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THE RESEARCH PERSPECTIVES PANEL (CONTINUED)

VIII. MANAGING INVESTIGATIONS IN ROCHESTER:  
AN IN-DEPTH CASE STUDY

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MR. CRANDY:

The next paper is going to be presented by Peter Bloch. He is an attorney and is presently affiliated with the American Bar Association. His paper, however, concerns some work he previously did while at the Urban Institute where he worked from 1968 to 1976. This is a study of the police investigation system in Rochester.

MR. BLOCH:

I'd like to start by explaining that my situation is a little different from that of most of the other people here because I have left the field in which I did the work I am going to report on. I'd also like to explain in advance that I will say some things that are going to be critical of the Law Enforcement Assistance Administration, and I am going to do so with some apology to the people who are present, because, unlike some prior commentators who dislike bureaucrats, it seems to me that most of the bureaucrats I have known have tried their best, and that the problems often are problems of management and leadership, more than problems of bureaucrats who are lazy and resistant to change and who can't accomplish things.

I am going to try to set one evaluation of the Rochester system of managing police investigations in the context of the Federal Law Enforcement Assistance Program even though it was done for the Police Foundation not for the Law Enforcement Assistance Administration. I'd like to start out by commenting on something that has been said

many times before today, but not in the same words. That is that evaluation is a support system. It works in support of management. If there is no management, there is nothing to support. If the program knows where it's going, if it has some ideas of what it is trying to accomplish, then it may be possible to work with evaluators to get information which is needed by management and can be used by management. That requires, of course, that there be some communication between people with management skills and people with evaluation skills so that reasonable requests for information can be made; and information will not be requested or provided if it is not likely to be used by management.

Often the Congress is blamed for creating conditions which make effective evaluation impossible. It is said that the goals or programs are too vague or inconsistent, and that therefore, the programs can't be run adequately, we can't have clear objectives, and we can't do evaluation. That seems to me to be an interesting criticism, but I prefer our Constitutional system of Government to others. I think there are problems in a Congress. It is a collegial body. The goals for agencies are never going to be very clear. There has to be an interaction between the Congress and the administrators of programs. The administrators have to get their acts straight also and to take the responsibility for devising reasonable programs within the statutory framework, using a combination of management skills and political skills--because you have got to keep your fences mended with the Congress.

The most key management skill that I can think of is one suggested by Richard Neustadt in his analysis of the Presidency, in which he suggested that before a President undertakes a program, the program managers should figure out how they are going to get from here to there. They should figure out how they are going to implement

the program. If they can't do that, if they haven't figured out how they are going to accomplish the result, they might consider whether or not they would like to accomplish it. They should think twice about doing an evaluation of a program if they do not know how it can achieve its expected result.

Generally, the LEAA program presents some of the problems of other programs for the Federal Government. But to some extent, it is among the most inconsistent of programs. On the one hand, it has the goal of giving block grants to states. On the other hand, it has the goal of requiring the states to follow in detail a planning process which was set up by the Federal Government. These are somewhat competing and conflicting aims, to my mind. It makes it difficult for the Federal Government to implement an effective program. It seems to me that thought should be given to the extent to which we really do want to give money to the states, and then give it; and thought should be given to the extent to which the Federal Government should exercise a leadership role, and in those areas the Federal Government should accept that role. But to be continually fighting with the states to follow paperwork requirements and to engage in confrontations over plans when there are no serious Federal objectives seems to me somewhat doubtful for an effective program.

In the area that I did my research, which is police investigation, LEAA has funded several pieces of research and has contributed something to the knowledge of criminal investigations. The first important piece of research was done by Bernard Greenberg at Stanford Research Institute; and in that research, he documented a fairly simple but important fact that if the managers of police investigations examine the reports of the preliminary investigation conducted by patrol officers, they can determine the likelihood of success in

individual investigations if possible investigative resources are invested. Police can be somewhat more effective if they stop investigating cases where there is a low likelihood of success and continue investigating cases where there is a high likelihood of success.

Another piece of LEAA-sponsored research was by the RAND Corporation. I am going to simplify a little bit what the RAND Corporation report found, but I am going to also give you my own interpretation. The RAND Corporation was a study of the state of the world. It was conducted primarily with questionnaire, used to find out the structure of police organizations along some pre-determined dimensions and to determine some effectiveness measures the police departments could supply from data available to them-- despite the fact these data, of course, are known to be dirty. It was found that when you examined the relationship between the structural dimensions that RAND had identified in advance and the fairly dirty measurement instruments, that there was no detectable relationship between methods of police organization and the effectiveness of the investigation effort of an individual police department. That does not mean that you cannot manage a police department so as to be more effective in criminal investigations. It only means that RAND was unable to detect the ways in which that is or may be done.

