

ENVIRONMENTAL DETERMINISM AND THE  
EXISTENCE OF CITIZEN OVSIGHT  
OF THE POLICE

By

Neal C. Baldwin

Vic Bumpus  
Associate Professor of Criminal Justice  
(Chair)

Seon Min Park  
Associate Professor of Criminal Justice  
(Committee Member)

Roger Thompson  
UC Foundation Associate Professor of Criminal Justice  
(Committee Member)

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## ABSTRACT

Developments in citizen oversight of the police have not gone unnoticed by policing scholars. Though the concept has been controversial and heavily debated, noticeable increases in these mechanisms are evident on both national and international levels, especially in the most populated metropolitan areas in the United States. There is, however, a research gap in that available scholarly inquiries have not empirically examined the existence of citizen oversight within an explanatory framework, cognizant of plausible theoretical assumptions. This research examines the existence of citizen oversight of the police in the 100 largest cities/agencies. The analysis supports the contention that the presence of collective bargaining, higher crime rates, and higher police-citizen ratios are statistically related to mere existence. The rate of citizen complaints (a factor alluded to in past research) fails to reach the pre-requisite level of significance. Findings are discussed within the context of environmental determinism, and implications for future study are outlined.

## DEDICATION

This thesis is dedicated to those individuals who have significantly contributed to helping me achieve success throughout my educational career. I thank my parents, Ralph and Lucinda Baldwin, and my brother and his wife, Adam and Rachel Baldwin, for giving me constant support, advice, and encouragement to achieve and complete the goals I continue to set for myself. In addition, I thank the members of my research committee for taking time out of their lives to guide and assist me throughout this research and my master's degree program. Special thanks must also be given to my thesis chair, Dr. Vic Bumphus, for allowing me to study this unique field of criminal justice under his supervision. Without these exceptional individuals, I would not be where I am today. Thank you.

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## CHAPTER I

### Introduction

Until the late 1920s little serious attention was paid to police accountability in the United States. The onset of the reform era in policing (*circa* 1930) caused both scholars and police practitioners to reconsider police culture and behavior on the streets.

Emanating from this reform ideology derived the conceptualization and existence of external police accountability among other proposed structural and philosophical changes. External review of the police has been a controversial and polemic issue with strong opposition on both sides – the police and community. Discourse in the area of external review has pondered two important questions: *who polices the police and who should?* Throughout its extensive and diverse century-old history, the creation of external accountability mechanisms has interested scholars in the fields of political science, sociology, history, criminal justice, and criminology. The existing body of research has been primarily descriptive examining growth, structure, function, and effectiveness. While the extant research has indeed grown, less than ample attention has been paid to what may be considered the most important question, *why do these entities exist in the first place?* Though scholarly discourse has certainly pondered this important question, the debate has been both limited and, decidedly, unscientific.

#### *Statement of the Problem*

Albeit not specifically addressing explanation, past research does hint at some plausible explanatory variables (i.e., racial diversity, political change, unionization, and

population size). The essential problem is that most of this information has been logical, but nevertheless, anecdotal. Therefore, the need to develop both empirically- and theoretically-informed frameworks for understanding developments in this area is evident. Recognizing that predicting growth as opposed to predicting existence prompts divergent methodological approaches – one longitudinal and the other cross-sectional, the analysis here is limited to understanding and predicting the mere existence of external review of the police. The salience of the existence/growth factors is subjected to empirical analysis in order to provide a better framework for understanding contemporary external structures of police accountability. Theoretically, the analysis is placed within the broader context of environmental determinism and/or strategic choice orientations. The relevance of these theoretical positions will be discussed in greater detail later in the analysis.

Before examining the possible explanations for the existence of external police review, it is necessary to place police accountability within a historical context – tracing chronological developments since the 1920s. It is also necessary to synthesize the existing research on the topic, which helps to highlight some of the shortcomings addressed previously. Within the metamorphosis of external police review, the basic concept has been re-packaged, re-designed, re-named, and has, at times, all but disappeared, only to re-emerge. Once the concept has been clarified both practically and conceptually, potential factors thought to influence the existence of external review can be investigated more logically. After review and reflection, this analysis seeks to provide a foundation and beginning framework for understanding the existence of external police accountability structures.



## CHAPTER II

### Literature Review

Like in any democratic society, especially the United States, the problem of accountability in police agencies is one of the most difficult to address (Banks, 2013; Prenzler & Ronken, 2001; Stone & Bobb, 2002; Walker, 2001; Walker & Bumphus, 1992). Throughout the history of policing in the United States, a number of programs and policies have been created and implemented in order to help maintain a balance between governmental, bureaucratic power and bureaucratic responsiveness, with external review procedures as one of many platforms to address this issue (Banks, 2013; Prenzler & Ronken, 2001; Saltzstein, 1989; Stone & Bobb, 2002). As noted by Hudson (1971) and Burns and Hollwedel (2012), the civil rights movement roused interest among citizens concerning accountability in police agencies. The present research examines the existence of external accountability of the police in the United States; therefore, it is appropriate that we briefly consider the history and prevalence of these relatively new mechanisms.

In the United States, the idea of external review of policing first appeared in Los Angeles in 1928 (Banks, 2013; Walker, 2001). As the concept gradually began to spread, the Wickersham Commission, created by President Herbert Hoover, promoted external review and was the first comprehensive study of the American criminal justice system. From 1935 to the late 1950s, police departments in multiple cities attempted to adopt the concept without success. There were experimentations in New York City, Washington, D.C., Minneapolis, Rochester, and Philadelphia (Banks, 2013).

While many external review organizations failed to sustain their existence, the Philadelphia Police Advisory Board (PAB), created in 1958, was able to endure for nearly a decade. Even though almost all proposals and attempts at external review were dismissed and eliminated by the 1960s, the PAB provided a breakthrough in reforming the methods of police accountability by successfully introducing an innovative citizen judgment of police policies, practices, and activities (Walker, 2001; Walker & Bumphus, 1992). Conversely, those individuals outside of the civil rights and civil liberties communities contributed to this elimination by declaring that the idea of external review was radical and dangerous (Bobb, 2002; Hollwedel & Burns, 2012; Hudson, 1971; Walker, 2001).

