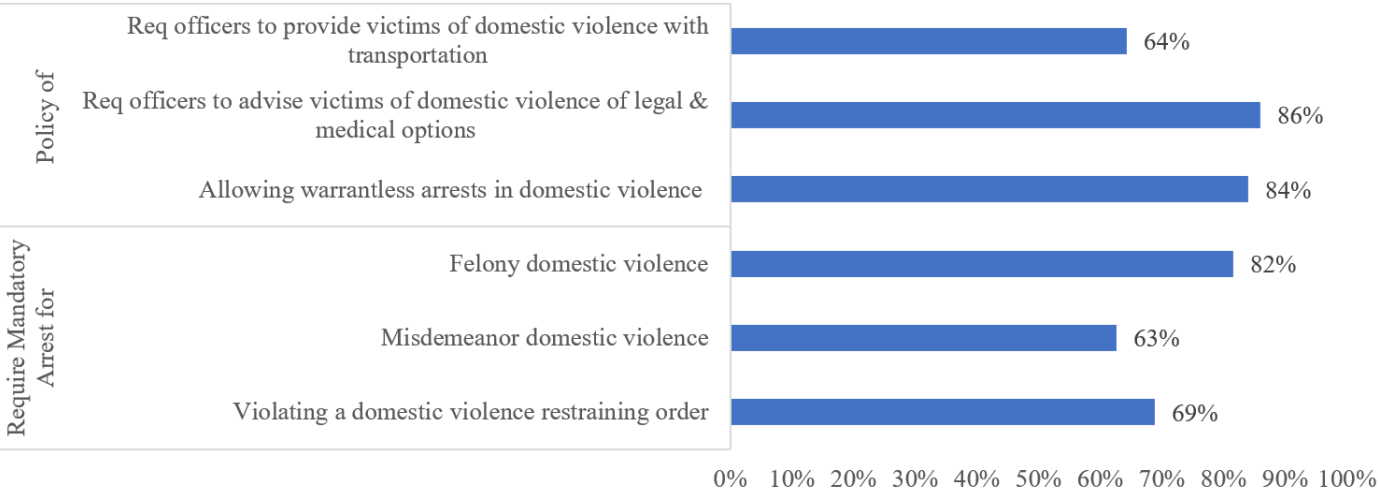
As our research shows, sheriffs have discretion over policymaking in a variety of important areas, particularly

Figure 1: Percentage of Sheriffs who Check Immigration Status with Immigration and Customs Enforcement



Note: In response to the question, “When your officers encounter individuals who might be unauthorized immigrants in each of the following situations, do they typically check their immigration status with Immigration and Customs Enforcement?”

Figure 2: Sheriff Policies Addressing Violence Against Women



Note: Data are from Farris and Holman (2015).

for vulnerable residents of communities. Although scholars have long examined politics and policymaking in urban areas (Burns and Thomas, 2015; Stone, 1989; Cargile, 2015), significantly less research focuses on either county or rural areas (for exceptions, see Lay, 2017, 2012). Together with ongoing research on biases in policing and criminal justice (Harris, 2017; Holmes, Painter and Smith, Forthcoming), our research draws attention to the need to understand the attitudes of key decisionmakers who shape interactions with the criminal justice system.

Sheriffs handle a variety of policy issues that deserve scholarly attention. The interactions between sheriffs and tribal areas, and the unique and challenging arrangements made between tribal policy and local sheriffs point to the importance of understanding the legal authority and autonomy of the office (Luna-Firebaugh, 2002; Wells and Falcone, 2008). More than 15 percent of sheriffs in our survey reported providing services to tribal areas, most on an ad hoc basis. When do these arrangements emerge? How do they emerge? And what happens if there is conflict over law enforcement and policymaking?

Gun policy also provides an opportunity for understanding the connection between the attitudes of elected representatives and the policies their offices produce. Sheriffs are far more likely to be pro-gun rights than police chiefs or other law enforcement officials. In our study, only 5 percent of sheriffs indicated that they thought “Controlling gun ownership” was more important than “Protecting the right to own guns.” Following the shooting at Sandy Hook Elementary School in 2012, more than 400 sheriffs signed a pro-gun rights resolution from the Constitutional Sheriffs and Peace Officers Association, which opposed registration or the confiscation of firearms. Sheriffs associations in Colorado and Utah released statements, and in the statement from the Utah Association of Sheriffs, the sheriffs state that “No federal official will be permitted to descend upon our constituents and take from them what the Bill of Rights — in particular Amendment II — has given them.” Future research might evaluate why it is that sheriffs are so much more conservative on gun rights than police chiefs or other law enforcement, where the majority of police chiefs support most types of gun control (Thompson et al., 2006).

## VII. Conclusion

Sheriffs offer an opportunity to understand how elections, bureaucracy, and policymaking interact in an environment with legal autonomy. The combination of elections and autonomy make sheriffs unique in local politics, while the combination of elections and policymaking make them unique in policing. We have outlined key findings from some of our projects and hope this spurs interest and research by others on the office of sheriff.

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## Data Dreaming: The Myth of Objective Data in the Artificial Intelligence Era of Policing

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### I. Introduction

One of the fastest growing areas at the intersection between artificial intelligence (AI) and criminal justice is algorithmic decision systems (ADS), widely known as predictive policing. Much as tech companies, such as Facebook and Google, attempt to use previous search or browsing history to display relevant advertising content to their users, predictive policing vendors such as Predpol, Palantir, and Hunchlab seek to leverage historical crime data to identify future offenders, victims, or forecast the locations of future crimes (Perry et al., 2013). Unsurprisingly, a recent survey of police agencies found that 70 percent planned to implement or increase the use of predictive policing technology in the next two to five years (Police Executive Research Forum, 2014). In a survey of the nation's 50 largest police forces, the tech policy think tank Upturn found, "at least 20 of them have used a predictive policing system, with at least an additional 11 actively exploring options to do so. Yet some sources indicate that 150 or more departments may be moving toward these systems with pilots, tests, or new deployments (Robinson and Koepke, 2016)." Widely respected former NYPD Police Chief Bill Bratton recently claimed that predictive policing was "the wave of the future" (Winston, 2015). Outside the United

States, European cities such as London and Berlin are considering the use of predictive policing (or pre-crime) tools to predict potential violent gang members (Baraniuk, 2015). A recent report by Human Rights Watch uncovered the use of predictive policing by the Chinese government on the Muslim Uyghur population of the Xinjiang region (Human Rights Watch, 2018).

Advocates of this ‘data-driven’ or ‘evidence-based’ policy approach argue that the emerging predictive systems will allow governments and businesses to use objective data to overcome historical inequalities to better serve underrepresented groups (Podesta et al., 2014). For example, Goel, Rao and Shroff (2016) created an algorithm with the goal of potentially reducing racial bias in New York City’s stop and frisk policy by creating variable precinct thresholds that would prohibit an officer from detaining a suspect unless he posed a sufficient public threat. In the United Kingdom, Oswald et al. (Forthcoming) have sought to generate risk scores to identify individuals to avoid arrests (and subsequent court hearings) and, instead, be diverted into a ‘checkpoint’ that which aims to reduce future re-offending. Much of the enthusiasm for this technology is buoyed by the belief that big data is transparent, objective, and could serve as a key tool for countering and eliminating racial or class biases from previous approaches (Chowdhry, Das and Hartman-Glaser, 2016).

If a serious movement toward evidence-based policymaking is to take hold, it will be critical to elucidate how interventions into the data generation process by institutional actors shape the data used for prediction and analysis of policy decisions. It will also be equally important to ensure that predictive tools do not violate the civil and human rights of historically underrepresented groups.

While proponents of predictive policing have viewed this trend as a significant step towards transparency and pragmatic, data-driven policymaking, the expansion of predictive policing within police departments has also raised very serious concerns among activists and scholars regarding this new intersection between statistical learning and public policy. Civil liberties advocates have argued that the growth of predictive

policing means that officers in the field are more likely to stop suspects who have yet to commit a crime under the guise of historical crime patterns that are not representative of all criminal behavior. As Ezekiel Edwards of the ACLU noted, “It is well known that crime data is notoriously suspect, incomplete, easily manipulated and plagued by racial bias” (ACLU, 2016). In their excellent report on predictive policing, Robinson and Koepke (2016) point out that reported crime data are “greatly influenced by what crimes citizens choose to report, the places police are sent on patrol, and how police decide to respond to the situations they encounter.” Legal scholars such as Joh (Forthcoming) note that, “Police are not simply end users of big data. They generate the information that big data programs rely upon. Crime and disorder are not natural phenomena. These events have to be observed, noticed, acted upon, collected, categorized, and recorded — while other events aren’t.”

In a recent report on algorithmic systems and civil rights (Munoz, Smith and Patil, 2016), the White House stated that the harms and rights violations to underrepresented groups through predictive algorithms could stem from both algorithm design and the underlying input data that powers the model. In particular, they found that poor quality input data can lead to “skewed algorithmic systems that effectively encode discrimination” and a “feedback loop [that] causes bias in inputs or results of the past to replicate itself in the outputs of an algorithmic system” (7-8). A report by the U.S. Federal Trade Commission (2016, 9) also noted that data, “inaccuracies and biases might lead to detrimental effects for low-income and underserved populations”, such as exposure of their sensitive information for ad targeting or reinforcing existing biases by excluding them from employment or housing opportunities.

While the general concerns regarding potential bias in predictive models are not new (Sandvig et al., 2014; Barocas and Selbst, 2016), there has been scant empirical evidence to corroborate these concerns. As a recent Open Society Foundation report on data broker practices noted (Rieke et al., 2016), civil society groups and policymakers have “struggled to articulate concrete harms” from the use of their tools. Others scholars have also lamented the difficulty in identifying harms associated with algorithms due to the “black box” design of many predictive models, which limit access to the underlying source code or data used (Selbst and Barocas, 2017; Citron and Pasquale, 2014). Notably, however,

evidence of racial bias was found by ProPublica's investigative reporters' review of COMPAS (Angwin et al., 2016), an algorithm predicting a person's risk of committing a crime used in bail and sentencing decisions in Broward County, Florida and elsewhere around the country.

Another important question that must be addressed is whether ADS tools and their subsequent implementation actually lead to greater public safety and thereby benefit underserved communities. To date, only three empirical studies of predictive policing have been published. Saunders, Hunt and Hollywood (2016) assessed the Chicago Police Department's SSL, a person-based predictive policing system created internally in 2013. The authors use ARIMA time series models to estimate the impact of its deployment on city-level homicide trends. While the authors find a decline in homicides overall, the introduction of SSL failed to have a measurable impact. As the authors note, "the statistically significant reduction in monthly homicides predated the introduction of the SSL, and [...] the SSL did not cause further reduction in the average number of monthly homicides above and beyond the pre-existing trend." Hunt, Saunders and Hollywood (2014) conducted a randomized control trial on the deployment of a predictive policing system in Shreveport, Louisiana, and found that there was no statistically significant change in property crime in the experimental districts that applied the predictive models compared to the control districts.

The only study to find a statistically significant decline in reported crime is G. Mohler et al. (2016), which conducted a randomized control trial of Predpol's ETAS model with the Los Angeles (United States) and Kent Police Department (United Kingdom). The authors used a novel approach by randomizing between crime maps created by the ETAS algorithm and the one generated by human crime analysts. Overall, the police patrols using ETAS forecasts led to an average 7.4 percent reduction in crime volume, while patrols based upon analyst predictions showed no significant effect on crime volume. While this reduction in crime volume is notable, Thomas (2016) suggests that the reduction in crime may have been spurious, as LAPD's crime statistics show other divisions that were not using Predpol also saw crime reduction as high as 16 percent during the same period. Given these inconclusive peer-reviewed findings, some vendors point to internal

testing done by departments themselves as evidence of the efficacy of predictive policing. However, Robinson and Koepke (2016) note that although "system vendors often cite internally performed validation studies to demonstrate the value of their solutions, our research surfaced few rigorous analyses of predictive policing systems' claims of efficacy, accuracy, or crime reduction."

Given the scant empirical evidence that algorithms are effective at reducing crime and the mounting concerns that they might create negative outcomes, there is a clear need to better understand the connection between algorithms and institutional behavior. At present, government agencies and software vendors consider predictive algorithms in a vacuum, as a tool that is independent of their decision-making and behavior. In some ways this is by design. As Cederman and Weidmann (2017) point out in relation to using predictive modeling for conflict forecasting, "[s]cholars producing forecasts typically assume that policy-makers want predictive risk assessments more than anything else because this would allow them to reduce potential conflict through preventive resource allocation and intervention. However, these hopes presuppose that the effects of policy intervention are well known. In fact, theory-free prediction does little to guide intervention without knowledge about the drivers of conflict." If a serious movement toward evidence-based policymaking is to take hold, it will be critical to elucidate how interventions into the data generation process by institutional actors shape the data used for prediction and analysis of policy decisions. It will also be equally important to ensure that predictive tools do not violate the civil and human rights of historically underrepresented groups.

## *II. The Myth of Objective Data*

The impact of poor input data on analysis and prediction is not a new concern. Any student who has taken a course on data analysis has heard the saying "garbage in, garbage out." It is easy, however, in this 'big data' age to forget that a high quantity of data does not permit researchers to ignore foundational issues of measurement, construct validity, reliability, and dependencies among data (Lazer et al., 2014). This is particularly problematic for machine learning applications as these models are heavily reliant on the features of input data — in lieu of theory — to estimate predictions.

Defining what is considered objective data is a particularly acute problem in criminal justice. Dating back to the turn of the 20th century, statisticians and criminologists have raised concerns over the operationalization and measurement of crime (Morrison, 1897). More recently, Levitt (1998) analyzed crime victimization and reporting data and found that the likelihood of a crime being reported to the police increases as the size of the city's police force increases. MacDonald (2002) assessed the likelihood of reporting crime to law enforcement in the United Kingdom, and found that non-white (except Asian), unemployed, and low-income residents were less likely to report crimes.

A longitudinal study by Baumer and Lauritsen (2010) of crime reporting from the U.S. National Crime Victimization Study (NCVS) between 1973 and 2005 presents similar findings. While their study found increasing rates of reporting over time, they also found that non-white victims and male victims were much less likely to report crimes to the police. More surprising was that “just 40 percent of the nonlethal violent incidents and 32 percent of the property crimes recorded in the national crime surveys during this period were reported to the police.” These findings would suggest that not only is the ‘dark figure’ of crime very large, it is often not in alignment with the official picture of crime in a given area.

Overall, the literature seems to make clear that crimes recorded by police departments are not a complete census of all criminal offenses, nor do they constitute a representative random sample. Police records are actually a complex interaction between criminality, policing strategy, and community-police relations. This raises the question of whether the institutional and human factors that shape the collection of policing data actually make a difference when used as input data within predictive policing systems.

In order to test this question, Kristian Lum and I examined the Epidemic-Type Aftershock Sequence (ETAS) crime forecasting model developed by Predpol Inc., one of the largest vendors of predictive policing systems in the country and one of the only companies to publicly release components of their algorithm in a peer reviewed journal (Mohler et al., 2016). The foundation of the ETAS model is based on Spatio-Temporal branching. This is a “self-exciting” Poisson process (commonly referred to as a Hawkes Process), which is based on the

seminal research by Hawkes (1971) into using seismographic activity to predict earthquake aftershocks.