I also did some work for LEAA on managing criminal investigations. Don Weidman and I completed a study which was published as a prescriptive package. Ours used a case-study technique. We went to six police departments, and we found essentially what RAND found, except that we described in detail what each of the departments was trying to do, so that there were some suggestions from individual departments, based on their experience, of logical, rational management ways of trying to improve police criminal investigations.

The study about which I intend to talk most today is the study of managing investigations in the Rochester system. What happened in that case was that Tom Hastings, who was the Director of Planning of the Police Department in Rochester, came to the Police Foundation saying that he had an innovation which seemed to improve the quality of investigations in the Rochester Police Department. He called the innovation, "coordinated team policing." It consisted of assigning some detectives to work together with patrol officers in a single unit at the street level, commanded by a police lieutenant. This is different from most police departments, which take great pains to separate their patrol division (usually found on the main floor of the main building) from the detective division (which may typically be found on the third floor some distance away, sometimes with its own luncheon facilities so that the patrol and detective officers need not talk frequently to one another).

The idea behind coordinated team policing was that it would be helpful if the people who started police investigations would talk with the people who were going to continue those investigations. They could get to know one another, trust somewhat the quality of one another's work, perhaps avoid the unnecessary duplication which occurs when the police detective goes back and asks the citizens exactly the same things that the patrol officer had asked--either because he never got the report from the patrol officer in the first place, or because he has the attitude that all patrol officers are dumb people in the first place and that there is no use in ever accepting the value of any work from them.

What happened when Tom Hastings approached the Police Foundation is that he presented clearance statistics which showed that somewhere over 40 percent of Rochester's burglaries and an unusually high proportion of robberies were being cleared. The statistics were so favorable that they were greeted with some skepticism at the Police Foundation, which thought, perhaps with some justification, that statistics of that sort only came out if there was something funny going on in the statistical system. Now, the Police Foundation is an interesting organization because it is run by an ex-police commissioner, Patrick Murphy, and has a board of directors whose members are very active in policing. It also has a staff which is working regularly with police departments. So it has some knowledge of what police people think are important operational questions in policing. It identified the report from Tom Hastings as an important report worth further investigation, but it specified a two-stage process in order to conserve the research resources which would go into it.

Frankly, I was extremely skeptical of those statistics; and I expected that the first phase, which was an audit of the books in the Rochester Police Department, would discover that the results were due to the way the statistics were kept, and that they were not due to actual operational differences in the police department.

Our first report, called "Auditing Clearance Rates," examined several ways in which those statistics might have been jimmied. For example, we compared the arrest records, before and after, of the officers who were in the teams--both the patrol and detective officers, because the results might have been produced just by assigning better quality personnel to the experimental treatment. We examined reclassification practices because it is possible that the police were more ready to determine that things were not crimes which existed in

the experimental area, thereby reducing the denominator and keeping the numerator (i.e., the number of cases cleared) the same, thereby increasing the clearance rate in the team area.

We also examined the multiple clearance question (i.e., how many cases are cleared for each case for which a person is arrested) because the criteria for determining how many cases to clear are somewhat subjective. In Rochester, they were particularly subjective because Rochester used a rule of clearing cases based on a judgment as to whether the suspect had committed offenses other than the one for which he was arrested; and that judgment was reached by using the personal judgment of the detective who had made the arrest in the first place. There was little supervision which would have reduced the number of clearances claimed as a result of an arrest.

Basically, having examined those and some other possible sources of error, we determined that in Rochester there was no bias either in favor of the teams or against them. Therefore, further investigation was warranted.

In our follow-up report, called "Managing Investigations, the Rochester System," James Bell of my staff, who is co-author of this paper, lived in Rochester for over a year, which is not exactly hardship. But it did enable him to know the people in the police department and to get some understanding of whether there were hidden factors which perhaps would not be disclosed to someone who just walked in from the outside and did a three to five-day study to find out whether an exemplary project was in existence. He was there, and he lived with the police department.