Shortly after the elimination of most external committees during the 1960s, a crisis of police-community relations became evident. This crisis, along with the burgeoning civil rights movement, provided a national platform for discourse on the need for external review of the police (Bobb, 2002; Hollwedel & Burns, 2012; Hudson 1971; Walker, 2001). Instances of police brutality, abuse of discretion, and racial discrimination gave support to proposals for changes in the way in which citizens could complain about the police (Bobb, 2002; Farrow & Pham, 2003; Ferdik, 2013; Goldsmith & Lewis, 2000, Hollwedel & Burns, 2012). Proposed changes resembled a rights-based, idiosyncratic perspective on the relationship between the police and citizens. Quite often, this resulted in promotion of individual redress for certain wrongdoings by a particular officer as the only objective of police accountability (Bobb, 2002; Goldsmith & Lewis, 2000; Hollwedel & Burns, 2012).

Throughout the 1960s multiple research studies confirmed the backlash whereby citizens were threatened with criminal charges if complaints were made on an officer (Goldsmith & Lewis, 2000; Hollwedel & Burns, 2012; Walker, 2001). Additionally, the President's Crime Commission reported in 1967 that officers in larger cities were inadequately trained, poorly educated, and hardly ever supervised. This lack of preparedness on the part of law enforcement continued to contribute to the ongoing debate over whether external review should be implemented in cities plagued with these issues. By the end of the 1960s, many cities had unsuccessfully implemented external agencies (Walker, 2001; Walker & Bumphus, 1992). Those agencies that had mild, short-lived success ultimately came to their demise largely due to police unions utilizing political leverage in order to defeat proposals for external review (Walker, 2001). While this provided an era of decline for external review of the police, concern over police accountability began to surface as a central issue in policing in United States.

As concern over police accountability grew, many began to challenge and support the notion of reforming the method of police review, ultimately leading to a resurgence of external review (Bobb, 2002; Hollwedel & Burns, 2012; Walker, 2001; Walker & Bumphus, 1992). Contributing to this resurgence, the Knapp Commission in New York City published in 1972, revealed concern over police accountability and the ability of departments and agencies to review their own practices (Prenzler, 2000; Prenzler & Ronken, 2001; Walker, 2001). This report slowly spread throughout the nation as police accountability weighed heavily on departments. Thus, many departments began to implement some form of external review to address public concerns (Walker, 2001).

By the 1980s and 1990s, citizen oversight (as opposed to review) had become a national movement (Banks, 2013; De Angelis, 2009; Walker, 2001; Walker & Bumphus, 1992). The new terminology of citizen oversight marked a new era in police accountability and sought to, at least, euphemistically, separate from the former terminology, which had fallen out of favor (Walker, 2001; Walker & Bumphus, 1992). As further evidence of a new era, the National Association of Citizen Oversight of Law Enforcement was created in 1985 (Walker and Bumphus, 1992). The concern over who polices the police had grown more prominent. As large cities saw change occurring with methods of police accountability, it had now become apparent that the growth of external oversight was in full swing (Banks, 2013; Walker, 2001). In 1992 over two-thirds of the police departments in our country's 50 largest cities had some form of external oversight of the police (De Angelis, 2009; Hollwedel & Burns, 2012; Walker, 2001; Walker & Bumphus, 1992). Growth continued to occur, and as of 2000, over 100 hundred different oversight committees were in existence with approximately 80 percent of those organizations in larger metropolitan cities (Bobb, 2002; De Angelis, 2009; Farrow & Pham, 2003; Walker, 2001).

Although there appears to be a traceable history of external oversight in this country, there are other facets of this concept that are somewhat ambiguous. From international developments to the variety in typologies, external oversight is an intricate and intriguing practice. For example, external oversight is not solely constricted to the United States and its police agencies (Banks, 2013; Porter & Prenzler, 2012; Ramirez & Randall, 2011; Stone, 2007; Stone & Bobb, 2002). Other countries implementing external oversight of the police include Canada, Mexico, Brazil, Columbia, the United Kingdom,

Australia, Ecuador, Paraguay, and New Zealand (Banks, 2013; Porter & Prenzler, 2012; Ramirez & Randall, 2011; Stone, 2007; Stone & Bobb, 2002). Like the United States, oversight organizations present in other countries also use a variety of mechanisms and typologies to practice external oversight (Banks, 2013; Porter & Prenzler, 2012; Ramirez & Randall, 2011; Stone, 2007; Stone & Bobb, 2002).

Previous and current research provides us with a detailed description of the various methods utilized to practice citizen oversight. However, some police organizations may incorporate more than one type of oversight (Banks, 2013; De Angelis, 2009; Finn, 2000; Hollwedel & Burns, 2012; Porter & Prenzler, 2012; Prenzler & Ronken, 2001; Stone & Bobb, 2002; Walker, 2001; Walker & Bumphus, 1992). Even though there are four common types of oversight, some researchers contend that these types can be narrowed down to a smaller number (Banks, 2013; De Angelis, 2009; Finn, 2000; Hollwedel & Burns, 2012; Porter & Prenzler, 2012; Stone & Bobb, 2002; Walker, 2001; Walker & Bumphus, 1992). Therefore, it is better to clarify these types by discussing them individually so as to not confuse the different techniques of oversight.

The first type of oversight involves citizens investigating allegations and revealing findings to the chief administrative officer (Banks, 2013; Finn, 2000; Hollwedel & Burns, 2012; Porter & Prenzler, 2012; Prenzler & Ronken, 2001; Stone & Bobb, 2002; Walker, 2001; Walker & Bumphus, 1992). The second oversight category is where police officers investigate allegations and develop findings; then, citizens are able to review and recommend that a chief or sheriff accept or reject the findings from police investigations. The third type of citizen oversight incorporates an appeals process where complainants can appeal the discoveries of the investigation of a police or sheriff

department to citizens for oversight and review. These citizens ultimately review and recommend their own conclusions to a chief or sheriff. The final type of oversight grants an auditor investigative responsibility over the complaint process of a law enforcement agency. After investigating the complaint process, the auditor is obligated to report on the thoroughness and fairness of the aforementioned process to the public and police or sheriff's department (Banks, 2013; Finn, 2000; Hollwedel & Burns, 2012; Porter & Prenzler, 2012; Prenzler & Ronken, 2001; Stone & Bobb, 2002; Walker, 2001; Walker & Bumphus, 1992). Though contemporary agencies exhibit various combinations of these types, all agencies are advisory in nature (Walker 2001).