More recently, the Hawkes Process has been used in a wide array of fields, from criminology (Mohler et al., 2011) to finance (Bacry, Mastromatteo and Muzy, 2015), social media (Du et al., 2015), and counterterrorism (Tench, Fry and Gill, 2016). The ETAS algorithm uses a sliding window design to produce a one-day-ahead prediction of the crime rate across a city or precinct using only the previously recorded crimes. The areas with the highest predicted crime rates are selected as potential hotspots and receive additional police units. Our simulation began on January 1, 2011, with the sliding window length set to be six months. We then took all police records from the previous six months, starting at July 1, 2010 until December 31, 2010, and plugged them into the model. The output of the model is a prediction about the crime rate for the city of Oakland for January 1, 2011. Finally, the model records the top 20 grid squares as locations that received targeted policing and repeats this procedure for every day until December 31, 2011.

One of the challenges in assessing potential biases in police data collection is finding a plausible counterfactual of crimes committed by the public but not reported by the police. To overcome this hurdle, we combined a demographically representative synthetic population of Oakland with survey data from the 2011 National Survey on Drug Use and Health (NSDUH). This approach allows us to obtain high-resolution estimates of illicit drug use from a non-criminal justice, population-based data source. While the estimates derived from this method may not perfectly represent drug use at the local level, it does provide a plausible ‘ground truth’ to compare discrepancies against police recorded instances of drug crimes.

After running Predpol's ETAS algorithm on drug crimes recorded by the Oakland Police department, we found it led to a higher concentration of targeted policing among minority and low income neighborhoods. Specifically, we found a larger clustering of targeted policing in the Fruitvale and West Oakland neighborhoods, which reflects historical enforcement patterns in Oakland. Further, as we note in the article, “[u]sing Predpol in Oakland, Black people would be targeted by predictive policing at roughly twice the rate of Whites. Individuals classified as a race other than White or Black



would receive targeted policing at a rate 1.5 times that of Whites (Lum and Isaac, 2016)."

In addition to the bias generated by historical trends in the recorded data, there is also the possibility that the newly observed criminal acts that police document as a result of these targeted patrols then feed into the predictive policing algorithm on subsequent days, generating increasingly biased predictions. This feedback loop or "ratchet effect" (Robinson and Koepke, 2016) can lead to model overfitting as the locations where it is most likely that police will observe further criminal activity are the exact locations they had previously believed to be high in crime.

We attempt to address this issue in our study by simulating an application of the ETAS model where in addition to the observed Oakland crime data, there is an additional 20% chance that additional crimes are found in the targeted bin for a given day. In this scenario, the study finds a dramatic increase in the predicted odds of targeting previous bins versus non-targeted bins compared to the baseline example. This evidence led us to conclude that the feedback scenario "causes the Predpol algorithm to become increasingly confident that most of the crime is contained in the targeted bins."

### *III. Looking Forward*

Using predictive analytics in the real world is challenging, especially in high-stakes policy areas such as policing. However, this does not mean police departments should abandon the use of analytics or intelligence-led approaches to improving public safety. Rather, it is important for police departments and other law enforcement agencies to think more broadly about the potential impacts of implementing algorithmic decision-support tools and ensure they create internal and external systems to promote public safety while minimizing disparate impacts. Specifically, police departments or any agencies that attempt to implement algorithmic decision support tools should take steps to develop internal and external accountability, ensure operational transparency, and be aware of the long-run impact of those tools on their communities.

The process towards achieving accountable and transparent use of algorithmic decision support systems must start with a full rebuke of "technological solutionism" (Thornhill, 2018), or the belief that the mere application of an AI tool or other technology will ad-

dress critical public issues without meaningful policy reforms or institutional changes. As a recent study by Mummolo (2018) on the impact of departmental reforms on stop and frisk in New York City shows, the catalyst for changing police-citizen interactions needs to be real institutional reform rather than technology change alone. Further, those most affected by these potential reforms should be key stakeholders, who should be allowed to collaborate with police departments in discussing the potential deployment of policing technology. Most likely, the impetus for generating institutional reform in the acquisition and deployment of policing technologies will be the passage of new regulatory guidelines that can hold officials accountable and remove complex ethical decisions from the hands of software developers, whose interests may not always be in alignment with the needs of the communities affected.

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What would a regulatory system for ADS tools look like? Shneiderman (2016) has outlined a three-pronged approach that could serve as a potential blueprint. Shneiderman identifies three kinds of AI oversight mechanisms, (1) a review board model where vendors or agencies should submit their tool or algorithm before any real world implementation; (2) continuous monitoring or auditing oversight reminiscent of what companies and non-profit foundations are required to do for financial due diligence; and (3) retrospective analysis of 'disaster' scenarios much like the National Transportation Safety Board does after a plane crash by reviewing the black box data and internal governance. Aligned with this framework Selbst (2017) argues for legislation requiring police agencies to draft "algorithmic impact statements" modeled after the environmental impact statements of the National Environmental Policy Act. The goal of these statements is not to curtail the use of new predictive policing technologies, but rather to ensure that "the agency in reaching its decision, will have

available, and will carefully consider, detailed information concerning significant discriminatory impacts,” as well as share this information with the potential stakeholders affected by the technology’s deployment.

Perhaps anticipating these pending reforms, many agencies have sought to move away from third-party commercial vendors, opting instead for tools built in-house or in collaboration with universities (Hvistendahl, 2016; Shapiro, 2017). Newer predictive policing companies such as Civicscape have committed to algorithmic transparency by (1) publishing a version of their source code and (2) pledging not to use their tools for drug crime prediction because of concerns about possible biases present in crime data (Gershgorn, 2017). These efforts are certainly a laudable move toward transparency, but neither the algorithmic impact statements or these voluntary disclosures actually ensure institutional accountability in the deployment of algorithmic decision systems or other police technologies.

For example, a question that arises from the Civicscape transparency efforts is whether vendors should be responsible for defining what constitutes transparency, fairness, and oversight before policymakers set firm guidelines. Ideally, vendors or police departments would disclose their code for public scrutiny after each major release. However, there are few incentives for these actors to continue providing transparency as future iterations of their software are released, perhaps allowing biases to creep back in as more features or different data are included. Independent audits of the tools and their impact are therefore needed to prevent this from happening. These audits will require researchers with a diverse range of skills to effectively assess the broad impact of algorithmic decision systems. If we are successful in developing better guidelines for these systems, cities will be able to better implement more transparent and inclusive processes, thereby providing safer communities for all of their residents.

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## Policing in Divided Societies: The Importance of Perceptions

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How does demographic inclusion in the police affect citizen-state relations in divided societies? Interactions between ordinary citizens and rank-and-file police officers constitute one of the most frequent points of contact between citizens and the state. Officers are responsible for enforcing the laws passed by governments, and their discretion over the manner in which they do so gives them great power to affect citizens’ experiences with governance on a daily basis (Lipsky, 2010). Much of the existing research on demographic representation in policing focuses on the way that demographics affect officers’ behavior towards citizens (Smith, 2003; Anwar and Fang, 2005; Weitzer and Tuch, 2006; Antonovics and Knight, 2009; Weitzer and Hasisi, 2008; Ben-Porat and Yuval, 2012; Hong, 2017). While many of these studies use citizens’ perceptions of officer behavior as outcome measures, the underlying theoretical argument is that demographic representation in the police affects policing outcomes by constraining or incentivizing officers’ behavior.

I suggest that demographic inclusion affects citizen-state relations not just through officers’ behavior but also by influencing citizens’ perceptions of the police, perceptions which in turn drive their behavior towards

the police and the government. Citizens observe demographic inclusion thanks to the unique visibility of police officers compared to other government officials, form expectations about how the state intends to treat them, and then decide how to behave as a function of those expectations. Thus, demographic inclusiveness in the police influences citizen-state relations independently of any changes in officer behavior because of the way it shapes citizens' behavior.

Demographic inclusion sends a signal to citizens that the government does not intend to mistreat them (Nanes, 2017a). The signal is *credible* because inclusion in the police makes repression more costly for the state, solving a commitment problem between the powerful state and weaker groups that might otherwise lead to conflict (Fearon, 1995; Lake and Rothchild, 1996; Posen, 1993).

This essay lays the groundwork for examining the relationship between officer demographics and citizen behavior by exploring the process through which citizens form perceptions of police inclusiveness. I present evidence from my ongoing research in two divided societies, Israel and Iraq, about the extent to which citizens' perceptions of police inclusion match reality, and the way that perceptions of the police correlate with perceptions of the government more broadly. I show that citizens accurately identify the degree of inclusiveness among officers in close proximity to them. However, political and social factors mediate perceptions of the police at the national level — officers with whom citizens have no direct interactions. In particular, membership in the politically-dominant versus politically-marginalized group intervenes in the way that citizens translate observed officer demographics into perceptions of the institution. Finally, in both Israel and Iraq, citizens' attitudes towards the police correlate closely with their attitudes towards the government, suggesting that perceptions of the police have consequences not just for citizens' behavior towards the police but for their behavior towards the government more broadly. I close by discussing several categories of citizen behavior that may be influenced by their perceptions of the police, including findings from my ongoing research as

well as potential avenues for future study.

### *I. Visibility: A Unique Feature of Policing*

Compared to legislatures, executives, and the military, the police are characterized by frequent direct interactions between rank-and-file officers and civilians, and by officers' visibility as they carry out their duties. Police officers patrolling streets, issuing traffic tickets, and investigating crimes do so in the public eye. They require citizens' cooperation to carry out these jobs effectively (Becker, 1968; Skogan, 1986; Weitzer and Tuch, 2006), incentivizing officers to seek out interactions with citizens even when citizens have not broken the law. Citizens may go years without seeing their congressperson, but it is unlikely that they would go more than a few days without observing a police officer. Of Israeli citizens living in urban areas surveyed for my research, 34 percent (30.5 percent of Jews, 38.2 percent of non-Jews) reported that they “interact[ed] directly with a uniformed police officer” in the last year (Nanes, 2017b). Even when civilians do not interact with officers directly, citizens see them interacting with other citizens, hear about interactions with the police from their friends, and read in the media about police officers in their community. These interactions and observations provide direct, personally-relevant information about the police, which forms the basis for perceptions of the institution. Existing research links perceptions of the police with personal encounters (Tyler, 2003, 2004; Murphy, 2009; Mazerolle et al., 2013), media reports (Saunders et al., 2013), and stories from friends and family about their own interactions with the police (Weitzer and Tuch, 2006; Warren, 2011).

### *II. Demographic Inclusion as a Signal*

This visibility means that in divided societies — where group identities like religion, ethnicity, or race are highly politically salient — citizens are acutely aware of police demographics. Inclusion in the police sends a strong signal to citizens about how the police and government intend to treat them (Weitzer and Tuch, 2004; Ben-Porat and Yuval, 2012; Hasisi and Weitzer, 2007; Hasisi and Weisburd, 2011). Existing research suggests a number of reasons why citizens who perceive the police as inclusive of their group might expect officers both to exert greater effort in serving them and to be less likely to mistreat them. First, citizens may have learned from experience, either with the police or in other aspects of life, that members of their own group



treat them better. Second, individuals may have an inherent cognitive preference for members of their own group, or for the familiar over the unfamiliar (Zajonc, 1968; Bornstein, 1989). Third, shared identity provides citizens with a cognitive shortcut for how they should expect to be treated. Lyall, Shiraito and Imai (2015) refer to this shortcutting as “coethnic bias.” In the absence of more precise information about officers, shared identity signals that the officer is trustworthy and committed to fair treatment. Fourth, particularly in cases where violent conflict along identity lines is likely to occur, representation conveys a message of ownership to the minority and undermines the characterization of the police as an occupying army (Weitzer and Hasisi, 2008).

Finally, citizens form perceptions not just of individual officers but of the institution as a whole. Demographic inclusion sends a signal to citizens that the government does not intend to mistreat them (Nanes, 2017a). The signal is *credible* because inclusion in the police makes repression more costly for the state, solving a commitment problem between the powerful state and weaker groups that might otherwise lead to conflict (Fearon, 1995; Lake and Rothchild, 1996; Posen, 1993). For example, police officers may refuse to mistreat citizens from their own group, disobeying orders or even turning their weapons against the state in the event of a conflict (Enloe, 1980). Inclusion in the police also provides officers with access to sensitive information which they can use against the state, positions them to monitor the behavior of other officers, and makes police service provision dependent on their participation. Therefore, a state that intends to mistreat a particular group in the future would not first include that group in the police, as doing so empowers the group to fight back in the event of a conflict. Because inclusion makes future repression more costly, citizens should interpret it as a credible signal that the state does not intend to mistreat them.

### III. Do Perceptions Match Reality?

The key to the arguments above is that citizens’ behaviors towards the police and the state depend on their *perceptions* of police inclusiveness. To what extent do those perceptions match reality? Given the visibility of the police, along with the fact that in many divided societies the relevant identity cleavage includes visi-

ble characteristics like skin color, names, or clothing choices, citizens’ perceptions of police inclusiveness should track closely with the demographic makeup of officers in their area.<sup>1</sup> To the extent that officer demographics vary across locations, citizens in different locations should hold different perceptions, and those perceptions should correlate more strongly with local-level inclusiveness than with national-level inclusiveness.

I collected data from Israel on the religious identity of every police officer at every station in the country over a six year period. I used this data to calculate local-level “integration”, or the diversity of police officers, using the formula for ethno-linguistic fractionalization (ELF). The resulting measure is the probability that any two randomly-selected police officers would be members of different religious groups.

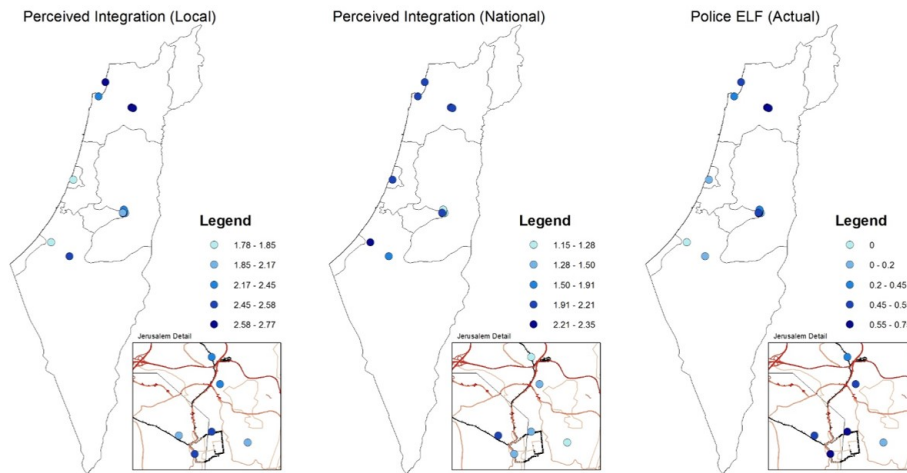
Data on perceptions of police integration comes from a survey I conducted in 2016 of 804 Israeli citizens — approximately half Jewish and half non-Jewish — living in nine major cities.<sup>2</sup> The survey asked two questions about perceived police integration. At the national level, “In general, how integrated would you say the Israeli police are? By integrated I mean that members of many different ethnic and religious groups serve together side by side. Throughout Israel in general, would you say that the police are very integrated, somewhat integrated, or not at all integrated?” Respondents were then asked about their perceptions of the police at the local level: “Now please think specifically about your neighborhood. How often do you see or hear about Jewish and non-Jewish officers working together? Often, sometimes, rarely, or never?” The wording of both questions, and the emphasis on officers from different groups working side by side, matches conceptually with the ELF measure of officer diversity.

Figure 1 shows the relative integration for each of the sampling points across the three measures, with darker colors indicating greater (perceived) diversity. Comparing the left and right panels shows that citizens’ perceptions of local integration are correlated with actual police officer demographics in the corresponding location. On the other hand, there is no apparent link between perceived national-level integration (center pa-

<sup>1</sup> Patrol officers almost always wear name tags, providing a strong signal of group membership in many cases.