We then did manual checks on the records, coding original reports from the records to find out the quality of the investigations which were conducted and to track the reports through to see how many investigations resulted in arrests. As a result of that tracking, we found that the Rochester system seemed to produce more arrests for robbery and burglary; and we believed that we could attribute that improvement to the program. We also had one finding which troubled us somewhat and suggested management controls were needed, and that was that there was a somewhat smaller success in court with on-scene arrests in the team areas than in the non-team areas, suggesting a possibility that the teams had become somewhat more aggressive in their criteria for making on-scene arrests. (Although we were aware as well that the team areas presented demographic characteristics which might have made it more difficult for the police to maintain witness cooperation and to obtain success in court.)

The most promising feature of the Rochester system, I believe, is that the detectives were placed in the teams under the control of team commanders who then managed the case investigation process using, in part, a system like the one that SRI had documented in California. The Rochester system had been developed independently, within the Rochester Police Department, to close cases which were not promising, using the detective-lieutenant to assign cases or investigative tasks to individual officers in order to capitalize on the special expertise of individual team members.

After these studies were done, LEAA held two conferences. One was a conference with evaluators, and another was a conference with some police chiefs. The conference with evaluators resulted in a number of suggestions for how a demonstration program might be designed to find out more about criminal investigations. The

conference with the police chiefs was not designed to help construct a program to find out more about criminal investigations. It was primarily for informational purposes to tell the police chiefs what LEAA had found. In fact, there is a national demonstration program in team policing which attempts to follow-up on all of the pieces of research which I have discussed here. However, it doesn't do that very well.

One problem with the demonstration program is that the RAND Corporation believed that, as a result of its study, reductions in the number of detective personnel would have very little effect on (i.e., would not hurt) investigative success. I think their basis for believing that may have been somewhat flimsy, but it might well have been a possible ground for further investigation. It was not included as part of the program. Resource differences in investigation are not being examined by LEAA.

Our study suggests, I thought, that it would be helpful to do a demonstration program where detectives and patrol personnel worked together closely in patrol units, since we found that that had a promise for being a successful program. That also is not part of the demonstration program. The demonstration program consists primarily of a training program which is trying to get police officers in local departments to conduct better preliminary investigations and which is trying to attend to some of the system problems of the criminal investigation system. I think it's an interesting hypothesis. Of course one of the problems is that it will be hard to duplicate the training program that is now being constructed. Furthermore, there was no advance indication that a special training program would be particularly effective in this field.

One thing that troubles me about this follow-up by LEAA is that, in my mind, the improvement of the police investigation system is essential to the improvement in local policing. It dates back to the case of Mapp v. Ohio,<sup>31</sup> in which the Supreme Court decided that police officers had to get information in legally, constitutionally permissible ways; and there was a hope expressed by the Justices of the Supreme Court that police departments would find ways to get information in constitutionally permissible ways.

In light of the patrol experiment done by the Police Foundation, and also in light of close analysis of the likelihood that aggressive or preventive patrol by police officers will produce improvement, I think that the single most constructive approach to improving the contribution of police to the criminal justice system is by working on ways to improve the collection of information from individual citizens, the apprehension of criminals and the prosecution of criminals in court; and that ought to be a major emphasis of the LEAA program. Enough resources ought to be devoted to test alternative hypotheses. To test them, LEAA should find police departments willing to implement programs that promise success. Then, LEAA should work with police officials and with local prosecutors to design a program which will implement the program which was chosen for experimentation. You don't easily graft things onto police and prosecutors. They should be part of the design process.

There should be a commitment in advance that the programs participating should implement specific experimental programs. That, in fact, is not the case in the present demonstration program, resulting

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<sup>31</sup>367 U.S. 643, 81 S.Ct. 1684, 6 L. Ed. 2d 1081 (1961).

in still another case study analysis which will only give us further hunches about what hypotheses we should then test to find out what works.

In their design of the evaluation of this program, the organization chosen as the evaluator makes this quite clear. The evaluators are going to study, first, whether the demonstration agencies receive and interpret the technology being transferred under the auspices of the Managing Criminal Investigations Program, how the sites plan to integrate the technology into ongoing operations, what components of the technology were actually implemented in each demonstration site, what was the impact of the implemented technology during the demonstration evaluation period, and whether impact can, in fact, be attributed to the program. Given the fact that a similar program has been drawn for neighborhood team policing, apparently without successfully implementing the program as originally designed, there is little reason to believe that the full Managing Criminal Investigations Program will be implemented at each of the sites. We therefore are likely to find, in this much smaller program than the one Eleanor Chelimsky talked about, that there also will be different programs at each of the sites, and that the evaluation will consist primarily of case study judgments about what happened.

I think in this area we need a commitment to finding out what works in the managing of criminal investigations, and we haven't started doing it yet.