Even though external oversight takes on many forms in various settings, what can the available research tell us about its creation and growth? Does the extant research allow us to better understand the existence of citizen oversight? Lastly, what methodological approaches have been utilized to examine this phenomenon? Some research does hint at possible influential factors that have allowed for creation and growth. In essence, it is pertinent we examine research that has already been completed in order to better understand external oversight and how this particular study attempts to shed light on the issue.

The extant research provides relevant information regarding the concept of police accountability utilizing citizen oversight. While some inquiries have been descriptive investigations considering growth and existence, others have taken a more explanatory purpose examining possible explanations of existence. Additionally, several examinations have been evaluative in nature by considering the effectiveness of external oversight and civilian complaint processes. Walker & Bumphus (1992), for example, discussed the

effectiveness of external oversight while observing demographic characteristics and shifts in the balance of power in the context of municipal politics.

Additional information offered by some studies further exploits major issues that are considered to be relevant to the existence and growth of external oversight. These issues include the level of police-community relationships, behavior and actions of police officers, lack of police accountability, the type of external oversight implemented and its success, the influence of increased minority participation in local government, unionization, and other specific demographic features of the police environment (i.e., community and agency diversity). Although the aforementioned issues are important in relation to the growth and existence of external oversight, many are outside the scope of this research, but nevertheless should be briefly addressed for the purpose of continuity.

With some prevailing literature indicating that poor police-community relationships and the civil rights movement instigated the creation and growth of some oversight agencies, other research suggests that there are additional contributing factors (Banks, 2013; Bobb, 2002; Hollwedel & Burns, 2012; Hudson, 1971; Saltzstein, 1989; Stone & Bobb, 2002; Walker, 2001; Walker & Bumphus, 1992). Many researchers also contend that police accountability raised concern over a police officer's behavior and actions and helped stimulate the creation and growth of oversight organizations. Still, others argue that police accountability is not responsible for creation and growth but instead creation and growth stems from the lack of police accountability (Banks, 2013; Bobb, 2002; Hollwedel & Burns, 2012; Stone & Bobb, 2002; Walker, 2001).

Much of the research already present indicates that the behavior and actions of officers, due to the lack of police accountability, initially fueled factors that contributed

to the creation of external oversight (Burns & Hollwedel, 2012; Goldsmith & Lewis, 2000; Ferdik, 2013; Farrow & Pham, 2003; Stone & Merrick, 2002; De Angelis, 2009; Bobb, 2002). In addition, many researchers have studied other factors as potential influential reasons why a department adopts and implements external oversight. One of these factors includes the type of external review that is adopted by a department. As mentioned above, there is a multitude of methods that can be incorporated in the external oversight process. Studies by Prenzler & Ronken (2001) and Perez (2000) point out the type of external review implemented by a department can predict whether or not that department decides to use a specific type and if it is successful. This also insinuates the notion that, depending on the type of method and its success, a local government's decision to implement external oversight can influence other departments to do the same.

In addition to the type of external oversight and its success, there are other research themes that have been utilized. For example, some studies have noted that the citizen complaint process for a department can be seen as a potential influencing factor as to why external oversight might be implemented. These studies imply that the quality of the citizen complaint process greatly influences the imposition of citizen oversight (Goldsmith & Lewis, 2000; Walker, 2001; Burns & Hollwedel, 2012). The concept of poor police-community relations with reference to a citizen complaint process does not necessarily mean there is a poor or unattended relationship between the police and community. On the other hand, it could mean that a citizen complaint process may not be efficient enough to fit the needs and desires of how a community would like its police department to handle certain issues.



Some research has also observed the influence of increased minority participation in local governments as yet another influential factor for creating external oversight (Walker & Bumphus, 1992; Saltzstein, 1989). Saltzstein (1989) indicates in her study that in some urban jurisdictions the implementation of external review of the police stemmed from a form of community-oriented policing geared to the needs of African American communities. In other words, external review of the police became a form of community-oriented policing to help address issues concerning a particular minority population. Saltzstein (1989) alludes to the notion that incorporating certain minority groups into the external review process enhances and addresses the issue of police-community relationships and provides an example of how external oversight can be instrumental in alleviating some community issues.

Burns & Hollwedel (2012) comment on the issue of police-community relationships in regards to the misuse and abuse of police authority as another reason for creating external oversight of police. They propose that the underlying premise of external oversight is the notion that even though citizens have to abide by a police officer's authority in terms of enforcing the law, they still retain the right to scrutinize externally through an unbiased and impartial review. Therefore, departmental experiences with misuse and abuse of authority may prompt the creation of external accountability methods in an effort to resolve both real and perceived problems in policing.

Walker & Bumphus (1992) also discuss the various factors for the existence and growth of external oversight. As part of their study, they indicate that demographic characteristics of cities do not appear to be a factor in the creation or growth of external

oversight. While some external review procedures exist in cities with large African American populations, they also indicate that it exists in those with small minority populations as well. Regarding the growth of external review, Walker & Bumpus (1992) note that a significant change in the balance of power in the context of municipal politics may be one explanation for this growth. These authors suggest that an increase in African American political power, specifically in those cities where African Americans represent a majority of voters and where black mayors have been elected has resulted in the growth of external oversight. Along with possible shifts in political power, these authors note the influence of local police unions in defeating citizen oversight/review proposals.

While few studies have attempted to explain the creation and growth of external oversight of the police, there is still a gap in the research. In other words, there are other potential influencing factors that could explain this phenomenon. Even though poor police-community relationships, misuse and abuse of police authority, and citizen complaint processes might explain some instances of creation and growth, these variables are beyond the scope of this analysis as they imply longitudinal and/or historical data collection. Other variables that have yet to be considered (empirically) include crime rates, race and gender diversity in mayoral leadership, poverty level, the police-citizen ratio of a city, agency demographic make-up, level of citizen complaints, and agency collective bargaining abilities. Obviously, agency or jurisdictional size is an important variable, but with regards to the 100 largest jurisdictions, size can conceptually be considered a constant.