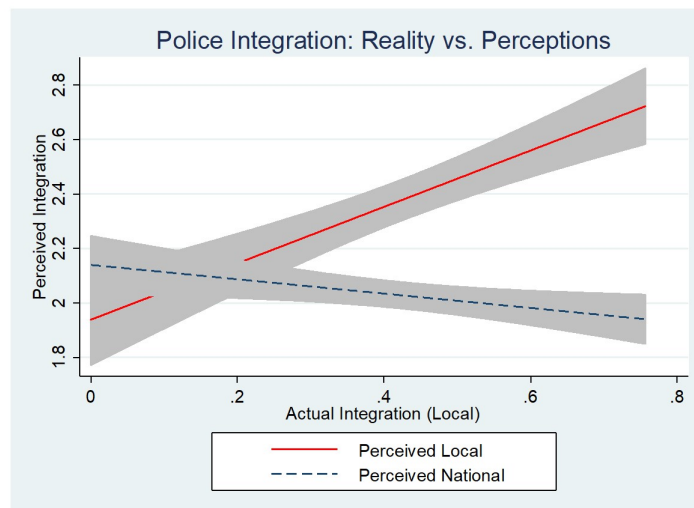
<sup>2</sup> Akko, Haifa, Jerusalem, East Jerusalem (with six neighborhoods as sampling points), Nazareth, Nazareth Illit, Rahat, Sderot, and Tel Aviv-Jaffa. Jews constitute approximately 80 percent of Israeli citizens and dominate most state institutions.

Figure 1: Real and Perceived Police Integration in Israel in 2016



*Note:* Figure 1 shows real and perceived levels of police integration/diversity in nine major cities in Israel in 2016. Darker colors indicate greater (perceived) integration. Perceived levels of police integration are measured with survey responses from 804 Israeli citizens, while actual levels of police integration measure the probability that any two randomly-selected local police officers would be members of different religious groups.

Figure 2: Perceptions of Local and National Police Integration Compared to Actual Local Police Integration in Israel



*Note:* Figure 2 plots best-fit lines (along with 95% confidence intervals) for perceived levels of police integration in nine major cities in Israel against actual levels of local police integration. The solid red line refers to perceived levels of local police integration, while the dashed blue line refers to perceived levels of national police integration.

nel) and actual officer demographics. Figure 2 plots best-fit lines and 95 percent confidence intervals for the match between local officer demographics and perceived local integration (solid line), and between local officer demographics and perceived national integration (dashed line), across the six years of data. While local perceptions are positively and significantly correlated with officer demographics, perceptions of national integration are slightly negatively correlated with officer demographics. Clearly, citizens' observations of the officers they encounter on a day-to-day basis influence their perceptions of the police in their local area. Yet, there seems to be some intervening variable affecting attitude formation towards the institution at a national level.

Group identity is one likely intervening variable affecting perceptions of the national-level institution. Citizens' personal experiences shape their outlook on government, and it stands to reason that individuals who come from the dominant group might interpret observed characteristics of the police differently than

those who come from a marginalized group. For example, members of the marginalized group who observe officers from their group may still perceive the *institution* as exclusionary if it has a reputation for poorly treating members of their group. They may discount the importance of the officers from their own group who they observe, surmising that they must not be representative of the institution nation-wide. Table 1 shows considerable differences in the way that Israeli non-Jews and Jews perceive police integration. Despite the fact that citizens from both groups correctly identify the relative inclusion of the police in their local area, and the police are relatively *more* diverse in areas with larger non-Jewish populations, non-Jewish citizens are *less* likely to perceive the institution as inclusive nation-wide.

My parallel research in Iraq measures perceptions of the police in a more extreme case, one in which large scale violence along identity lines occurs regularly and the balance of power between groups is less stable. Officer demographic data is not available in Iraq. However,

Table 1: Israel: Police Inclusion by Group

	Jews	Non-Jews	Difference
Actual Local Inclusiveness	0.37	0.47	0.10***
Perceived Local Inclusiveness	2.08	2.63	0.55***
Perceived National Inclusiveness	2.23	1.85	-0.38***

\*\*\*  $p < .01$

Note: Table 1 shows perceived levels of police integration at the local and national level in Israel for Jews and non-Jews.

Table 2: Iraq: Police Inclusion by Group

	Shias	Sunnis	Difference
Perceived Local Inclusiveness	3.11	2.85	-0.26***
Perceived National Inclusiveness	3.44	2.40	-1.04***

\*\*\*  $p < .01$

Note: Table 2 shows perceived levels of police integration at the local and national level in Iraq for Shias and Sunnis.

I conducted a survey of 800 Iraqis, half Shia Arabs and half Sunni Arabs, living in Baghdad in early 2016. As in Israel, the survey asks respondents about perceived integration at both the local and national levels. Table 2 shows that Iraqi Shias, the demographic majority and politically-dominant group, are significantly more likely to perceive the Iraqi police as inclusive at both the local and national levels. In the absence of data on actual officer demographics, it is impossible to say to what extent these perceptions are informed by direct observations of officers. However, there is no question that members of different groups hold substantially different perceptions of the extent to which the Iraqi police are inclusive, even at the national level where there is no actual variation in officer demographics.

#### IV. From Perceptions of Police to Perceptions of Government

Citizens' perceptions of the police are important in their own right, but how do those perceptions correlate with their perceptions of the government more broadly? Policing is where the 'rubber meets the road' in governance, as officers implement and enforce the laws passed by the state. Police officers wear government-issued uniforms and drive cars with the name of the jurisdiction on the side, symbols that signal the author-

ity on which they act (Ellison, 2007). It stands to reason that citizen perceptions of the police should be closely tied with their perceptions of the government.

Evidence from Israel (Table 3) and Iraq (Table 4) shows that citizen perceptions of the police are indeed closely correlated with their perceptions of the government. Survey respondents who believe that the police provide services fairly are more likely to believe that the government provides services fairly as well, while those who fear mistreatment by the police also fear mistreatment by the government. Even after accounting for respondents' baseline levels of positivity by controlling for their economic satisfaction, the correlations hold. Of course, this analysis does not permit a causal interpretation and provides no clues about directionality, but it shows a clear cognitive link between the way citizens think about the police and the state. The police are a *political* institution whose actions and behaviors have the potential to shape citizens' relationships not just with the police but with the government more broadly.

#### V. Perceptions of the Police and Citizen Behavior

Finally, to what extent do citizens' perceptions of police inclusiveness affect their behavior? One set of outcomes relates to citizen-police relations. If perceived police inclusion makes citizens from included groups more likely

Table 3: Israel: Perceptions of the Government and Perceptions of the Police

	Government is Fair	Government is Fair	Afraid of Government	Afraid of Government
Police are Fair	0.764*** (0.0969)	0.747*** (0.114)		
Afraid of Police			0.747*** (0.156)	0.769*** (0.156)
Economic Satisfaction		0.316** (0.141)		-0.262** (0.104)
Arab		-0.231 (0.256)		
Male		0.187 (0.202)		0.307 (0.200)
Observations	674	668	378	378

\*\*  $p < .05$ , \*\*\*  $p < .01$

Note: Table 3 shows the results from a series of logistic regressions where perceptions of the government are regressed against perceptions of the police. Standard errors are clustered by the primary sampling unit.



Table 4: Iraq: Perceptions of the Government and Perceptions of the Police

	Government is Fair	Government is Fair	Afraid of Government	Afraid of Government
Police are Fair	1.181*** (0.191)	1.075*** (0.257)		
Afraid of Police			0.899*** (0.150)	0.723*** (0.119)
Economic Satisfaction		0.0911 (0.179)		-0.402*** (0.0979)
Sunni		-0.613 (0.523)		1.827*** (0.476)
Male		0.164 (0.300)		0.551*** (0.156)
Observations	647	647	726	726

\*\*\*  $p < .01$ 

Note: Table 4 shows the results from a series of logistic regressions where perceptions of the government are regressed against perceptions of the police. Standard errors are clustered by the primary sampling unit. Models include enumerator fixed effects.

to trust officers, then they should be more likely to cooperate with the police, which existing research links with police effectiveness in providing public safety (Weitzer and Tuch, 2006; Skogan, 1986). My research in Israel finds that Arab-Israelis who perceive the police as more integrated are more likely to say they would report a crime to them (Nanes, 2017b). A second set of outcomes relates to citizen behaviors towards the state. In conflict or post-conflict settings in which future security is uncertain, perceived police inclusion reduces incentives for citizens from marginalized groups to rebel against the state by solving a commitment problem between the state and weaker groups (Fearon, 1995; Posen, 1993; Lake and Rothchild, 1996). I test this argument using a survey experiment in Iraq that primes Sunni Arabs, the demographic minority, with randomly-varied information about the Iraqi Police's level of inclusiveness. I find that providing information that the police are more inclusive reduces respondents' willingness to use violence against the state (Nanes, 2017a).

In both of these studies, perceptions of police inclusion have important implications for governance independent of the way that police officers actually behave. Citizen behaviors, and the perceptions that determine those behaviors, have broad implications for governance, violent conflict, and political stability. Additional research on the relationship between perceived police inclusiveness and political behavior may explore

outcomes like voting, participation in protests, engagement in criminal behavior, or relationships with out-group civilians. These outcomes depend at least in part on citizen reactions to perceptions about the state, perceptions that depend in part on their personal interactions with and observations of rank-and-file police officers.

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## 'Thugs-for-Hire': Subcontracting State Coercion to Violent Agents

by Lynette H. Ong  
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Why do states recruit third-party violent agents, namely thugs and gangsters, to carry out state policies and to coerce and repress citizens? How are these thugs different from other non-state violent agents, such as the mafia, paramilitaries, and vigilantes? When do states hire these thugs? What are the costs of deployment and implications for state capacity and legitimacy?

In a forthcoming paper in *Perspectives on Politics*, entitled 'Thugs-for-Hire': Subcontracting of State Coercion and State Capacity in China, I propose the concept of 'thugs-for-hire' (TFH) to explain the understudied phenomenon in many countries of states outsourcing policy implementation, coercion, and repression to third-party violent agents (Ong, 2018). As most studies of state repression focus on overt or observable actions carried out by state agents (Loveman, 1998; Della Porta, 1995), TFH contributes to our understanding of private repression, about which we currently know little (Earl, 2003; Davenport, 2007).

State repression by 'thugs-for-hire' can be distinguished from other forms of state repression along three dimensions. First, TFH are *private* individuals; they are not state agents associated with national governments, such as the military (Bellin, 2004) or the police (Greitens, 2016). Second, TFH deploy (*the threat of*) *low-level violence* in their actions — they use their bare hands

and fists, and at times, iron rods, knives, and other relatively low-intensity weapons to extract compliance and acquiescence from their targets. This stands in contrast to the machetes and AK-47s often used by militias or paramilitaries involved in ethnic cleansing and genocidal wars (Alvarez, 2006; Mazzei, 2009). Third, the repressive action of TFH is *at times* intended to be covert or concealed to the public as compared to more overt repressive acts by state actors such as political arrests and massacres. A focus on TFH, therefore, extends the study of repression with respect to the type of agent, the nature of the repressive action, and the intensity of violence.

### I. Violent Agents in Comparative Perspective

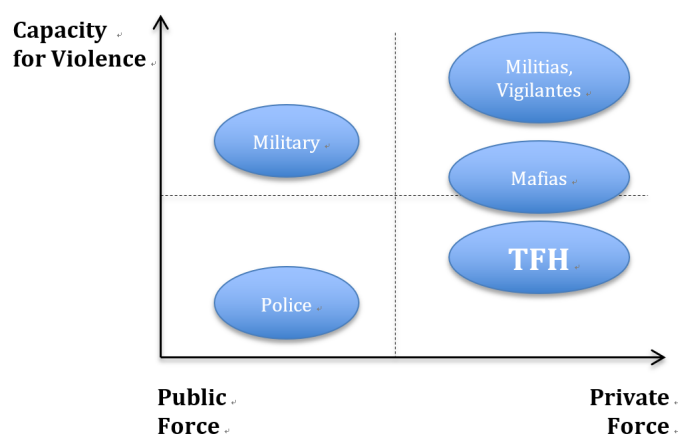
In Figure 1, I situate various types of violent agents along two dimensions: (1) public/private and (2) capacity for violence. On the one hand, TFH, along with the mafia, militias, paramilitaries and vigilantes are perpetrators of private — and by implication — illegitimate violence. They can potentially be prosecuted for their illegitimate and illegal use of force. On the other hand, the police and the military, when they utilize justifiable force to maintain social order or protect the country's borders, are agents of public and legitimate violence. TFH fall into the lower right-hand quadrant in the  $2 \times 2$  matrix of public/private force vs. capacity for violence. In effect, TFH are characterized by their use of private force

and their low capacity for violence.

TFH differ from other perpetrators of illegitimate violence due to their relatively low level of violence. The intent of TFH is not so much to eviscerate the enemies — as militias or vigilantes typically set out to achieve — but to subjugate the population and to quell dissent. TFH sometimes employ threats of violence, such as intimidation and harassment, on recalcitrant citizens in order to secure their compliance to government directives. At other times, they brutally assault activists. But they do not commit massive killings, ethnic cleansing, or genocide, as militias and paramilitaries in fragile and divided states often do.

TFH can also be differentiated from mafias, which are a specific type of organized crime actor that specializes in the provision of private protection or security. The Sicilian Mafia in southern Italy (Gambetta, 1996), the Yakuza in Japan (Hill, 2006), and 'violent entrepreneurs' in Russia in the 1990s (Volkov, 2002) were known for converting organized force into profit-making enterprises. Even though violence, or the threat of violence, is essential to the aims of both TFH and mafias, the latter belong to complex organizations (Gambetta, 1996) and they have specific codes of conduct, rules, and admission rituals that all members have to observe (Varese, 2010). For example, many of Rus-

Figure 1: Groups and Two Dimensions of Violence



Note: 'TFH' refers to 'thugs-for-hire'.

sia's 'violent entrepreneurs' were former police or KGB officers (Volkov, 2002). TFH typically lack these complex organizations, codes of conduct, or formal professional training.

In a nutshell, TFH are ruffians, hooligans, and unorganized stragglers, as well as legalized professionals who render violence as a form of service for profit or in exchange for in-kind benefits. They are most commonly the unemployed or those lacking regular salaried jobs who 'make trouble' to make a living.

## II. Scope Conditions

I outline three scope conditions under which states prefer using TFH to other repressive state agents. The first condition is when the state needs to carry out *illegal* actions or *unpopular* policies. TFH's third-party and violent nature helps states when they want to secure citizen compliance and submissiveness through illegal means, such as the collection of illegal exactions from citizens, the illegitimate violent crackdown on protestors, and the kidnapping of activists. In this case, formal state coercive forces cannot be used because of the illegal nature of the tasks.

The second condition is when evasion of accountability for state actions becomes highly desirable. States stand a better chance of avoiding accountability when private agents are used. The agents' elusive identity allows states to maintain an arms-length relationship with them and the violent acts they commit. Being external parties, they also allow states to more easily sever the relationship. For instance, states that rely on foreign aid might deploy non-state actors to counter political challengers in order to minimize international audience costs (Roessler, 2005; Carey, Colaresi and Mitchell, 2015).