Briefly, I would suggest that LEAA, in designing programs, ought to work more closely with the people who are going to implement those programs so that the operational people will accept the programs

when they try to implement them. That is part of the leadership process in which local governments can be drawn into implementing programs which may work.

Where there is no leadership plan, it seems to me that we might be better off to seriously consider backing off by not requiring a mixed, internally contradicting process of planning and block grants. Instead we should give money to the states or to localities with the most serious crime problems. Then local governments will be accountable to their own people for the way in which money is spent.

The last thing I'd like to say is that one of the most important problems in running the LEAA program (and many other programs) is the problem of time. Unfortunately, our political officials tend to have fairly short time horizons, and good programs take long periods of time to implement effectively. The need for time requires statesmanship on the part of our public officials, because it is much easier to design a program which may help even a little bit in the long run. It also takes confidence for an administrator to believe, when he is designing a program, that even after he has left, there will be other people willing also to act in a statesmanlike manner and to continue worthwhile programs once they are started.

MR. GRANDY:

Thank you, Peter.

THE RESEARCH PERSPECTIVES PANEL (CONTINUED)

IX. DISCUSSION (SPEAKERS AND SYMPOSIUM PARTICIPANTS)

MR. GRANDY:

We will take a few questions if you have some for Peter before our break.

PARTICIPANT:

I am Judd Kenney, Department of Justice. Actually this one perhaps spans both of the presentations, those of Ms. Chelimsky and Mr. Bloch. Recently, the Attorney General has proposed a separate organizational entity which would be exclusively devoted to the compilation and reporting of crime statistics. My own liking would be a Census Bureau for Crime Statistics.

Now, from Ms. Chelimsky's efforts, one could derive an affirmative attitude toward such an organization. Now, addressing Mr. Bloch's Rochester study and its outcome as far as LEAA is concerned, would you view LEAA as having a continuing role as an evaluator of programs and the new organization as we understand it--let's say, superficially--as merely having an accumulative role and a reporting role; or could you two get together some idea of how these two efforts would interrelate? or would LEAA be out of the program of crime data and evaluation?

MR. BLOCH:

The single most important role that I see for LEAA is in research, demonstration and experimental evaluation. I think that is a very important role for it to continue to play in an improved fashion. The data collection agency idea starts getting at an important

problem, but I don't think it gets at it well enough. This is something I feel strongly about. The fact is that after over eight years of planning in 50 states, we still don't have good documentation of the flow of offenders, except perhaps in one or two states.

It seems to me that the public interest requires that when we are talking about agencies that deal with liberty and safety and equality, that there is a very strong interest in public information about the individual actors in that system. So I would prefer that there be requirements that the disposition records before individual judges, the disposition records by individual police units and by prosecutors, the recidivism records for types of offenders and for different races and backgrounds of offenders--that this information be collected and be a matter of public record so that we can not only identify where the problems in the system lie, but we can also try to hold our criminal justice officials accountable for their contribution or lack of contribution to the success of the system.

PARTICIPANT:

My name is James Bell from the Urban Institute. I have just one question for Peter. Where do you see compelling proof in the research that has been conducted in criminal investigations that it is important to move detectives, in other words, to create organizational trauma to patrol in order to achieve improved investigations? As I know it, we have one piece of research that suggests that. We have no other empirical proof. For us to sit and decide that programs should be designed to include that element without that kind of proof is, I think, premature. I guess I'd like to know what substantiates your basic dilemma with the now-constituted Managing Criminal Investigations Program?

MR. BLOCH:

First, I must point out that Mr. Bell was my co-author on this study. He is the man who spent the time in Rochester.

I'd like to say first that it's my impression from the results of that one study which was in only one city, that there is a good chance that the detectives working in the same unit had an effect. I also think that on policy analysis grounds, on thinking about the way that criminal justice systems work and the way police departments work, that I am convinced there is good reason to experiment with that hypothesis.

I would emphasize that I didn't say that my hypothesis should be selected by LEAA. I only suggested that LEAA should work together with officials in the field to develop programs. I believe that if they do that, that they will find there are a substantial number of agencies which, when presented with the evidence and when persuaded to take part in a program where there is leadership at the Federal level, will be interested in participating in a program in which it will be possible to find out whether assigning detectives to teams will have an important effect. I personally believe that it would have an effect.

MR. GRANDY:

Any other questions or comments on this topic? Okay, we will take a short break at this time and then resume in about 10, 15 minutes.

**END**