## CHAPTER III

### Theoretical Context

When contemplating how external oversight was initially created and has continued to grow, one must consider the theoretical explanations for emergence, existence, and sustainability. Conceptually, why do these accountability mechanisms exist? Additionally, what is the broader theoretical framework that may shed some light on growth and existence? Answering some of the foregoing questions may help illuminate why local governments and police administrations decide to implement external oversight. These important considerations lead us to observe two plausible theoretical positions, environmental determinism and strategic choice. Before delving into the application of these theories to this research, it is necessary to understand what each theory incorporates.

With both theoretical perspectives falling under the broader concept of organizational adaptation, each has its own distinct characteristics. In addition, there has been a prevailing assumption in literature for some time that strategic choice and environmental determinism represent mutually exclusive, opposing explanations for organizational behavior, and ultimately organizational adaptation (Hrebiniak & Joyce, 1985; Bedeian, 1990). At the opposite end of the spectrum, scholars have also suggested that the separation indicates a false dichotomy, indicating that determinism and strategic choice exist on a continuum (Crouch & Farrell, 2004; Bedeian, 1990; Child, 1997; Gopalakrishnan & Dugal, 1998). However, present research suggests that environmental determinism and strategic choice can indeed be viewed as mutually inclusive

explanations for organizational behavior, which leads to organizational adaptation. Although these forms of organizational behavior feed off one another, they still have diverse meanings and powers of explanation (Crouch & Farrell, 2004).

The theory of environmental determinism relies heavily on the idea that the surrounding environment directly impacts change and the setting of goals within the organization or agency (Gopalakrishnan & Dugal, 1998). For instance, certain determination factors associated with a particular environment ultimately decide how an organization can potentially behave. Organizations, therefore, manage complexity and change according to some factors beyond their control. Those in support of environmental determinism contend that changes and choices made within an organization are restricted and confined by the environment in which they operate. In addition, environmental determinists conceptualize an environment as a cache of resources that limit and control an organization. Gopalakrishnan and Dugal (1998) clarify this by suggesting that an environment is viewed in particular dimensions, which include capacity, stability, and complexity. Determinists also believe that an organization must adapt to the most prevalent capacity, stability, and complexity of its environment or it will cease to exist. In this sense, an organization's actions and behavior become entirely reactive due to its environment (Gopalakrishnan & Dugal, 1998; Hrebiniak & Joyce, 1985).

Determinism proposes that organizational behavior is actually determined by and reacts to structural and social constraints (Whittington, 1988). Scholars adopting this ideology assume that circumstantial constraints present limited and specific effects that dramatically reduce the number of options and ways in which an organization can

behave, thus implying that the environment ultimately shapes organizational behavior and strategies of adaptation. Conversely, the limited number of possibilities in the ways an organization can behave in relation to its environment stems from the current structural and social constraints. In terms of possibilities, the organization may have the ability to choose from a limited number. However, the organization's environment ultimately chooses the only outcome compatible to the organization's survival, insinuating that all other potential courses of action made available by an organization's environment lead to non-existence (Whittington, 1988).

As for the strategic choice perspective, organizational actors or agents act autonomously in proactive and potentially creative ways to alter the path of their organization (Gopalakrishnan & Dugal, 1998). Having a choice in strategy implies that there is a pattern in a stream of decisions (Mintzberg & Waters, 1985). Unlike determinists, strategic choice theorists advocate that an organization is constrained by the way it socially and structurally constructs its environment (Gopalakrishnan & Dugal, 1998). Other strategic choice theorists support this notion by adding that an organization does not react to its environment but instead enacts it. In other words, an organization creates its own environment by the choices it makes. By an organization enacting its own environment, it also creates the possibility of proactive and opportunistic decision-making processes (Gopalakrishnan & Dugal, 1998).

Strategic choice also proposes that an organization is a natural system in which decision-making is usually justified or rationalized by that organization and that the action and behavior of an organization stems from interconnected meanings that an organization itself constructs (Child, 1997). In addition, it is advocated by many strategic

choice theorists that organizations can, in fact, choose the environment in which they want to operate, and then structure and create decisions based on the environment they have chosen to enact. An organization's decision-making process exercises strategic choice by evaluating the organization's current situation, the expectations placed on it by external resources, the trend of relevant external events, the organization's recent performance, and how comfortable an organization is with the decisions it makes (Child, 1997).

Some researchers also argue that in order for an organization to utilize strategic choice, it must eliminate all potential environmental constraints (Whittington, 1988). The same individuals contending this notion emphasize that by eliminating all potential environmental constraints, an organization also eliminates preconditions. However, this is where many authors and researchers fail to observe that strategic choice can still be utilized by not dissolving or refusing to recognize that there may be some preconditions present in an organization's environment. An organization does not necessarily have to dissolve or eliminate all environmental factors and preconditions in order for strategic choice to be at play. Organizations at some point in time experience some ability to make a strategic choice about its actions and behavior, but are still constrained by some aspects of its environment (Gopalakrishnan & Dugal, 1998). When an organization experiences that point in time where a strategic choice can be made but is still constrained by certain aspects of its environment, then the organization is participating in organizational adaptation (Gopalakrishnan & Dugal, 1998).

As Child (1997) implies, an organization does not constitute its environment. Therefore, the environment consists of other actors in other organizations. Each

organization may experience similar or distinctively different events within an environment that potentially directs it to react a certain way. The analysis of organizations in this study puts forth the notion that specific characteristics and factors within an environment ultimately determine the way in which an organization will behave. The factors observed are comprised of environmental aspects.

By an empirical examination of the potential factors mentioned earlier (i.e., crime rates, diversity in mayoral leadership, poverty level, the police-citizen ratio, agency demographic make-up, level of citizen complaints, and collective bargaining), this study considers the relevance of both environmental determinism and strategic choice with regard to changes in police accountability structures. Since it would be highly irregular for a police agency to unilaterally make the decision to create a citizen oversight agency, the analysis here conceives local governments in general as the units of analysis. To the extent that the aforementioned variables have predictive value in explaining the existence of citizen oversight, the suggestion of environmental determinism is implied; on the other hand, strategic choice would likely indicate more independence across agencies in terms of organization adaptation.