The third condition is that weak states are more likely than strong states to employ TFH. State strength refers to the state's ability to extract resources, execute policies, and coerce rivals. States weak in either one or more of these areas will find third-party coercive force attractive. Indeed, we see weak or weakening states across Europe, Africa, and the Middle East subcontracting violence to private armies due to shrinking gov-

ernment revenue and national armed forces (Mueller, 2000).<sup>1</sup>

## III. Costs of Deploying TFH

The use of third-party violent agents necessarily imposes costs on the state. Outsourcing violence is often subject to agency problems. When private militias are engaged as repressive agents, agent-centered human rights violations, such as excessive violence and sexual abuse of repressed citizens, can become commonplace (Mitchell, 2004; Campbell and Brenner, 2002). Agent-centered excessive violence may help to attract, rather than deter, sympathizers to resistance movements. As well, the state can suffer a decline in legitimacy even though third-party agents provide it with some scope for accountability evasion. This is because the victims of violence are often aware of the authority giving the order to repress even if the identities of the perpetrators are elusive to them.

## IV. 'Thugs-for-Hire' in China and Beyond

Drawing upon more than 100 field interviews conducted between 2012 and 2016 in China, my forthcoming article in *Perspectives on Politics* provides evidence that the Chinese state hires thugs to coerce citizens into complying with its policies and to repress them. As part of my larger ongoing project on the politics of urbanization in China, I discovered in my field research that local governments regularly hire thugs to evict homeowners in demolition projects and to dislodge farmers from their land. TFHs are or were also commonly deployed in the forced sterilization on women, in the implementation of the one-child policy, in the collection of rural taxes and fees before they were phased out in the early 2000s, and against petitioners and protesters.

China is not a unique case. During the *Occupy Central protests in Hong Kong in 2014*, unidentified thugs and goons were deployed to dismantle barricades and assault peaceful protesters (Lim, 2014). Abu Sayyaf in the Philippines, a thuggish group notorious for kidnapping for ransoms, offers local politicians services such as harassing voters and opposition members during election seasons (Banlaoi, 2010). The post-authoritarian state of South Korea in the 1980s similarly hired gangsters to evict slum dwellers in preparation for the Asian

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<sup>1</sup>The use of third-party coercion by strong states does occur, but typically more for reasons related to plausible deniability than augmentation of capacity. The abuse of prisoners at Abu Ghraib by security personnel working for Blackwater, the U.S. government-contracted private security company (Avant, 2005), is a case in point.



Games and the Olympics (Porteux and Kim, 2016). In the 'liberalized' authoritarian state of Jordan, the government had similarly paid thugs and convicted criminals to intimidate activists (Moss, 2014). Ukraine under President Yanukovich also hired *Titushky*, who were skinheads in tracksuits, to assault political opponents, journalists, and peaceful protesters (Levitsky and Way, 2010; Kuzio, 2014). Putin's Russia is also notorious for its use of criminal gangs to assassinate dissidents abroad (Galeotti, 2017). Indeed, a wide range of regimes from autocracies to semi-authoritarian countries have deployed TFH to repress activists and contain members of opposition groups.

In housing and land projects in China, local governments are under pressure as the costs of resettling villagers or residents rise over time. To successfully implement these projects, the (forced) consent of *entire* communities is often required. An urban development project stalls if only a few families out of an entire neighbourhood refuse to vacate their properties. Therefore, hired violence provides a swift and effective solution to a potential deadlock situation.

At other times, local officials may decide to expropriate farmland without higher-level approval because they want to personally pocket a larger share of the proceeds. When this happens, government officials are unable to produce official eviction notices, and their actions will likely encounter even fiercer resistance from villagers. In those cases, violence becomes an even more necessary means of achieving acquiescence.

In addition to its illegal nature (scope condition 1), deployment of TFH in housing demolition also helps the state to evade accountability (scope condition 2). Despite its pervasiveness, the use of low-level violence in these situations has never been formally sanctioned by the central authority. My interviewees in Kunming recounted, "The thugs are recruited from different villages or towns within the same regions. While they are relatively familiar with the locales and speak local dialects, they have an escape route if they get into trouble."<sup>2</sup> Outsiders also have the advantage of not being recognizable to the locals or subjects under attack. This allows the state to deny having direct responsibility in the actions.

State capacity in China has eroded since the launch

of liberal market reforms in the late 1980s. Without coopting extralegal violent agents, the state is increasingly incapable of carrying out routine policy execution (Minxin, 2009). At the local level, the signs of a weakening state started to emerge in the mid-1990s, manifesting itself in China's declining extractive and administrative capacity. As I pointed out in my book, *Prosper or Perish*, there has been a 'hollowing out' of local government functions, the result of budget cuts and mounting debts (Ong, 2012b). After the mid-2000s, the local fiscal situation may have improved, owing to increased central transfers, but many local authorities are still starved of independent sources of revenue, with implications for their capacity to function.

This leads to another form of state weakness, which stems from the state's relative strength vis-à-vis dominant societal forces (Ong, 2012a). In the post-reform era, China has seen a rise in "local mafia states" (Minxin, 2009), indicating collusion between Chinese officialdom and thuggish groups. Territorial-based criminal groups have proliferated. These criminal groups forge ties with local authorities and control territories through 'protection umbrellas', buying official positions and village elections or getting elected into local people's congresses.

TFH are ruffians, hooligans, and unorganized stragglers, as well as legalized professionals who render violence as a form of service for profit or in exchange for in-kind benefits. They are most commonly the unemployed or those lacking regular salaried jobs who 'make trouble' to make a living.

My field research corroborates evidence of a weakening state and one in which state autonomy and relative strength have been usurped by thuggish groups. The state needs to increasingly rely on third-party violence to execute routine tasks. Stripped of their capacity to carry out basic functions (scope condition 3), many local governments have to coopt the coercive force of thuggish groups in expropriating farmland and evicting residents.

<sup>2</sup>Interviews with villagers in Kunming, China, Summer 2012.

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## How Authoritarian States Retain Control: Lessons from the Stasi Files

by Barbara Piotrowska

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States attempt to retain control either by addressing sources of dissatisfaction or through repression. Dictators, as opposed to democratic leaders, are more likely to stay in power through the latter (Wintrobe, 2009). Arrests, beatings, and other forms of intimidation are all tools used by leaders in authoritarian states. In addition, covert repression, understood as the collection of information on citizen activities (Davenport, 2005), while less physically brutal and less easily observable, is another crucial instrument used by regimes to preserve stability. This is because in a setting where the expression of dissatisfaction is forbidden, an authoritarian regime needs alternative sources of information to anticipate threats to its grip on power. Covert repression through surveillance and the use of informants is

an effective tool for that purpose, allowing the state to identify the individuals and groups that have the potential to engage in contentious action without the need to enable freedom of speech and expression.

My research here focuses on how an authoritarian regime adjusts its operation of covert repression in the face of a destabilizing force. To answer this question, I concentrate on how threats to a regime influence the management of state security force informants.

Historical communist and other authoritarian regimes maintained large networks of informants that provided information to state security services. While the data on the exact number of informants has to be taken with a grain of salt, it is possible to estimate the rough size of informant networks in different countries. In communist Poland in 1989 there were almost 90 thousand secret collaborators, meaning that 1 in 420 citizens served as an informant (Piotrowski et al., 2004). In the People's Republic of Bulgaria, the number of collaborators was between 50,000 and 60,000, a density of 1 informant for about every 150 citizens (Persak and Kamiński, 2005). In Ceaușescu's Romania, possibly up to half a million people worked as informants, or one out of every 46 citizens (Smith (2006)). Finally, at the collapse of the Soviet Union, the KGB informant network included more than 10 million collaborators, or approximately 3 percent of the population (Pringle, 2006).

Analyzing covert repression is usually difficult because of limited access to, and availability of, state security information. A solution to this dearth of data is to concentrate on historical regimes, which no longer wield power and so cannot control access to classified information. An excellent setting to do this is the German Democratic Republic (GDR), which is famous for its highly-developed surveillance apparatus, the *Staatssicherheitsdienst* or Stasi. In 1989 there were 91,000 full-time Stasi officers and 189,000 informants in a country of about 16 million inhabitants (Müller-Enbergs, 2008b).

For the purpose of my research, I have constructed an original dataset containing detailed information from a sample of almost 300 informants to the German Democratic Republic's Ministry for State Security

(Stasi)<sup>1</sup> to gain a better understanding of the way in which informants were enrolled and retained by the state.

### *I. Theoretical Impact of a Destabilizing Factor*

What effect will a destabilizing factor or process have on the level of state control? How can a regime suppress a potentially destabilizing force? I argue that the answers to both of these questions need to take into account that the level of state control is determined by an interaction of the actions of both citizens and the state. Their net effect establishes whether the state is going to be stable.

How informants operate is one context where the interaction of the two effects of a regime-destabilizing factor can be analyzed. This is because informant operations are influenced both by how much surveillance a regime needs and how willing the population is to collaborate. Hence, the final level of control through surveillance is a result of the way in which the regime and population react. To make the two-sided response argument clearer, I conceptualize the two forces using the analogy of a market for informants. In this metaphor, society is responsible for the supply of informants, while the Stasi needs constitute the demand for informants. In the presence of a destabilizing force, the supply of informants decreases but demand increases, leading to a higher value of rewards offered to informants. The effect of a destabilizing force on the quantity of informants is theoretically ambiguous, as the two sets of motivations pull in opposite directions.

Many factors, such as the activities of the Protestant Church or environmental groups, were seen as destabilizing by the East German state. One potentially destabilizing force that has received particular attention in the literature is access to western media. West German TV (WGTv) provided repressed citizens with independent information about the size of the opposition and thus potentially created opportunities for coordination. As a result, WGTv has been portrayed as enabling the emergence of informational cascades that potentially threatened the regime (Kuran, 1991; Lohmann, 1994).

Access to the WGTv is thus expected to have affected both the citizens and the state. It should have decreased the supply of informants, as people were less

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<sup>1</sup>The sampled individuals come from 31 (out of 217) counties and 11 (out of 14) districts of the GDR. Their date of enrollment spans from 1950 to 1989, virtually the entire period of Stasi activity.

likely to support the regime. It should have also increased the demand for informants, as it increased the state's need to retain control. Archival sources show that access to WGTv was, in fact, likely associated with both of these effects.

First, the Stasi reports reveal that WGTv was perceived to have affected population views, as people could access news that presented the GDR in a more negative light than that offered by official propaganda. Several archival documents link accessing western media to an increase in people criticizing the regime, such as young people talking negatively about collectivized farms or about Nikita Khrushchev (BStU, MfS, ZAIG 364, Bl. 1–14 (7. Expl.)). The state was particularly concerned about the effect that western media could have on East German youth (BStU, MfS, ZAIG 397, Bl. 13–63 (5. Expl.)). However, even official state employees could be found guilty of watching the “ideologically corrupt” programs (BStU, MfS, ZAIG 376, Bl. 1–11 (6. Expl.)). The Stasi reports claim that the increased popularity of western media coincided with an increased number of attempts at establishing postal contact with the West. The number of letters sent to the cover addresses advertised by western media increased from 35,000 in the third quarter of the year in 1964 to 90,000 in the first quarter of the year in 1965 (BStU, MfS, ZAIG 1045, Bl. 1–7 (8. Expl.)). Before the Berlin Wall was erected, East German citizens even visited the headquarters of the Broadcasting Service in the American Sector (Rundfunk im Amerikanischen Sektor, RIAS) to illegally report on daily life in the GDR (Kuschel, 2016).

I find that informants were given approximately 60 East German marks worth of rewards more per year in the areas that had access to WGTv, as compared to areas with no reception.

Second, the perceived threat from WGTv mobilized state action. The most extreme case was the *Aktion Enten* and the resulting 1955 show trial of East Germans who had visited the RIAS office and were consequently convicted of espionage (Schlosser, 2015). A more general, but less violent, state-organized action was the *Aktion Ochsenkopf*, which took place in 1961. As part of the initiative, the *Freie Deutsche Jugend* (Free German Youth, FDJ) identified people with TVs who had aerials that enabled them to receive WGTv and forced them to

remove their aerials (Schlosser, 2015).

The Stasi officials not only identified the WGTv as a threat, but also explicitly made it a focus point for their informants. A report on the access to WGTv in the county of Sebnitz outlined the key issues to be clarified (BStU, MfS, BV Dresden KD Sebnitz 4466 6):

- “Where are the aerials [allowing the reception of WGTv] and where will new ones be built?
- Who sells and builds the aerials?
- Can we identify the people who promote access to WGTv or organize communal viewings?

All unofficial collaborators should be employed to observe and work on the identified persons. Moreover, all available connections should be used for the operation.”

Knowing that access to West German TV had the potential to affect both the supply of, and the demand for, Stasi informants, I can derive the effects that it would have on the number of informants and the rewards they were offered (Figure 1).

In line with the theory:

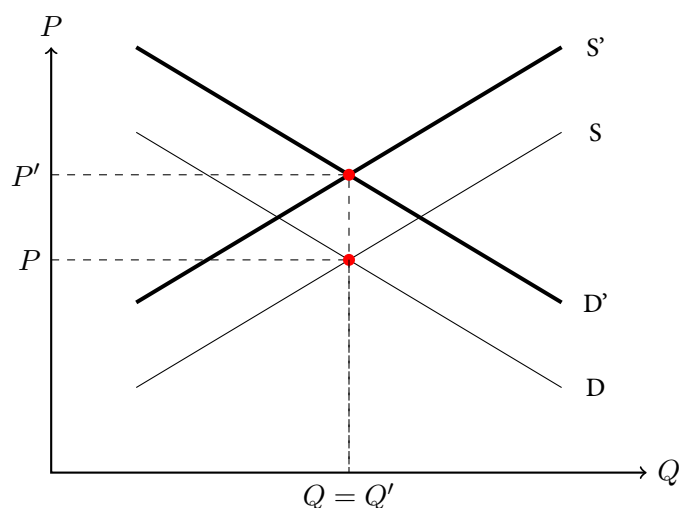
1. Informants in areas with access to WGTv should have been offered higher prices, regardless of the specific shape of the supply and demand curves or the relative sizes of their shifts.
2. The effect of access to WGTv on informant *quantity* is theoretically ambiguous and has to be established empirically. This is because the net effect of the shifts in supply and demand on the number of informants is determined by the relative sizes of the shifts, as well as the elasticity of the two curves.

## II. Informant Data

To explore the empirical implications of my argument, I use the information I collected on a sample of informants drawn from the Stasi Records Agency (BStU), as well as aggregate county-level statistics assembled by Müller-Enbergs (2008a) to analyze the effect of TV reception on two dependent variables: price and quantity.



Figure 1: Shifts in Demand and Supply



*Note:* Access to WGTv is associated with an inward shift of the supply curve and an outward shift of the demand curve, causing an increase in prices offered to the informants. The effect on quantity is ambiguous.

By price, I mean the average value of material or pecuniary rewards that an informant received for a year of their service expressed in 1989 East German marks (DDM). The average annual value of the rewards in my sample is 62.6 DDM, with 50.7 percent of the sampled informants getting rewards at some point in their service.

I understand quantity as the density of the informant network, measured in this case as the number of informants per 10,000 people in a county, calculated using the data from Müller-Enbergs (2008a). The average density of the informant network for the years between 1952 and 1989, across all of the counties for which the information is available, is about 38 informants per 10,000 citizens, with a range of 1 to 177.