## CHAPTER IV

### Model Specification

In order to examine deterministic factors that may exert influence on the existence of citizen oversight in the 100 largest cities, this research considers variables that have been suggested by other researchers as important, such as collective bargaining/unionization, mayoral diversity, population diversity, volume of citizen complaints, police-citizen ratio, and crime rate. Also included as control variables is poverty level of jurisdiction and police agency diversity. The conceptual model therefore includes both traditional factors and control variables that vary across agencies in the jurisdictions under observation. Because of the nature of the sample the potential variable of agency size is considered a constant; however, the police-citizen ratio may better capture the potential level of interaction between the police and the public.

For this analysis, the dependent variable is a dichotomous one, indicating whether or not jurisdictions in the study have citizen oversight agencies. Both the traditional and control variables are used in regression analysis to illustrate their explanatory power in predicting the existence of external police accountability. Based primarily on the extant research, the following hypotheses are considered:

1. A higher level of mayoral diversity will positively relate to the existence of citizen oversight;
2. The presence of collective bargaining in jurisdictions will influence the existence of citizen oversight;
3. A higher crime rate within jurisdiction will positively impact the existence of citizen oversight; and
4. Agencies with higher rates of citizen complaints will positively relate to the existence of citizen oversight.



## CHAPTER V

### Methodology

#### *Data*

A total of one hundred largest United States cities are sampled for the current analysis. The size of cities is measured with the number of overall population in the 2010 Census Report. Data is collected from various sources that specialize in providing information utilized in the construction of the variables for this research and for each city examined. Sources employed to collect information include the Law Enforcement Management and Administrative Statistics (LEMAS) data, the 2010 Census Report, the websites of corresponding cities, and the 2010 Uniform Crime Report. Table 1 shows the sources employed to collect information for each variable and operationalization.

Table 1: Operationalization and Sources of Variables (n=100)

<i>Variables</i>	<i>Measurement</i>	<i>Data Source</i>
Oversight	Yes or No (1=Yes)	LEMAS 2007
Collective Bargaining	Yes or No (1=Yes)	LEMAS 2007
Poverty Level	% of Persons Below Poverty Line	CENSUS 2010
Agency Diversity	% of Non-White	LEMAS 2007
Minority in Population	% of Minority	CENSUS 2010
Minority Mayor	% of Minority Mayo in 30 Years	City Websites & supplemental web searches
Female Mayor	% of Female Mayor in 30 Years	City Websites & supplemental web searches
Police Ratio	Ratio of Police to Citizens	UCR 2010
Complaint Rate	Number of complains by 100,000	LEMAS 2007
Crime Rate	Number of crimes by 100,000	UCR 2010

+Oversight variable (dependent variable) was collected from the most recent ongoing survey that collects data on the topic.

### *Dependent variable*

For the purpose of this study, agency oversight is introduced as the dependent variable. It represents the existence of external oversight of the police in each city examined and is measured by whether or not each city has external oversight for its police department. The analysis presented indicates that 39% of the departments observed have some form of agency oversight. This percentage is computed based on the data

collected by the Law Enforcement Management and Administrative Statistics in the year 2007.

### *Independent Variables*

The independent variables in this study are a combination of demographic information for the cities sampled and others that are introduced to examine specific characteristics of police departments. The total number of independent variables is nine, such as: collective bargaining, poverty level, agency diversity, minority in population, minority mayor, female mayor, police-citizen ratio, complaints by population, and crime rate. Four of these variables, mayoral diversity, collective bargaining, crime rate, and complaints by population, can be classified into the theoretical framework of environmental determinism, which may be related to the existence of oversight. Mayoral diversity, collective bargaining, crime rate, and complaints by population are characteristics of a city and police department's environment. These specific variables are the attributes of the cities and departments sampled and introduced to examine whether or not they have an effect on local governments implementing oversight.

The first independent variable, collective bargaining, indicates whether or not a police department retains a process of negotiations aiming at reaching agreements that regulate working conditions between a police department and its' officers. This variable is not measured as employing strict unionization due to the inability to receive enough information on unions for police departments in the cities. Police departments have the authority to allow their officers to unionize or have the ability to negotiate working conditions. The fact that departments allow their officers to participate in one of the

aforementioned abilities gives this study the opportunity to examine whether or not a department grants its' officers the capability of having a form of collective bargaining.

Another independent (control) variable that is tested is poverty level. Poverty level denotes the percent of individuals of a city's population that are below the poverty line. This variable is introduced mainly for two reasons. It is suggested that individuals who are below the poverty line tend to have more contact with police, in general. In addition, individuals below the poverty line might also have a worse view of the police. These two factors insinuate that due to more contact and an unfavorable view of the police, more issues are likely to arise, which would call for a city government to institute an organization, such as external oversight, to review such problems.

Agency diversity is also introduced as an independent variable. It indicates the racial diversity of police officers, and is operationalized as the percent of non-white officers within each department. Agency diversity is analyzed since it represents the racial composition of each department's officers. Like collective bargaining, agency diversity is important in explaining the existence of external oversight since it is a characteristic of all police departments in the cities observed. Police departments are not likely to have only white officers employed. Therefore, it is necessary to observe those departments that have a greater diversity of officers that are non-white and its relation to existing oversight organizations. The racial diversity of police officers is intended to detect whether or not the size of minority representation has an effect on the existence of external review.

An additional independent variable, minority in population, is introduced to observe the effect of a minority population on the existence of external oversight. For this

study, the African American population of a city, determined by the 2010 Census Report, is utilized to construct this variable. Therefore, minority in population incorporates the percent of individuals that are African American in each city's overall population. Previous research has included this factor to provide a representation of a city's minority population and its influence on the existence of external oversight (Walker & Bumphus, 1992; Saltzstein, 1989).