The key explanatory variable in my analysis is access to the WGTv. Because of the distance to the border with the Federal Republic of Germany as well as the shape of the terrain, not all citizens of East Germany were able to watch WGTv; the signal in the areas in the north-east and the south-east was too weak to allow reception. The population of these areas constituted about 15 percent of the total and the two areas were collectively dubbed

the *Tal der Ahnungslosen*, or the ‘valley of the clueless’.<sup>2</sup>

The two ways to conceptualize the binary WGTv access are using the maps of the ‘valley’ or applying the Longley-Rice algorithm, an algorithm frequently used to estimate TV reception based on information about transmitter signal frequency and antenna height. The regressions presented below define the regions with and without access to West German television based on output from a Longley-Rice radio signal propagation model and a cutoff level of -80dBm using data from Crabtree, Darmofal and Kern (2014), as these regions resemble most closely the maps of the valley and so are most likely directly related to where the Stasi thought the problem areas were (Witte, 1990).

### III. WGTv Effects on Informant Price

I start by analyzing the relationship between access to WGTv and the average annual value of rewards given to informants.

I use a simple OLS estimator where informant  $i$  is the unit of analysis. My preferred specification includes work occupation  $j$  fixed effects:

<sup>2</sup>The view of what areas comprised the valley of the clueless varies. While the term is sometimes used to refer only to the Dresden Basin, other interpretations use it when talking about the south-east and north-east of the GDR. In this paper, I use it to denote the areas both in the north- and in the south-east of East Germany.

$$(DDM/year)_i = X_i\beta + c_j + u_i.$$

Given the socialist setting, everyone with the same occupation was paid the same salary. Including occupation fixed effects in my model allows me to compare the Stasi rewards given to people with the same jobs living in areas with and without access to the WGTv.<sup>3</sup> Other controls used in the regression include year of enrollment as an informant, gender, communist party (SED) membership, the number of organizations to which the

informant belonged, a dummy controlling for whether she was enrolled for a specific task or for more general observation, education, and a coder dummy.<sup>4</sup> The results from slightly different specifications of the model are shown in Table 1. In line with my theoretical predictions, I find that informants were given approximately 60 East German marks worth of rewards more per year in the areas that had access to WGTv, as compared to areas with no reception. For context, the basic monthly wage for a production worker was 770 DDM, the monthly rent for a flat cost 58 DDM, a monthly TV

Table 1: WGTv Access and the Price of an Informant in East Germany

Dependent Variable: Price of Informant in 1989 East German Marks per Year

	Model 1	Model 2	Model 3	Model 4	Model 5	Model 6
WGTv	59.41*** (18.75)		73.53*** (24.26)	63.45*** (20.56)	60.66*** (18.95)	43.76* (25.69)
TV weighted		0.62*** (0.20)				
Report pages			0.24*** (0.05)			
Political conviction				5.36 (21.20)		
Berlin distance					-7.58 (15.35)	
FRG distance						-14.20 (15.92)
N	264	264	178	243	264	264
R <sup>2</sup>	0.33	0.32	0.45	0.35	0.33	0.33

\*  $p < 0.05$ , \*\*  $p < 0.01$ , \*\*\*  $p < 0.001$

Note: Table 1 reports coefficients from OLS regressions. Robust standard errors are shown in parentheses. All regressions include the full set of core covariates and occupation fixed effects.

<sup>3</sup>One reason to do this is because balance tests performed in Crabtree, Darmofal and Kern (2014) show that the counties without access to WGTv differed from counties without access on some dimensions.

<sup>4</sup>The data were coded by two researchers, the author and a research assistant. Hence, a coder dummy is included to ensure inter-coder reliability.

subscription cost 7 DDM, and a pack of cigarettes cost 3.2 DDM (Stephan and Wiedemann (1990); Statistical Yearbook 1989). This result is robust to controlling for a variety of factors, such as using the average number of TV sets per 100 households at the time of enrollment as a weight for the independent variable (Model 2), including the number of report pages submitted by the informant to control for informant productivity (Model 3), controlling for whether the informant was driven by political conviction (Model 4), the distance of the informant's hometown to Berlin (Model 5), and the informant's distance to the western border (Model 6).

#### IV. WGTV Effects on Quantity of Informants

After finding support for my theoretical predictions concerning the relationship between access to WGTV and the value of rewards offered to informants, I move on to estimate the effects that West German TV reception had on the density of the informant network. Given that I have no theoretical predictions about this effect, which is determined by the relative size of the shifts in the supply of, and the demand for, informants, the final result remains an empirical question.

I once again use an OLS regression, but this time the unit of observation is a county-year. Because of the high number of observations per county and plausibly correlated standard errors, I cluster standard errors at the county-level. In addition to access to the WGTV, I control for other variables reported at a district level that are expected to affect the density of the informant network: ones accounting for the wealth of the area (the value of production per head, number of hospital beds per 10,000 inhabitants), its employment profile (percentage of people working in industry, handwork, and trade), and demographics (proportion of children).

Table 2 presents different specifications of the model, including the full set of controls and both linear (Model 1) and quadratic (Model 2) time trends. Regardless of the temporal specification I use, I do not find any effect of access to WGTV on informant network density. While county-level fixed effects cannot be used with the time-invariant WGTV dummy variable, the application of time-varying, weighted access to WGTV<sup>5</sup> makes the use of fixed effects possible. The results from a specification that includes this measure do not indicate that access to WGTV and informant density are correlated (Model 3).

In sum, the results of my regressions do not provide evidence a relationship between WGTV access and the density of informant network. This can be explained in two ways. First, an increase in the demand for informants could have balanced out exactly the fall in their supply (or the curves could be very inelastic). Second, the statistics for the number of informants per county are incomplete. In particular, information from the 1950s and the early 1960s is largely missing. This is important as the majority of direct state action against the audience of WGTV happened before the 1970s and given the incompleteness of the data, I am missing key evidence from that period.

#### V. Implications for the Study of Authoritarian Regimes

My research has important implications for the study of covert repression and authoritarian stability. First, it provides insight into an authoritarian regime's management of covert repression and demonstrates how its supply responds to a potential threat. In the analyzed case of East Germany, the state maintained its informant network by providing a higher value of rewards to informants living in areas with access to WGTV. Second, my research offers a useful framework for understanding the circumstances that render state response insufficient, allowing us to discriminate between factors that may be more or less successful in destabilizing authoritarian regimes. Third, my research highlights the importance of choosing the correct observable indicator of state activity. While I do not find any evidence of a difference in informant network density in areas with and without access to WGTV, this does not mean that the regime or the citizens did not react to the medium. To the contrary, the lack of change in the number of informants may be seen as evidence of the state and society's responses canceling each other out. In this case, the difference in the value of rewards between potentially more and less stable areas is the only observable indicator of the reaction on both sides.

The issue of state reaction to a threat is only one of the many questions we can ask about the operation of informants in authoritarian regimes. My other work explores topics pertaining more closely to the way in which informants were recruited and retained. In one paper, I consider the factors, both related to informant characteristics and the setting in which they were recruited, that affect whether an informant is enrolled using

<sup>5</sup>Weighted by the average number of TV sets per 100 households in the year of informant enrollment.

Table 2: WGTV Access and the Density of the Informant Network

Dependent Variable: Density of Informant Network			
	Model 1	Model 2	Model 3
TV	-4.89 (5.95)	-5.03 (5.92)	
TV weighted			0.02 (0.02)
Date	0.001 (0.001)	0.003 (0.002)	0.001** (0.001)
Date <sup>2</sup>		-0.001 (0.001)	
Clustered SE	✓	✓	
County FE			✓
N	2167	2167	2167
R <sup>2</sup>	0.16	0.16	0.92
* $p < 0.1$ , ** $p < 0.05$ , *** $p < 0.01$			

Note: Standard errors are shown in parentheses.

threats, promises of benefits, or appeals to political conviction. Another paper analyzes the relationship between informant productivity and the payments they received, answering questions about the causal relationship between the two and the possibility of the crowding out of intrinsic motivation by monetary incentives.

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## Police Violence and Community Based Resistance in Seine-Saint-Denis, Ferguson, and New York

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On February 2, 2016, police conducting identity checks in the Parisian suburb of Aulnay-sous-Bois, in the 'hot' district of Seine-Saint-Denis, attacked 22-year-old Theo Luhaka with a baton to the back of his knees. Four officers beat him on the ground and continued to pummel him at the police station, where one officer sodomized him with a truncheon, leaving a four-inch lesion in the victim's anal canal. The man's injuries, and abuse at the hands of French police, were remarkably similar to those inflicted on Abner Louima in New York in 1997.

In the immediate aftermath of Theo's violent arrest, neighborhood youth set cars aflame, stoned police, and damaged several buildings. Unrest again rocked Seine-Saint-Denis, three months later, when an open meeting of the new collective 'The Revolution' was attacked by police. When the leader of the collective, Hadama Traoré, attempted to mediate between the police and agitated youth, police shot him three times in the back and in the leg and put him under arrest. The unrest after

Theo's arrest and rape was the second major urban uprising in Parisian suburbs in 2016. In July, Beaumont-sur-Oise was rocked after police beat to death the 23-year-old unarmed black youth Adama Traoré.

France has far fewer people killed by police than the United States. In the United States, 987 people were killed in 2017 alone, 68 of whom were unarmed. But police violence in France, a country with strict gun control laws and a population of 55 million, claims 12 to 15 lives a year, a sharp increase from a decade ago. In France, most victims of police violence are unarmed and the racial imbalance is greater than that in the United States. In the United States, forty percent (402 of the 987) of those killed by police in 2017 were either black (223) or Latino (179), while blacks and Latinos make up 30 percent of the American population.<sup>1</sup> Among the 68 unarmed people killed by police, 30 were white, 20 black, 13 Latino, and 3 other (perhaps Native American).

In France, the overwhelming majority of the 109 people killed by the police between 2004 and 2014 were 'visible minorities', usually Arab or black (Daillère and Linglet, 2016, 13-15). While France does not publish data on race and ethnicity, most experts believe that blacks and Arabs constitute approximately 8 percent of the population. These youths are far more likely to report being stopped by police and subjected to violence than other youth in France or any youth in Germany (Oberwittler and Roché, 2013, 13-15). In 89 cases of police abuse that the Association of Christians for the Abolition of Torture (ACAT) investigated in depth, 29 resulted in serious injury, 22 in irreversible injury, and 26 in death. Of the 26 killed, 22 were visible minorities. In only 7 of these 89 incidents were police officers convicted for abuse (Daillère and Linglet, 2016, 13-15).

Salomé Linglet, one of the authors of the report, told me that: "The people we speak with rarely issue formal complaints. People want to speak because of the trauma they experience but they do not want to go to court. They know that it is useless. In the poorest neighbourhoods the police are never convicted. If police know someone has levied a complaint against them they will harass the victim." In case after case, she points out "the prosecutor tries to turn the victim into a delinquent to justify the behavior of the police."

<sup>1</sup>Native Americans are the most disproportionately killed by police but are too small a group to be listed separately by the *Washington Post*.

In my book *Police Power and Race Riots*, I raise three questions. First, why do police in such different settings behave in similar ways with stigmatized minority communities, engaging in racial profiling and violence? Second, why did police killings trigger nation-wide riots, in the 1960s in the United States, and in France in 2005? To that we can now add Ferguson in 2014 and 2015, Baltimore in 2015, St. Louis in 2017, and Beaumont-sur-Oise and Aulnay-sous-Bois in 2016. Finally, why has it been over four decades since police violence triggered urban unrest in New York?

The blame for police abuse, I argue, ultimately lays with political authorities. “Only in extremely unequal societies where particular groups are denied full membership,” notes Pieter Spierenburg (1984, 2), “do police act in a disrespectful and brutal manner with unarmed citizenry.” Where political authorities fail to hold police accountable, tensions between police and minority youth may reach a boiling point. Under such conditions, a particularly egregious incident, such as the killing of an unarmed minority youth, can spark urban unrest.

In 1968, The Kerner Commission Report (National Advisory Commission on Urban Disorders) listed 12 major grievances among those who had participated in urban unrest. The most often cited, in descending order, were: police; unemployment and underemployment; inadequate housing; inadequate education; poor recreational facilities and programs; ineffectiveness of the political structure and grievance mechanisms; disrespectful white attitudes; discriminatory administration of justice; inadequacy of federal programs; inadequacy of municipal services; discriminatory consumer and credit practices; and inadequate welfare programs. The scholarship on urban uprisings over the ensuing decades documented similar grievances, most of which have grown more acute in poor minority neighborhoods. One factor stands out, however: Where the ability to address grievances through existing institutional channels has improved, urban riots are now rare.

In the 1960s, Stanley Lieberson and Arnold Silverman (1965, 895-896) observed that riots were “more likely to occur where social institutions function inadequately, or when grievances cannot be resolved, or resolved under the existing institutional arrangements [...] such that a disadvantaged segment is unable to obtain recognition of its interests and concerns through

normal political channels.” An equally critical part of the equation, however, is the presence of strong civic organizations capable of holding political authorities accountable for police abuse. Where strong civic organizations, courts, or other institutions offer alternative paths to justice, no matter how limited, riots are rare. Riots are the last resort for those who find all other paths to justice blocked.

In the United States, states with the highest rate of police killings have weaker institutions, including weak gun control laws. For instance, Arizona, Missouri, and Florida have few restrictions on gun purchases. Arizona has a population of less than 7 million. In 2017, Arizona police killed 44 people, of whom 27 had a firearm and 2 were unarmed. Of those killed, 19 were white, 15 were Latino, and 5 were black. In Florida, with a population of 20 million, police shot 58 people of whom 25 had a firearm and 6 were unarmed. Of those killed 31 were white, 17 were black, and 7 were Latino. In Missouri, with a population of 6 million, police shot dead 27 residents in 2017; 12 were black, 11 were white, 1 was Latino, and 2 had unknown race. Only one of these residents was unarmed. In such states, it appears that weak gun control laws are associated with police killings.

In New York, in contrast, a state with strong gun control laws and low homicide rates and a population of 19.75 million, police killed 10 residents in 2017, slightly over a third of the number that police killed in Missouri (*The Washington Post*, 2017). Two of those killed were white, five were black, and two were Latino. The one unarmed man shot in Buffalo was Latino. And, as Bret Stephens recently observed:

New York City, with the most aggressive enforcement of gun laws of any major U.S. city, has seen its homicide rate drop to levels not experienced since the 1950s. By contrast, in the permissive gun state of Missouri, St. Louis has the highest per capita murder rate of any major American city (Stephens, 2018).

Meanwhile, New York has reduced its incarceration rates by 31 percent from its already lower peak, while Missouri has increased its incarceration rates by 5 percent (Ghandnoosh, 2018).

This essay is based on interviews I conducted in Ferguson and Staten Island, throughout July and August of

2015, Clichy-sous-Bois in 2005, and Pierrefitte in 2016 (both French towns are located in the Parisian suburban district of Seine-Saint-Denis). Those I spoke with in Ferguson and Clichy-sous-Bois expressed much higher levels of alienation and perceived powerlessness than those I spoke with in Staten Island and Pierrefitte. “This place is the South minus the politeness,” Carleton Lee, Michael Brown’s pastor, told me when describing events in Ferguson:

The biggest outcry at the beginning was that Michael Brown’s body lay in the hot sun for 4.5 hours. People said you could still see the blood boiling. Police showed up with assault riot gear within an hour of his death [...]. The relationship between police and community was already strained. There was no point in calling any of the Congressmen. Governor Nixon hates my guts. He does not do anything. Senator McCaskill came down but not until much, much later. We were calling the Department of Justice, but got no support from any political leaders during the onslaught. Community groups and churches showed up but there was no true leadership. It was like heathens running wild. There was no one here to say, “This is what we are going to do.”

Pastor Cori Bush’s account was similar. When she saw the tanks, she says, she “just started freaking out. My god, a regular army. We asked the police, ‘Who do you protect, who do you serve?’” The political authorities completely ignored the community:

They came down in the wrong spirit and told us to go home. When the DA (district attorney) came to Canfield [Green] Apartments, he came with an entourage of about 12 SUVs. We were standing in the street when they pulled up [...] The DA got out of his car directly in front of the memorial. The governor got out of his and took a picture. We ran down the street to talk to them. By the time we arrived, they had gotten back in their vehicles. They did not even turn their heads to acknowledge us. Bob McCulloch (the DA) never engaged us in any way. We did not see him at all. It was expected, but heartbreaking nonetheless. They told us early on where they stood.

The Ferguson mayor said we do not have a race problem in Ferguson [...] It was unbelievable to me that this was happening in America, to American citizens, supposedly to save other American citizens, in light of a tragedy that should never have happened.

On August 9, 2015, the anniversary of Michael Brown’s death, Michael Brown’s father told journalists not to thrust microphones in his face and ask him how he felt: “How did you think I feel?” His friend shouted that there had been no justice: “Take the streets, take the highways and shut it down.” During the 4.5 minutes of silence for Michael Brown, drones buzzed overhead. Mourners chanting “Shut it down” filed into the streets where riot police awaited. That evening Ferguson again burned.

Gwen Carr (Eric Garner’s mother), similarly expressed frustration with the Staten Island District Attorney and local political authorities:

You could count on one hand [those in Staten Island] that gave us support [...] The DA was not exactly callous. We just felt that there would be no justice [...] After my son’s death, I found out exactly how the system works, and it is not in our favor. No sensitivity or accountability [...] They violated his civil rights, that’s probable cause. Not letting the EMT assist him, probable cause.

The DA implies, she says, that police are not governed by the same laws they are expected to enforce. New York, however, has stronger and more responsive institutions, and a coalition, Communities United for Police Reform, of 60 grassroots organizations dedicated to fighting police brutality. One of the founding members of the coalition is the Justice Committee, created in the 1980s by the Young Lords, a radical Puerto Rican organization formed by youths hired by Mayor John Lindsay as peacekeepers in the wake of the 1967 Puerto Rican (East Harlem) riots. Other groups in the coalition were created by parents who lost their children to police violence.

The day Eric Garner was killed, members of Communities United for Police Reform called Garner’s parents to offer solace and a path to pursue justice (which included a mass march down Fifth Avenue, sit-ins, and other nonviolent forms of civil disobedience, meetings

with city and state officials, demands for indictments and federal oversight, and consultation with lawyers). That night, tens of thousands of New Yorkers marched through the city. They did not break shop windows, set stores aflame, or engage in violence. Police did not drive tanks, shoot tear gas, or rubber bullets into the crowd, or brutalize the demonstrators. When Ben Carr (Garner's stepfather) took to the streets following his stepson's death, it was to admonish protesters: "I told them not to throw garbage in the street. They want us to play the fool. We aren't about that. These shops are not our enemy. The police are not our enemy. We only want justice. We want the officers who killed Eric to face justice [...] So that other families do not lose their children." Gwen told the demonstrators: "I do not want any stigma on my son's name, that his family is violent." (Michael Brown's parents also urged protesters to avoid violence).

The blame for police abuse, I argue, ultimately lays with political authorities. "Only in extremely unequal societies where particular groups are denied full membership," notes Pieter Spierenburg (1984, 2), "do police act in a disrespectful and brutal manner with unarmed citizenry." Where political authorities fail to hold police accountable, tensions between police and minority youth may reach a boiling point.

Peaceful protest and police restraint are the legacy of five decades of community-based organizing efforts (Schneider, 2014). In July 2015, the Justice Committee accompanied Gwen and a dozen other mothers of young people killed by police to the governor's office in Albany to demand the appointment of a special prosecutor for every case in New York State where police killed an unarmed resident. The mothers put a makeshift coffin in front of his office. "We did everything we could to get his attention," Gwen notes. "We got pretty much what we wanted," she says. The governor issued an executive order designating attorney general (AG) Eric Schneiderman as special prosecutor. "The ladies on the forefront, we banded together. I think if people come together and strategize they can make changes. An individual alone cannot do anything. You have to be serious about change."

Although the mothers were unable to get the state legislature to establish an office for an independent special prosecutor, the attorney general of the state of New York, in contrast to local DAs, is not beholden to local police. While many cities have recently elected progressive DAs with very positive results, the AG does not work with police on a daily basis or depend on them for the successful prosecution of his cases. In April 2016, New York's AG sued the Rensselaer County DA for circumventing the executive order and issuing a non-indictment in the case of a police shooting in the city of Troy. Since then, there has been a sharp decline in police killings. In 2014, police killed 10 unarmed New York State residents. In 2015, they again killed 10, but only three after the governor's executive order. In 2016, police killed four unarmed people, but only one following the AG's lawsuit. In 2017, police killed only one unarmed resident in Buffalo, a case the AG is currently investigating (The Washington Post, 2017). When police believe that they will be held accountable for their actions, they hesitate before using lethal violence.

Because police are centralized in France and answer to the Minister of Interior, local municipalities have few options in holding police accountable. Seine-Saint-Denis, in the North East suburbs of Paris, is one of the most conflictual districts in France. In 2005, an incident of police violence in Clichy-sous-Bois set off three weeks of nationwide riots. In Pierrefitte, however, a local dialogue and mediation center has worked with both police and neighborhood youth to reduce incidents of police abuse and urban unrest.

Moghdad, a local activist in Clichy-sous-Bois, explained how the riots began in 2005, after police chased three youths avoiding an identity check into an electric grid:

The boys had done nothing. They were good kids. They had done well in school. Everyone knew them. Everyone loved them. They were the kind of kids who would always do things for others.

Bouna Traoré, a 15-year old black youth, had been a straight A student. Zyad Benna, a 17-year old Arab youth, had been a high school soccer champion. Running from the police, as the boys had done, Moghdad says, is normal in the banlieues. The day the boys were killed, he said:



Residents heard the police talking on the phone and joking and saying that since the boys had entered the electric grid their skin wasn't worth anything anymore [a colloquial expression meaning as good as dead, one later confirmed by internal police]. Then Sarkozy [then Minister of Interior in charge of police] gave that speech saying the police had done nothing wrong. The pain we all felt was now mixed with outrage. When young people saw police, they started yelling and cursing, and when the police responded with tear gas, they threw garbage cans and rocks and anything they could find.... We tried to keep the kids calm. We told them that there would be an investigation. They should not let things get out of hand.

On October 30, residents accompanied the parents to the funeral. People from all over Paris attended. People carried placards that read "Dead for Nothing." The families were crying. Later that day, the police chased two young men into a mosque. When the security guard refused to let them into the mosque the police shot the tear gas canister inside, where women and children were praying. Moghaddad notes:

Was there an apology? No, Sarkozy got on the radio and said someone else must have shot the tear gas, not the police. When we produced the police canister, Sarkozy said he didn't know how it got there. There were hundreds in the hospital and Sarkozy is saying the police did nothing wrong. This time hell broke loose. We couldn't restrain them. Young people were throwing Molotovs, even shooting guns at police. I was shaking. We were all shaking. They set fire to the cars because that is what is here. There is nothing else. There are no stores or shops here. What are here are cars, and so they set them on fire. It was like externalizing their internal explosions. Some kids in pain cut themselves. These kids, instead of cutting themselves, set things on fire. It was like getting rid of all this pain inside and throwing it outside.

Pierrefitte, located in the same Seine-Saint-Denis district had far less unrest in 2005. The founder of AFPAD, Hibat Tabib (an Iranian immigrant whose arrest

by the Shah and escape from Khomeni was documented in a 2015 film "Nous trois ou rien") notes:

In 2005, some youth torched about fifty cars. But we did not have to mourn for people injured or public buildings destroyed. Compared to the other towns, the riots we experienced were far less severe. During that time, we held meetings to try to understand what was going on in the heads of kids. What they were reacting to was a strong sense of injustice. Too often in France, young people are seen as a problem, rather than as people with problems.

In 2006, after an incident in the 'hot' Quartier de Poets neighborhood in Pierrefitte, three school principals invited Tabib to lead a community dialogue between youth, other community members, and police. Laurent, one of the AFPAD mediators, notes:

Now, we meet regularly with police. It helps relationships and builds confidence between us and the police, and that in turn helps us do our work. It establishes rapport. Young people here lack confidence in the city and its institutions. They believe that the city has abandoned them. Since September 2015, we have had a very good relationship with the police chief Emily Bouno. Women police chiefs are more open to mediation.

AFPAD mediators spend two days a month at the police precinct, advising police and helping mediate when problems emerge. They also hold weeks of workshops and dialogues between high school and junior high school youth and police. Poverty and racism, says Lamine, an AFPAD educator who was born and raised in Pierrefitte, makes it difficult for young people to escape the criminal justice system. Of thirty classmates growing up, Lamine notes, only two received their BAC (high school degree) — the others wound up in prison. If not for Hibat Tabib, he says, he would have ended up just like the others. The only classmates that finished their degrees, says Lamine, did so with Tabib's help. Police still abuse neighborhood youth, Lamine says, "although they used to be much worse."

Lamine told me of an incident when he was 12: a police car followed him as he rode his bicycle. When the

police car slammed his bike, he fell: “After I fell the police grabbed me and began pummeling me in the head. A kid beat up like that never forgets it. An experience like that marks you forever.” But the government encourages this behavior, he says. The Inspector General of Education tells teachers to “watch out for the Muslim children.” The former police chief would tell his officers that, “the children here are animals: if they do something wrong just hit them.” The police and teachers who are “afraid of the the cités [housing projects] are cruelest to the kids.” One day he decided to take several teachers out to the projects where he grew up:

One asked me “Why do you do this to us, make us feel so bad?” I told them “I do not want you to feel bad, I want you to understand the reality here.” Afterwards, they were better able to understand the kids. I told them, “You need to understand what it is like for a child who has no money.” As a child, I never had a vacation. Every year the kids would come back from Mexico, Spain, and Africa. Where had I been? Pierrefitte. Every year there was no money for anything and you want those things too. Everyone else, Mexico. You, always Pierrefitte. And then there are the kids walking around with fistfuls of bills and you can have that too. It is a great temptation. If not for Hibat Tabib, I would have been recruited too.

In Clichy-sous-Bois and Ferguson, residents feel powerless in the face of police abuse. In New York and Pierrefitte, stronger community-based organizations, more effective institutions, and more responsive political authorities have reduced both police killings and urban violence. In Pierrefitte, members of the local mediation center meet directly with the local police chief, foster youth-police dialogues, and spend two days a month at the police precinct observing and advising on community issues. In New York, activists have forged citywide networks and coalitions and community-based groups have pressured authorities to create institutions (civilian review boards, inspector generals, special prosecutors) that hold police officers accountable and have used the courts to fight abusive and racially discriminatory police practices (such as stop-and-frisk) and for justice for families of those killed or abused. As Ben Carr, Eric Garner’s stepfather, notes: “Here, we are not alone. We share and work together. Now we have an inspector general and an independent prosecutor.

Hopefully that will mean this will not happen to other parents.”

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## Material Witness: Source Selection Bias in Comparative Police Data

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Comparative studies of policing and domestic security inspire new insight into classic problems within the subfield, including topics such as bureaucratic performance, political violence, identity, and state building (Magaloni, Franco and Melo, 2015; Blair et al., 2016; Greitens, 2016). Yet while we have learned a tremendous amount about the topics these studies engage with, the data used to advance comparative policing research have not yet been subjected to sufficient scrutiny. In this brief essay, I outline a research program into source

selection bias in comparative police data. I argue that expanding research on source selection bias serves two purposes. First, policing research needs to identify the scope and direction of source selection bias in order to assess (and address) its effects. Second, reflecting on the selection of events into police records and what events are conspicuously absent allows one to better view the world through the lens of the state (Scott, 1998). I conclude with a plea for greater research into the nature of source selection bias in comparative police research, outlining some propositions for identifying and correcting for bias.

Before turning to biases within police records, it is important to underline that in many cases these records contain a more complete inventory of political activity than data coded from second hand sources, such as the news media (Balcells and Sullivan, *Forthcoming*). Indeed, because they contain a more extensive accounting of political events, police records have been used widely to help identify the form and extent of bias in newspaper coverage (McCarthy, McPhail and Smith, 1996; McCarthy et al., 2008). Police bureaucracies often have significantly more resources than news organizations and they have extensive networks designed to identify individual and collective activities. Consequently, policing agencies are able to collect information on political and/or criminal activity that are more comprehensive than media reporting. And because they are intended for bureaucratic performance, rather than for public dissemination, police records are not subject to the same description biases present in newspaper reports.

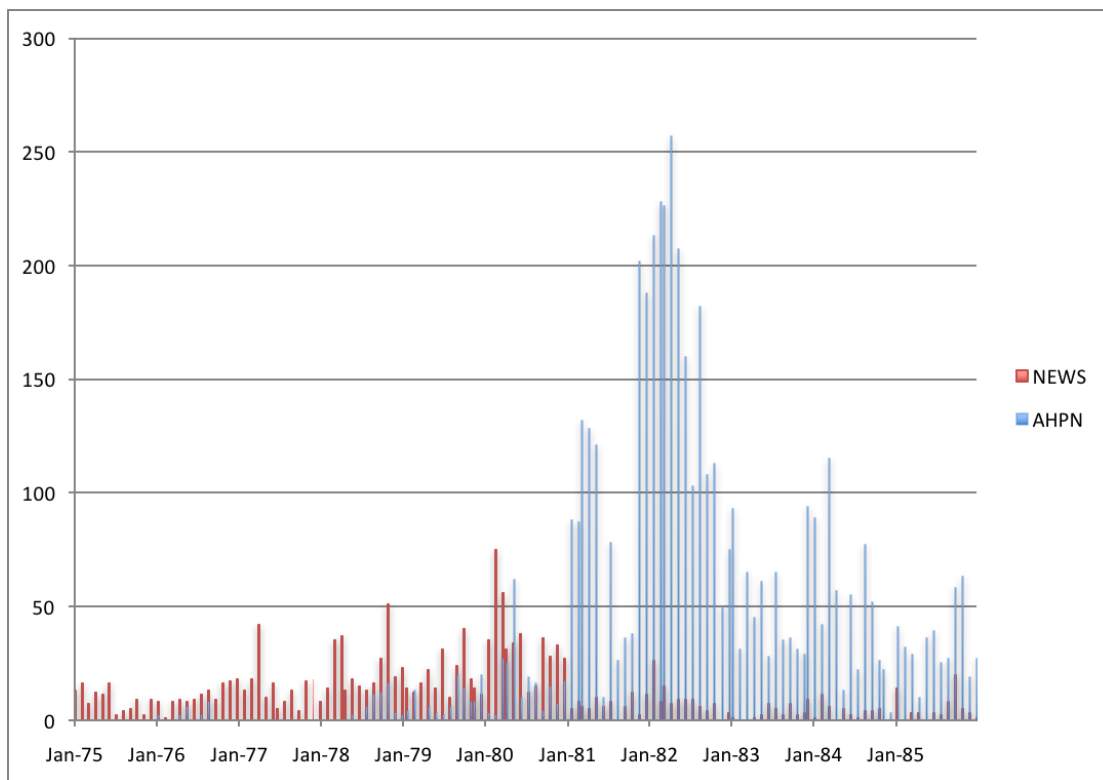
Illustrative of how police data can advance studies of comparative politics, Figure 1 displays data from Sullivan (2016) and compares political events in Guatemala (1975-1985) as identified by the Guatemalan National Police Archive (AHPN) and the international and domestic press. These data cover a particularly violent period in the country's history. During this time, at least 100,000 Guatemalans were killed by state repression and other forms of political violence. The figure shows that following consistent coverage during the early years, newspaper coverage sharply declined beginning in 1981. The AHPN records take almost the exact opposite distribution. Around the same time as the rapid decline in newspaper coverage there is a rapid uptick in the number of events recorded by the AHPN.