A third variable dealing with minorities is introduced as minority mayor. This indicates the percent of African American mayors in the last 30 years in each city. Walker & Bumphus (1992) noted that a significant change in the balance of power in the context of municipal politics might be one explanation for external oversight growth. In addition, they indicate that an increase in African American political power has contributed to this growth. Therefore, the purpose of introducing this variable in the current research is to determine whether or not it has any significant relation to the existence of oversight. It is further implied that African American mayoral-ship might have a correlation with cities that have a larger African American population and could affect the relationship to the existence of oversight.

Female mayor is also introduced to observe municipal politics in each city. It represents the percent of female mayors in the last 30 years in the cities. With minority groups being represented in municipal politics, it is also meaningful to determine whether or not the gender of a mayor could have any influence on the existence of external oversight. Overtime, females have become more involved in the voting process and running for political positions. This has arguably become a common trend throughout our nation's various political levels and could impact external oversight existence.

The independent variable police-citizen ratio is constructed as the number of sworn police officers in comparison to the number of citizens in each city. Police-citizen ratio is introduced in order to investigate if cities with a relatively higher number of police officers are more likely to have an external oversight organization. The higher police-citizen ratio produces a higher level of interaction between police and citizens since the opportunity to interact is greater with more sworn police officers. This may also contribute to the increment of complaints from citizens concerning sworn police officers and their operations.

In order to reflect the influence of complaints by citizens concerning the police, the independent variable complaint rate is employed as the number of complaints in relation to a city's overall population. The majority of the prevailing research has studied this factor as having a key contribution to the existence of external oversight (Goldsmith & Lewis, 2000; Walker, 2001; Burns & Hollwedel, 2012; Walker & Bumphus, 1992). However, few studies have analyzed its interaction with other potential influences as presented in the current analysis. Studies that have reviewed the number of complaints by citizens suggest that there is a significant relationship with the growth and the existence of external oversight. In addition, the effectiveness of the complaint process has been evaluated in previous studies to determine its effect on whether or not a city has external oversight (Goldsmith & Lewis, 2000; Walker, 2001; Burns & Hollwedel, 2012; Walker & Bumphus, 1992). This path is not introduced and is beyond the scope of this study because even though it might explain instances of creation and growth, it simultaneously implies longitudinal and/or historical data collection.

The last independent variable introduced is crime rate. Crime rate is measured as the number of crimes per 100,000 committed in each city in 2010. The types of crimes are derived from the Federal Bureau of Investigation's Uniform Crime Report (UCR) and include property crimes, which include the offenses of burglary, larceny-theft, motor vehicle theft, and arson. Theft-type offenses are defined as the taking of money or property without force or the threat of force against victims. In accordance with the UCR, arson is included in this category because the offense involves the destruction of property. It is suggested that the crime rate in cities can encourage police departments and city governments to adopt methods or policies to reduce crime, with external oversight being one of those techniques.

## CHAPTER VI

### Findings

Table 2. Descriptive Statistics of Variables (N = 100)

Variable	Freq	%	Mean	S.D.
Oversight				
Yes (1)	39	39.0%		
Collective Bargaining				
Yes (1)	64	64.0%		
Poverty Level			18.63	6.08
Agency Diversity			32.36	18.99
Minority in Population			21.99	18.40
Minority Mayor			21.80	29.30
Female Mayor			14.39	16.51
Police Ratio			2.35	1.08
Complaint Rate			1.49	2.68
Crime Rate			43.28	15.04

+ Poverty level indicates percent below poverty line and minority mayor/ female mayor mean over a 30-year period (1980-2010). Police ratio and crime rate is the mean per 1000 people, and complain rate is the mean per 10,000 people.

Table 2 presents the descriptive statistics for all variables. The total number of cities sampled is 100. The dependent variable, oversight, is a dichotomous variable and is measured by No (0) and Yes (1). The frequency of agencies that do have oversight is 39. Therefore, 39 % of the agencies included in this study have some form of external oversight. All independent variables analyzed are scale data with an exception of collective bargaining, which is a dichotomous variable.

The frequency of agencies that have collective bargaining is 64, indicating that 64% of the agencies have collective bargaining. The mean poverty level for the cities in



this study is 18.63, which indicates that the average percentage of people falling below the poverty line is 18.63. For agency diversity, a mean percentage of 32.36 of non-whites existed in agencies, with a standard deviation of 18.99. Minority in population has a mean percentage of 21.99 and a standard deviation of 18.40. Minority mayor percentage (over 30 year period) has a mean of 21.80 with a standard deviation of 29.30, while female mayor has a mean percentage of 14.39 and standard deviation of 16.51. As for police-ratio, it has a mean of 2.35 and indicates that there are 2.35 police officers per 1,000 people on average. Finally, complaint rate provides a mean of 1.49 per 10,000 people and a standard deviation of 2.68, while crime rate reveals a mean of 43.28/ per 1,000 people with a standard deviation of 15.04.

Based on the previous research, it was expected that more agencies would have citizen oversight than observed in this study. Furthermore, it was expected that there would be a higher percentage of agencies providing the option of collective bargaining. According to prior research, over two-thirds of the police departments in our country's 50 largest cities had some form of external oversight in 1992 (Walker & Bumphus, 1992; Walker 2001; De Angelis, 2009; Hollwedel & Burns, 2012). When isolating the 50 largest cities in this sample, the two-thirds' finding from Walker and Bumphus (1992) remains virtually unchanged. However, by the year 2000, there were at least 100 different oversight organizations in existence with the majority of those implemented in larger metropolitan cities (De Angelis, 2009; Farrow & Pham, 2003; Walker & Bumphus, 1992; Walker, 2001; Merrick, 2002). With only 39% of the agencies included in this study having some form of oversight, it is evident that not much growth, if any, has occurred since 2000. As for 64% percent of agencies providing the option of collective bargaining,

this finding could suggest that there is a trend that police departments are moving away from allowing their officers to unionize and, instead, offering only negotiating abilities.

Table 3. Logistic Regression for Oversight Agency Existence

Variable	B	S.E.	Sig.	Exp(B)
Collective Bargaining	2.934	.961	.002**	18.800
Poverty Level	-.046	.087	.598	.955
Agency Diversity	-.016	.019	.412	.985
Minority in Population	-.062	.036	.085	.940
Minority Mayor	-.004	.014	.748	.996
Female Mayor	.002	.019	.933	1.002
Police Ratio	1.891	.807	.019*	6.627
Complaint by Population	.226	.122	.064*	1.254
Crime Rate	.111	.039	.004**	1.117
Constant	-9.577	2.432	.000	.000

<sup>+</sup>p < .1, .01 \*p < .05, \*\*

Table 3 shows the results from the logistic analysis predicting the existence of having an oversight agency. Three significant predictors are indicated by the analysis, which include: collective bargaining, police-ratio, and crime rate. An additional independent variable, complaint by population, borders on significance and is also worthy of further consideration. Collective bargaining has a slope of 2.934(p < .01) and suggests that agencies that have collective bargaining abilities are more likely to have oversight agencies in their jurisdictions. It was expected the presence of collective bargaining in jurisdictions would influence the existence of citizen oversight. This can be

due to the notion that a local government might find it necessary to have citizen oversight in order to review the fairness of the collective bargaining process for officers and if those officers should have it at all.

Secondly, the police-ratio variable exhibits a slope of 1.891 ( $p < .05$ ), which indicates that jurisdictions with higher police-citizen ratios are more likely to have an oversight agency. The significant relationship between the police-ratio variable and oversight was not expected. However, this relationship may be due to more police officers being present in a city, which allows for more contact with that city's population. Therefore, a city's government may find it essential to have external oversight to deal with issues that could arise from more contact between the police and citizens. As for crime rate, the slope of .004 ( $p < .01$ ) reveals that jurisdictions with higher crime rates are more likely to have existing oversight agencies. It can be interpreted, theoretically, that jurisdictions experiencing high crime rates are more likely to have citizen oversight. This can result from the concept that as more crimes are committed within a jurisdiction the greater chance a city finds it necessary to take action to reduce its crime rate, resulting in implementing external oversight.

Complaints by population is hypothesized to have a positive relationship with the existence of oversight. With a slope of .226 and a significance level of .064, it slightly fails to reach the prerequisite level of .05. Considering the relatively small sample size, this result can be presented as meaningful and may indicate that higher level of complaints increase the likelihood of oversight existence; however, we find no support for the hypothesis indicating a positive relationship between complaints by population and oversight.

Though minority mayor is projected to have a positive impact on the existence of oversight, the analysis reveals a negative, however not significant, relationship between the two variables with a slope of .004. The non-significant relationship between minority mayor and oversight in this study is contrary to previous and existing research. According to prior research conducted by Walker & Bumphus (1992) and Saltzstein (1989) the race of a city's mayor should have an effect on the existence of oversight agencies. Therefore, it is suggested that there is not a significant relationship in this analysis due to the interaction of minority mayor with the other variables presented. While female mayor reveals a positive slope of .002, the finding is not significant.

The three remaining variables poverty level, agency diversity, and minority in population reveal no significant relationships with the existence of oversight, with all three respectively having negative slopes of -.046, -.016, and -.062. Poverty level and agency diversity are included as control variables; therefore, no expected relationships are hypothesized. The non-significance of the minority in population variable is consistent with the finding from Walker and Bumphus (1992) that identified the existence of oversight in both small and large minority jurisdictions.

### *Limitations/Delimitations*

Limitations of existing data are present among prior research. Many studies provide factors such as concern over police accountability, poor-police community relations, increases in the number of citizen complaints, and poor citizen complaint processes as reasons for growth in oversight (Walker, 2001; Hudson, 1971; Burns & Hollwedel, 2012; Banks, 2013; Stone & Bobb, 2002; Saltzstein, 1989; Bobb, 2002;

Walker & Bumphus, 1992). Much of this research has been historical in nature and has yet to examine the potential influential power of other factors on the existence of oversight like the ones presented in this study. Additionally, previous research has mainly concentrated only on explaining the growth of external oversight and not existence, in general (Walker, 2001; Hudson, 1971; Burns & Hollwedel, 2012; Bobb, 2002).

This particular study is the first of its kind; thus it is primarily exploratory in nature. It does not attempt to provide a longitudinal analysis of citizen oversight or test the theory presented. Therefore, the main attempt is to offer a foundation and beginning exploratory framework for existence. Due to the lack of extensive exploratory studies, this research sets out to give an empirical, cross-sectional analysis of potential reasons for external oversight existence in a non-historical context. Although the growth of these organizations is important and necessary to understanding this phenomenon, it is not the concentration of this analysis. The intention is not to examine growth, but rather to provide possible factors for the existence of citizen oversight. As with all existing data analysis, there may be issues with validity, completeness, and accuracy. Finally, consideration should always be given to how and why the data is collected and the political priorities that may be evident, especially in governmental data collection.

## CHAPTER VII

### Discussion

As presented in the hypotheses, it was expected that the presence of collective bargaining in jurisdictions would have an influence on the existence of oversight in the agencies observed. In addition, it was expected that a higher crime rate within a jurisdiction would impact the existence of citizen oversight. As for complaints by population, it was expected that it would positively relate to the existence of citizen oversight. Even though no significant relationship was noted between complaints by population and oversight at the .05 level, it came exceedingly close to yielding a significant relationship, which may indicate the influence of a small sample size. Conversely, it was expected that a higher level of mayoral diversity would positively relate to the existence of citizen oversight. Unfortunately, this was not the case. A positive and significant relationship was not detected between minority mayor and oversight. Interestingly, cities with a higher percent of female mayors in the last 30 years did indicate a positive relationship with oversight, but the findings were not significant.

It can be interpreted, theoretically, that jurisdictions experiencing high crime rates are more likely to have citizen oversight. This can result from the concept that as more crimes are committed within a jurisdiction the greater chance a city finds it necessary to take action to reduce its' crime rate, resulting in implementing external oversight. It can also be inferred that agencies with collective bargaining are more likely to have a form of oversight. This can be due to the notion that a local government might find it necessary to have citizen oversight in order to review the fairness of the collective bargaining process

of officers and if those officers should have it at all. Therefore, both higher crime rates and the ability for police officers to enter into collective bargaining emerge as two deterministic factors related to the existence of oversight. According to the environmental determinism perspectives, these factors may exert pressure on local governments to institute external oversight due to real or perceived community relations problems. Saltzstein (1989) has noted the perceptions of crime in large metropolitans with visible minority populations may exert pressure on local governments to manage perceptions by implementing new programs and procedures.