The country's truth commissions detail how the rapid escalation of political repression documented by outside sources corresponds to both the increased activity recorded by the AHPN and the decrease in similar activity recorded by the newspapers. Police records closely track escalations in repressive action, while newspaper reports become almost nonexistent.

Critically, much of what we think we know about bias in police data is speculative. It is impossible to correct for ethereal, unmeasured biases. As with the decades of research into the systematic source selection biases in media data, a similar research program needs to be advanced to provide policing scholars with a view into how the data generating process impacts their results.

But there remain unidentified sources of bias resulting from systematic underreporting in police data. Table 1 identifies a partial listing of potential source selection biases. For starters, it is generally difficult to gain access to such records. What few analyses have been conducted into potential source selection biases have typically been conducted within the context of American police data. The conclusions from those studies, though, may not apply to police data collected in other countries with different sets of resource constraints or political ambitions. And even where police data can be accessed, documents provided through a Freedom of Information process allow for selective redaction, which can mask sensitive records relating to repression and dissent. Within the U.S., access varies tremendously by jurisdiction, policing agency, and level of command. As part of the 'open cities initiative,' numerous U.S. cities have begun making individual crime reporting data available. Others provide summary reports (such as COMPSTATS). With regards to the latter, one must bear in mind that theoretical units (such as neighborhoods) may not map neatly onto the empirical units of analyses (such as precincts). Access to data on police behavior also varies considerably. Reports on street-level police actions often require a Freedom of Information Act (FOIA) judgment, while access to the command staff's reflections, assessments, and decisions remains

Figure 1: Political Activity by Source in Guatemala



*Note:* Figure 1 shows the number of political events in Guatemala from 1975 to 1985 as reported by the international and domestic press (red) and the Guatemalan National Police Archive (blue).

walled off. In this way, data from Guatemala’s AHPN are relatively unique. During the period in which they were composed, the officers drafting the reports had no belief that their documents would ever be made public. Moreover, these police records were discovered by historical accident and released without any form of Freedom of Information process through which sensitive information could be withheld or redacted. Even so, one should not anticipate that police collect a full set of information. All purposely sampled data sources are incomplete and present biased representations of political reality.

“Police registers,” as Hug and Wisler (1998, 152) note, “are the product of a social practice and are expected to show some systematic bias.” For example, Oliver and Maney (2000) show how in Madison, Wisconsin the events covered by the newspapers but not identified by police records tended to be non-disruptive and occur in private homes. The parochial interests

of the bureaucrats who record police records may inspire biases, though the direction remains unclear. Police might develop an interest in overestimating potential threats in order to increase their budget or justify their operations. Or they might develop an interest in downplaying threatening behavior to demonstrate professional success. For instance, while the AHPN data do not display the geographic biases identified by Oliver and Maney, these archived police records do systematically underreport massacres engaged in by the Guatemalan regime (see Table 2). Moreover, within the AHPN there are clear shifts over time with regards to how the police recorded political killings. As repression became more severe, the AHPN records increasingly obscured the perpetrator or presumed cause of fatal events (Guberek and Hedstrom, 2017).

Interwoven through bureaucratic sources of selection bias in police data lies another crucial factor impacting how events enter police registers — the willing-



Table 1: Source Selection Bias in Comparative Police Data

Dimension	Description and Potential for Bias
Access	Data access is often determined at the precinct or department level. Where and when access is granted through FOIA laws, critical information may be strategically redacted.
Geography	Events near police headquarters and/or assigned patrols are more likely to be represented.
Time	Biases may vary over time due to a variety of factors, such as police strategy, budgeting, public scrutiny, and so on.
Unit of Aggregation	Police collect and aggregate data at spatial and temporal units that may be relevant for policing practice, but not congruous with researchers' analytical units.
Event Description	Depth, detail, and content may all vary systematically across events due to the investigative interests of police. Categories collected in police statistics may serve as unreliable proxies for measuring theoretical concepts.
Citizen-Police Encounters	Police reporting may be predisposed to displaying the will and interests of police. Details about police abuse may be intentionally left out.
Organizational Structure	Principal-agent dynamics can motivate specific policing actions and reports of those actions.

Table 2: Reported State-Sponsored Massacres in Guatemala, 1975-1985

	Data Source:				
	AHPN Police Records <sup>a</sup>	Media Sources <sup>b</sup>	Witness Testimonies <sup>b</sup>	NGO Reports <sup>b</sup>	Truth Commission (CEH) <sup>c</sup>
Number of Massacres Identified:	8	8	63	160	534

Note: Massacres refer to the killing of five or more indiscriminately targeted individuals. <sup>a</sup> Data are from Sullivan (2016); <sup>b</sup> Data are from Davenport and Ball (2002); <sup>c</sup> Data are from Sullivan (2012).

ness of citizens to report crimes or police (mis)conduct. Studies show how police strategies can reduce trust, limit citizen reporting, and even increase crime (Desmond, Papachristos and Kirk, 2016; Sullivan and O’Keeffe, 2017). These issues underline the potential dangers of uncritically working with police data, even in the U.S. context. For instance, while research shows that police reporting on major crimes correlates highly with indicators taken from other sources, the same cannot be said for more minor transgressions that typically depend on citizens’ trust in the police (Zimring, 2011; Geller, 2011). Considering these categorical divisions highlights another distinct form of source selection bias. Police categorize and track behaviors following a distinct bureaucratic logic determined by the legal statutes they are charged with enforcing and the strategies they develop to engage in enforcement. In some scenarios, such as in the study of homicides, these categories may track neatly onto researchers’ theoretical concepts. However, the ways in which police categorize behaviors such as misdemeanors or calls for service may represent weak proxies for a researcher’s abstract concepts.

Finally, the same principal-agent dynamics that lie at the center of many research projects on policing can also impact where, when, and how information is collected. Those police most removed from oversight can simultaneously be the most likely to perpetrate abuse and the least likely to have their behaviors documented. This last example highlights the significance of examining source selection bias in greater detail. Instances where source selection bias is correlated with independent covariates of interests pose the greatest threat to scholarly advancement, particularly when the direction and size of the correlation is unknown. In this case, while the principal-agent problem is widely recognized as a source of police abuse, scholars only have a weak sense of the types of reporting patterns that improve principal oversight. Less is known about when police principals may strategically opt to limit oversight, either to protect themselves from potential prosecution or to increase the range of tactical options available local squadrons.

Critically, much of what we think we know about bias in police data is speculative. It is impossible to correct for ethereal, unmeasured biases. As with the decades of research into the systematic source selection biases in media data, a similar research program needs to be advanced to provide policing scholars with a view

into how the data generating process impacts their results. For those interested specifically in the police, research into source selection biases offers another opportunity as well. The manner in which police describe, categorize, organize, aggregate, and preserve data informs researchers about the interests, resources, and political identities of police. Researching the dimensions and scope of source selection biases in comparative police data reveals the hidden mechanisms through which police come to understand and define law and law enforcement.

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## Coercive Institutions and Repression under Authoritarian Regimes: Potential Insights from Archives in Central and Eastern Europe

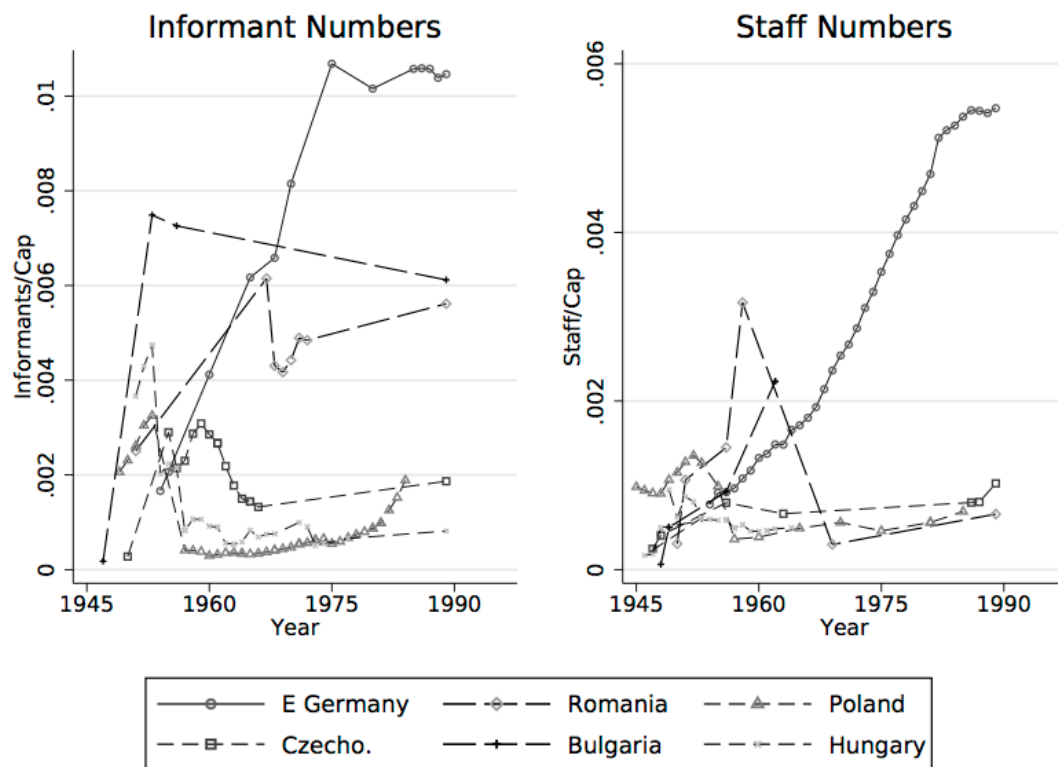
by Henry Thomson  
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The study of authoritarianism has taken an institutional turn (Pepinsky, 2014). A growing body of literature attributes a considerable role to formal institutions such as dominant parties and legislatures in authoritarian politics. However, coercive institutions under autocratic governments remain relatively unexplored (Davenport, 2007; Art, 2012, 19). This represents a major gap in our understanding of authoritarian politics and democratization processes. Many accounts emphasize the importance of repression and coercion as constituent aspects of autocratic rule and as guarantors of authoritarian regime stability. Nonetheless, we have only just begun to learn about how coercive institutions are structured under autocracy, how these structures change over time, and how institutional dynamics relate to broader outcomes around opposition and regime stability.

In this essay, I argue that the former socialist dictatorships of Central and Eastern Europe provide a potentially fruitful set of cases for the comparative study of coercive institutions. Immediately following the Second World War, authoritarian socialist regimes were installed across the region with the support of the Soviet Union (Applebaum, 2012). These governments shared many similarities with the USSR and one another. They were dominated by a single communist or socialist party that severely circumscribed private property rights, nationalized industry, and imposed centralized planning on their economies. They also featured coercive agencies modeled on the Soviet People’s Commissariat for Internal Affairs (NKVD), the political police that was created by Stalin in 1936 and pursued thousands of political opponents in the Great Terror of the 1930s (Werth, 2009). Functioning as Ministries or Committees of State or Public Security, or located within the Ministry of the Interior, these notorious institutions engaged in domestic surveillance and repression, foreign espionage, and counter-intelligence. Until the collapse of the socialist dictatorships after 1989, they committed human rights abuses, violating civil liberties and practicing torture; intimidated, blackmailed, imprisoned, and killed opponents of incumbents; and through these activities and networks of secret informants lent the socialist dictatorships an air of omniscient impregnability that deterred opposition.

The socialist regimes of East and Central Europe displayed many similarities, but also significant differences in their coercive institutions. I collected data on the size of the state security apparatuses of these regimes, primarily from reports written by the national institutes tasked with managing the archives of the former secret police agencies in the region (Kamiński, Persak and Gieseke, 2009). As I illustrate in Figure 1, these agencies varied widely in the density of their informant networks and the number of staff they employed. From similar beginnings, three distinct regimes of repression emerged across the region between 1945 and 1989: (1) East Germany was distinct from all other cases due to its very dense informant network and large numbers of officers employed by the Ministry for State Security, or *Stasi*; (2) the Romanian *Securitate* and Bulgarian *Darzhavna Sigurnost* had relatively dense networks of informants but low numbers of staff; and (3) the *Státní Bezpečnost* in Czechoslovakia, agencies in Hungary, and the *Śłużba Bezpieczeństwa* in Poland had much lower informant network density and lower numbers of staff.

Figure 1: Size of Coercive Agencies in Central and Eastern Europe, 1945-1989



Note: Figure 1 shows the number of informants and staff per capita for secret police agencies in Eastern Europe from 1945-1989.

than in East Germany.

Other features of these agencies also varied widely. As I illustrate in Table 1, there were differences in stability and turnover in the leadership of state security agencies across the region.<sup>1</sup> Through the upheaval of the immediate post-war period and the political instability that followed in the wake of Stalin's death, turnover in the leadership of coercive institutions in these countries was relatively similar. All regimes witnessed two or three chief turnovers during this time — except Hungary, which witnessed five. After 1956, however, significant differences in the rate of agency chief turnover emerge, with East Germany having a much more stable leadership than all other regimes; Romania experiencing slightly more turnover; Bulgaria, Poland, and Hungary witnessing moderate levels of change in agency leadership; and Czechoslovakia displaying relatively high instability at the top of its coercive agencies. These striking differences in institution size and leader-

ship turnover, which are not correlated with mass political instability across the region, are puzzling for existing theories of coercive agencies. They also emerged over time under very similar regimes, providing a promising most-similar-systems framework for the identification of causal relationships through comparative empirical analysis. In what follows, I do not attempt to explain the differences across these agencies. Instead, I describe an ongoing research agenda and argue that by exploring and explaining this variation, a significant contribution can be made to our understanding of repressive institutions and authoritarian politics.

Repression is the threat or use of physical sanctions against an individual or organization with the goal of imposing costs on the target and deterring activities perceived as challenging to the government (Goldstein, 1978; Davenport, 2007). It has long played a central role in theories of authoritarian politics and democratization. For scholars of fascist and socialist totalitarian-

<sup>1</sup> These data are counts of coercive agency chief exits per country.



Table 1: Coercive Institution Chiefs in Central and Eastern Europe, 1945-1989

Country	Agency	Number of State Security Chief Exits		
		Pre-1956	Post-1956	Total
East Germany	<i>Stasi</i>	3	2	5
Romania	<i>Securitate</i>	2	5	7
Bulgaria	<i>Durzhavna Sigurnost</i>	2	7	9
Czechoslovakia	<i>Státní Bezpečnost</i>	3	12	15
Poland	<i>Służba Bezpieczeństwa</i>	2	8	12
Hungary	Ministry of the Interior	5	7	15

ism such as Friedrich and Brzezinski (1956) and Arendt (1966), the threat of violence was an unavoidable, constituent element of these autocracies. For contemporary theories of regime change that emphasize the revolutionary threat of the poor, such as those by Boix (2003, 3) and Acemoglu and Robinson (2006, 186-193), a ruling elite with strong repressive capacity is more likely to stave off this threat and prevent democratization, particularly at high levels of economic inequality. More strongly, O'Donnell and Schmitter (1986, 21) argue that the ability to apply repression is a sufficient condition for stable authoritarian rule and Bellin (2012) concurs when attributing the robustness of authoritarianism in the Middle East to the strength of regional regimes' coercive apparatuses. Similarly, Slater (2010) sees a broader swathe of authoritarian institutions, crucially including those endowed with coercive power, as a central explanation for the lack of democratization in Malaysia. The use and threat of violence therefore play a major role in our understanding of authoritarian regime durability and breakdown.