The significant relationship between police ratio and oversight may insinuate that jurisdictions having a higher police-citizen ratio may choose to implement an external review process. As mentioned earlier, more police officers present in a city allows for more contact with that city's population. Therefore, a city's government may find it essential to have external oversight to deal with issues that could arise from more contact between the police and citizens. The presence of more police officers and greater contact with the public leads to the potential for more complaints against the police. Although, no significant relationship was indicated between complaints by population and oversight, the positive relationship and close significance level implies that complaints could have an effect on whether or not a city has citizen oversight, even though the relationship is not as significant as other variables. Previous studies suggested that an increase in complaints have an effect on the existence of oversight (Ferdik, 2013; Farrow & Pham, 2003; Burns & Hollwedel, 2012; Goldsmith & Lewis, 2000; Bobb, 2002).

Even though it was suggested that the level of poverty might control for the existence of oversight due to the belief that individuals who are below the poverty line

may have a worse view of the police, this was not suggested by the analysis. The access to the citizen complaints process may be a factor influencing this finding. Based on the research by Walker & Bumpus (1992), it was expected that cities with a higher percent of African American mayors in the last 30 years would influence those cities having citizen oversight. Although this was not concluded in the analysis, it is suggested that voting trends in a city could have an effect on whether or not a local government decides to implement oversight. It is further suggested that African American mayoral-ship may not have a correlation with cities that have a larger African American population, which could ultimately have an effect on external oversight existence.

Concerning African American communities, Saltzstein (1989) indicated in her study that in some urban jurisdictions the implementation of external review of the police stemmed from a form of community-oriented policing. This occurred through a specific style of community-oriented policing, which was geared toward the needs of African American communities. Therefore, external oversight had become a form of community-oriented policing to help address issues concerning a particular minority population. Although, this analysis does not observe specific styles of community-oriented policing and its affect on minority populations, there are a few things to take away from this concept.

It can, therefore, be hypothesized that the reason for no significant relationship between minority mayor and oversight is due to the notion that the mayor may be unable to influence the installation of citizen oversight as much as it was theorized. In addition, the race of a mayor may not matter at all as to whether a city has an external oversight entity. The other variable concerning the African American community, minority in



population, does not show any relationship to oversight. Again, extant research (Walker & Bumphus, 1992) noted the variety of oversight agencies existing across jurisdictions with varying degrees of minority representation.

The factors utilized and observed in this study have significant relevance to the theory of environmental determinism introduced earlier. Using local governments as the units of analysis, this analysis suggests that environmental influences are indeed at play. Overall crime rate, police-citizen ratio, and collective bargaining emerge as significant predictors of the existence of oversight. These external variables may exert influence on local governments to establish citizen oversight as a way to manage organizational complexity. It can be posited that local governments are constrained by these variables in their decision-making processes.

As Whittington (1988), proposes, circumstantial constraints within an environment present limited and specific effects that dramatically reduce the number of options and ways in which an organization can behave. Therefore, it is implied that the environment ultimately shapes organizational behavior and strategies for adaptation (Whittington, 1988). In this case, constraints of an environment that ultimately determines how an organization (local government) may behave are comprised of crime rates, minority population, minority mayor, female mayor, and collective bargaining, agency diversity, complaints by population, police-citizen ratio, and poverty level. These constraints, whether social or structural, can be theoretically viewed as reasons for a local government being reactive toward the constraints, resulting in the implementation of external oversight.

## CHAPTER VIII

### Summary and Conclusion

This study implies that there are certain environmental factors within a local government and police department that have a significant relationship with the existence of external oversight. In addition, it is evident that there are other factors and reasons for external oversight existence other than various types of external review and complaint processes. Although it is still important to investigate the influence of the aforementioned factors, the inclusion of more traditional variables are pertinent to further understanding why a local government is more apt to have external oversight. Further implications include the notion that departments with collective bargaining, higher police-citizen ratio, and higher crime rates have a significant effect on external oversight existence. This indicates that local governments and departments experiencing a greater interaction with the public and a higher number of crimes committed are more likely to implement an external oversight process.

There is an obvious need for further empirical research into the phenomenon of external oversight existence. Furthermore, the factors observed as potential reasons for the growth or existence of external oversight might need to be re-evaluated. For example, the ability for police departments to allow its' officers to have collective bargaining rights should be included in future studies, rather than the right to unionize. Over half of the police departments observed had some form of collective bargaining. This may suggest that unionization may be becoming a process of the past. With so many local governments allowing its' officers to have negotiating rights, a symbiotic relationship

between oversight and collective bargaining is a possibility and may be more correlative than causal. To further imply the importance of including collective bargaining in future analysis, it must be reiterated that out of the nine variables presented, collective bargaining was one of only three factors that exhibited the prerequisite level of significance.

It is evident that the crime rate of a city does have an impact of whether a city installs an external oversight process. For future studies, it would be interesting to investigate if specific crimes have an effect on external oversight existence and not just the overall crime rate. For over two decades, the majority of research conducted concerning external oversight has been conducted from a historical context. This study does not definitively conclude why a local government has an external oversight organization. One study, alone, cannot accomplish this task. Therefore, it is encouraged that future research and inquiries into this topic should take a similar exploratory and empirically investigative path to further understanding the existence of these organizations.

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## VITA

Neal Baldwin was born in Athens, TN, to the parents of Ralph and Lucinda Baldwin. He is the second of two children. He attended McMinn County High School in Athens, TN. After completing high school, he chose to pursue a Bachelor of Science in Criminal Justice degree at Tennessee Wesleyan College where he played on a tennis scholarship. Neal completed his Bachelor of Science in Criminal Justice degree in May 2008. After graduation, Neal enrolled in a Master of Science in Criminal Justice program with the University of Tennessee-Chattanooga. He will graduate in May 2014 with plans to start a career in law enforcement.