However, punishing and deterring challenges to authoritarian governments requires more than the simple application of force. It also depends on the perception of threats: the detection of opposition among actors with strong incentives to conceal their true disposition towards the regime (Kuran, 1989). Therefore, repression also involves security intelligence, or the gathering of

information about threats to a regime's security deriving from espionage, sabotage, foreign-influenced activities, political violence, and subversion (Gill, 1994, 6). The gathering of intelligence on sources of opposition is challenging and, even from a purely functionalist point of view, demands specialist expertise. Although the military has "proficiency in the deployment of large-scale violence" (Svolik, 2012b, 125), it is not necessarily adept at the techniques of security intelligence and surveillance that are necessary for the detection of threats to political stability. It is therefore not necessarily the sole repressive agency within an authoritarian regime, and often not even the predominant repressive agency. The military is the final, rather than everyday, guarantor of state security, or "the repressor of last resort in most dictatorships" (Svolik, 2012b).

Because their demands go beyond the capabilities of the military, autocrats rely on a spectrum of agencies to apply physical force and address challenges to their rule. Referred to variously as the repressive apparatus (Svolik, 2012b, 125), the internal security apparatus (Hasan, 2017, 382), mobilizing structures for state violence (Davenport, 2005, xv), or intelligence services (de Graaf and Nyce, 2016), these coercive institutions engage in a wide range of activities involving intelligence-gathering and repression. More concretely, they can take the form of military units, like those that engaged in kidnapping, torture, and murder under the Argentinian military dic-

tatorship from 1975-1983 (Feierstein, 2010). They can be Ministries or Departments of State Security, which engage in domestic surveillance and repression as well as foreign intelligence, like those of socialist East and Central Europe, or the former Soviet republics of Central Asia (Kamiński, Persak and Gieseke, 2009; Lefebvre and McDermott, 2008). In China, the People's Liberation Army and People's Armed Police carry out military operations and regular police work while also engaging in surveillance and repression alongside other coercive institutions, including the Ministry of Public Security (Guo, 2012). This proliferation of institutions with overlapping competencies and responsibilities is not uncommon. The Assad regime in Syria, for example, includes both military and air force intelligence agencies as well as several security intelligence services, which all carry responsibility for addressing political threats (Bar, 2007, 389-390). As even this short discourse serves to illustrate, unpacking the features of coercive institutions across, and even within, regimes reveals a dizzying degree of variation across a range of observable characteristics. Nonetheless, what distinguishes these institutions from other features of authoritarian regimes is their ability to detect and repress challenges to incumbents, and their capabilities in the arenas of information and violence.

The academic study of authoritarian coercive institutions is fraught with problems. It is difficult to document the work of these agencies, as much of it is inherently covert and outcomes such as success or failure are difficult to observe. The coercive institutions of incumbent regimes, in particular, pose severe challenges of data availability for researchers, including personal danger. One of the most famous accounts of the history and activities of the Soviet Committee for State Security (KGB), for example, is based on materials collected and transported out of the USSR by a KGB archivist with the assistance and protection of British intelligence agencies (Andrew and Mitrokhin, 1999). Information available on authoritarian coercive institutions is also likely to be biased by governments and their agents seeking to mask or misrepresent their work. For example, an account of the Polish state security agency published before the collapse of the regime details several key developments such as the withdrawal of Soviet advisors from the institution in 1956. However, when attempting to estimate

its size in terms of personnel and informant network in the late 1940s, the author overestimated both by a factor of two and three, respectively, compared to data that are now available from Polish archives (Checinski, 1984, 32). Further vexing social scientific analysis is the high degree of variation in the number, responsibilities, and capabilities of authoritarian coercive agencies within regimes over time. In Czechoslovakia, for example, control over the secret police known colloquially as Státní Bezpečnost alternated from the Ministry of the Interior to a Ministry of National Security and back during the early 1950s, and after the revolutionary upheaval of 1968 was devolved to two separate agencies in Prague and Bratislava (Blažek and Žáček, 2009). These institutional reforms were not detailed in an account published before researchers had access to archival records made available after the collapse of the Communist regime (Rice, 1984).

Despite these challenges, authoritarian coercive institutions are attracting growing interest from scholars of comparative politics. In particular, several recent empirical studies have shed new light on these agencies in a number of national contexts.<sup>2</sup> To highlight only a few examples, Hassan (2017) shows how Kenyan leaders strategically allocated coethnic internal security officers to swing districts in order to gain an electoral advantage in the 1990s. Blaydes (Forthcoming) claims that problems of information-gathering in an ethnically diverse state contributed to the formation of identity cleavages and opposition to Saddam Hussein's regime in Iraq. Wang (2014) argues that the Chinese state seeks to ensure the loyalty of its coercive apparatus by incorporating police chiefs into provincial party leaderships and allocating more resources to police chiefs in areas where the regime faces greater domestic opposition. Sullivan (2015) shows how the Guatemalan National Police detected nascent opposition and engaged in preemptive repression in the 1970s and 1980s. There is less empirical research on repressive agencies in the authoritarian context that is explicitly comparative in nature. Most notably, Greitens (2016) puts forward a theory of coercive institutional design that is tested in Taiwan, the Philippines, and South Korea.<sup>3</sup> She argues that authoritarian elites structure coercive institutions to counter threats – elite threats will be addressed by more fragmented and socially exclusive coercive institutions,

<sup>2</sup>This discussion does not engage with single-case studies in history or intelligence studies, which are too numerous to list.

<sup>3</sup>See also Way and Levitsky (2006) and Markowitz (2011) on post-Soviet cases. A small amount of comparative scholarship is found also in history and intelligence studies; see Dimitrov and Sassoon (2014) and Lefebvre and McDermott (2008), for example.

while mass threats will be countered by less fragmented and more inclusive coercive institutions. More fragmented and exclusive institutions tend to lead to more state violence due to their lower capabilities for surveillance and greater incentives to commit violence. There is relatively little formal theoretical work on coercive institutions. Both Egorov and Sonin (2011) and Svolik (2012a) highlight the divergence of interests and potential for conflict between autocratic principals and their repressive agents. However, in a recent review of formal models of nondemocratic politics, Gehlbach, Sonin and Svolik (2016, 566) note the predominant trend among theorists of authoritarianism to treat repression as an autocratic policy, not part of the institutional framework of authoritarian rule. Nonetheless, major strides have been made in this recent literature on authoritarian coercive institutions in comparative politics. Despite the covert nature of these bodies and their activities, much light has been shed on the workings of repressive agencies across a range of national contexts. A great deal of credit must be given to the researchers who have sought out new sources of data on these bodies under challenging conditions. Previous contributions have informed our understanding of a range of phenomena of central interest to political scientists, for example, dynamics of contention, repression and state violence; electoral integrity; and problems of power-sharing and delegation.

The former socialist dictatorships of East and Central Europe are a promising source of detailed and diverse data on authoritarian coercive agencies that could generate exciting new empirical insights into the work of these institutions. Following the collapse of the socialist regimes and democratization in the region, governments opened the archives of the secret police and tasked public agencies with the management and analysis of these documents.<sup>4</sup> In many cases, this included assisting with the vetting of candidates for public office and assistance in court trials of individuals suspected of crimes or human rights violations. In some cases, most prominently in Germany, institutions tasked with managing the archives also assisted victims of surveillance and repression to access records relevant to their own cases. Playing a central role in the processes of lustration, reconciliation, and democratization, these archives have been highly politicized. For this reason, there are significant differences in the level and

ease of access granted to documents across countries and through time. In Germany, for example, Stasi officers destroyed significant quantities of documents in the immediate aftermath of the fall of the Berlin wall. Nonetheless, a 1991 law created the so-called ‘Gauk agency’, named after its first Federal Commissioner, tasked with managing the files of the former secret police and granting access to victims of the Stasi as well as researchers. The agency enjoyed support from across the political spectrum at its founding, and despite being periodically embroiled in political controversy continues to manage the archive of the former secret police. The huge archive of the Stasi is open to both German and foreign researchers, given provisions for protecting the personal privacy of victims, and has been used as the basis for a large number of prominent historical studies (Bruce, 2008). In Romania, on the other hand, a law establishing an agency to manage the archive of the Securitate and guaranteeing access to the files was passed only in 1999 and applied exclusively to Romanian citizens. In the intervening period after the fall of the Ceaușescu regime, files remained in the hands of the Information Service and it is suspected that some files may have been destroyed or changed. In addition, political disputes among members of the council appointed to manage the archive brought work at the agency to a standstill, leading to very little information being released on former members of the Securitate and inhibiting work by researchers (Stan, 2004).

Coercive institutions are one of the most important and understudied aspects of authoritarian rule. They are also among the most challenging components of these regimes to study.

Archival sources on the coercive agencies of East and Central Europe therefore harbor pitfalls, such as biased recording practices within the former agencies or a politicized process of access to information, that must be taken into account by scholars (Balcells and Sullivan, *Forthcoming*). In addition, there is the language barrier that acts as a deterrent to any researcher working in the region. However, with both the requisite language skills and care, there is significant potential for new insights to be gleaned from material derived from the archives.

<sup>4</sup>The literature on the politics of memory and transitional justice in East Central Europe is too large to attempt to summarize here. See, for example, Stan (2009).

National institutes housing the documents of the former secret police often include research staff who know their inventories and can provide invaluable guidance in their use. The volume of secondary literature on the secret police agencies published by archive staff or academic historians is growing rapidly and, though rarely available in translation, can be a source of data already culled from the archives and vetted. The data depicted above on the size and leadership of agencies across the region, for example, are from published reports by researchers employed by the archival institutions, and from other secondary sources. The more specific the research question, the less likely that such secondary materials will be available and the greater the difficulties that will face individual researchers. For example, I have also recently begun a project on the cooperation of the East German Stasi with its so-called 'brother organs', or coercive agencies in Eastern Europe and across the socialist third world such as in Cuba or Vietnam. There are only a few monographs and articles published by historians on this cooperation, and very few in English. I was able to collect quarterly data on the number and purpose of reciprocal visits by agency staff, as well as the frequency and subjects of post and telephone communications between these institutions during the 1980s. However, I found these data only after an extended period of research during several visits to the relevant archive in Berlin, and with the generous assistance of archive staff. If the political salience of the former secret police declines through time and archives become better resourced and staffed across the region, we can hope that access to such documents will become easier for researchers. Recent political events give grounds to doubt that this process will happen quickly, however. For example, in the Czech Republic the incumbent Prime Minister Andrej Babis has been battling to be cleared of accusations of collaboration with the Czechoslovak communist secret police before 1989, while in Britain the leader of the Labour Party, Jeremy Corbyn, has had to address similar allegations of collaboration with the very same Czechoslovak agency in the 1980s. The Czech and Slovak institutions that manage the archives of the former secret police have played a central role in these controversies and their equivalents in other countries continue to be periodically embroiled in contemporary politics.

Aside from benefiting from access to relatively reliable and complete data, researchers might want to study the former socialist dictatorships of East and Central

Europe because doing so can provide significant contributions to broader theoretical debates. For example, the authoritarian coercive agencies in those places can be analyzed as examples of indirect governance that illustrate the fundamental trade-off between competence and control facing governors ruling through intermediaries (Abbott et al., 2018). The administration of coercion by authoritarian leaders does not always involve the hierarchical granting of authority to subordinates in the way foreseen by principal-agent theory. Weak or unstable regimes, for example, can engage in coercion through relatively autonomous intermediaries such as militias, sacrificing a significant degree of control in order to coopt these subordinates' capabilities (Eck, 2015). The agencies of the former dictatorships of Eastern Europe also present promising material for illustrating the competence-control trade-off facing authoritarian governors. For example, the East German Stasi was embedded in a complex personal and institutional structure to ensure absolute control of the party over the agency, and this hierarchical relationship was never seriously challenged (Süss, 2014). By contrast, despite formal hierarchical control of the Polish United Workers' Party over its state security apparatus, the powerful Minister for Internal Affairs, Mieczysław Moczar, constructed an independent power base within the party and in 1968 attempted to take power as the successor to First Secretary Władysław Gomułka (Dudek and Paczkowski, 2009, 337).

The study of socialist coercive institutions in Europe can also inform our understanding of state- and institution-building under authoritarian regimes. Agencies that detect and repress opposition to autocrats are constituent elements of the state as an organization with a comparative advantage in violence. Internal conflict is often regarded as an indicator of low state capacity, in contradiction to inter-state rivalry, which promotes state-building (Thies, 2005). However, domestic threats can also be a major factor inducing regimes to develop strong coercive institutions (Slater, 2010). In post-war East and Central Europe, the elimination of partisans and opposition from fascist, conservative, or social democratic forces was a driving force behind the establishment and growth of state security agencies (Applebaum, 2012). Research on the construction and design of these institutions could make a contribution to the state-building literature by exploring the conditions that lead states to develop stronger institutions of domestic surveillance and repression as a response to



internal threats. Similarly, coercive institutions coexist with broader institutional structures that have received much more attention in the literature on comparative authoritarianism, such as dominant parties and legislatures (Pepinsky, 2014). However, it is not clear how agencies of surveillance and repression relate to these broader structures. For example, we do not yet know whether coercive agencies are constructed as complements or substitutes to other institutional components of authoritarian regimes. In East and Central Europe, socialist regimes' state security agencies were embedded in broader strategies of political control and conditioned by their commitments to one-party rule and centralized economic planning (Thomson, 2017). Studying coercive agencies allows us to more fully understand how autocrats create and use institutional structures to address threats and remain in power.

Coercive institutions are one of the most important and understudied aspects of authoritarian rule. They are also among the most challenging components of these regimes to study. Despite challenges, in looking to archival sources of data on repressive institutions there are significant opportunities for scholars to draw back the curtain on coercive agencies and their activities, and make real contributions to our understanding of authoritarianism and democratization. A few observations seem relevant in assessing the potential for future research. First, fruitfully exploiting archival data sources is difficult when, as researchers, we do not know their contents and rely on the expertise and good will of individuals at institutions that manage them. Scholars need to have clear, specific research questions when approaching archival staff; be knowledgeable on the relevant regulations governing the archive and familiar with finding aids; and be flexible but persistent in the face of setbacks when requesting and accessing materials. Most projects will require extended, and probably multiple, visits to archives in order to bear fruit. Second, researchers will need deep knowledge of the Cold War history of the region and their specific case in order to make fruitful use of archival materials. Scholars should have excellent language skills, be familiar with the historical development of the agencies that they are researching, and have read widely in relevant secondary literature on their question of interest. Finally, in the face of an almost overwhelming volume of truly fascinating archival material from these coercive agencies, researchers need to maintain a disciplined focus on questions of broader interest to scholars of comparative

authoritarianism and comparative politics. It is easy to spend days or weeks in archives engrossed by first-hand accounts of the activities of the socialist secret police, but it is more difficult to make this material tell a story that speaks to the discipline at large. The payoff to successfully navigating this challenge is significant.

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## About the Section

The [Organized Section in Comparative Politics](#) is the largest organized section in the American Political Science Association (APSA) with over 1,300 members. The purpose of the Section is to promote the comparative, especially cross-national, study of politics and to integrate the work of comparativists, area studies specialists, and those interested in American politics. The Section organizes panels for APSA's annual meetings; awards annual prizes for best paper, best article, best book, and best data set; and oversees and helps finance the publication of the Newsletter. For more information, please visit the Section's website.

## About the Newsletter

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