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Tracey L. Meares†

INTRODUCTION

Community policing is central to any conversation about the role of community in law and criminal justice. The term has become ubiquitous among law-enforcement practitioners and scholars.[1] Many police departments have integrated or are in the process of integrating some form of

    1.   *See* THE CHALLENGE OF COMMUNITY POLICING: TESTING THE PROMISES xi (Dennis P. Rosenbaum ed., 1994) [hereinafter CHALLENGE OF COMMUNITY POLICING] ("In fact, community policing has become so attractive that nearly every politician and police chief today wants to jump on the bandwagon."); WESLEY G. SKOGAN & SUSAN M. HARTNETT, COMMUNITY POLICING, CHICAGO STYLE vi (1997) ("The concept is so popular with the public and city councils that scarcely a chief wants his department to be known for failing to climb on this bandwagon."); William J. Bratton, *Community Policing, Bratton Style*, N.Y. TIMES, Jan. 31, 1994, at A16 ("Community policing is the most promising trend in urban law enforcement. . . . President Clinton lauded the idea in his State of the Union address, using New York City's program as a prime example."); John E. Eck & Dennis Rosenbaum, *The New Police Order: Effectiveness, Equity, and Efficiency in Community Policing, in* CHALLENGE OF COMMUNITY POLICING, *supra*, at 3 ("Community policing has become the new orthodoxy for cops. . . . In both theory and practice, the dominance of the community policing movement is evident."); Edward D. Maguire & Stephen D. Mastrofski, *Patterns of Community Policing in the United States,* 3 POLICE Q. 4, 4 (2000) ("Community policing has become a household phrase. Police agencies around the nation report that they are turning toward community policing. . . . Even agencies generally claiming not to practice community policing tend to engage in some of its specific activities."); Mark H. Moore, *Research Synthesis and Policy Implications, in* CHALLENGE OF COMMUNITY POLICING, *supra*, at 285 ("Something is clearly afoot in the field of policing. . . . Indeed, popular enthusiasm for these ideas is so great that in a few cases in which police executives have been slow to embrace them, communities have forced the ideas upon them."); Albert J. Reiss, Jr., *Police Organization in the Twentieth Century,* 15 CRIME & JUST. 51, 91 ("As the twentieth century draws to a close, the twin ideologies of community-based and problem-oriented policing are reshaping at least the way some police organizations do their business.").

community policing into their enforcement strategies.[2] Consequently, much debate has sparked over whether community policing is superior to more traditional, reactive law-enforcement techniques.[3]

Although this debate over community policing is critical, this Essay explores a different issue, one not frequently addressed in the scholarship on the subject. I focus on what police themselves think about community policing. One might think that if certain forms of police action have both community support and an impact on crime, the police would be eager to adopt such practices. But what if they are not? I will explore this question here.

To address the question, I will examine survey data collected from police officers in Chicago's highest-crime police district. The officers were surveyed after the Eleventh District's police were involved in facilitating a community-wide prayer vigil—an undoubtedly atypical practice that, none-theless, might properly be categorized as community policing. All of the police officers in the district were surveyed. Over half of the surveyed offi-cers agreed that it was good for the Chicago Police Department ("CPD") to

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2. *See* MATTHEW J. HICKMAN & BRIAN A. REAVES, BUREAU OF JUSTICE STATISTICS SPECIAL REPORT (FEB. 2001): COMMUNITY POLICING IN LOCAL POLICE DEPARTMENTS, 1997 AND 1999.

3. For evaluations of community policing, see, for example, SKOGAN & HARTNETT, ch.7 (1997) (comparing changes in prototype Chicago Alternative Policing Strategy ("CAPS") districts to changes in non-CAPS districts, and concluding that CAPS districts generally performed better in terms of citizens' perceptions and actual crime measures); Jack R. Greene & Ralph B. Taylor, *Community-Based Policing and Foot Patrol: Issues of Theory and Evaluation,* in COMMUNITY POLICING: RHETORIC OR REALITY 103 (Jack R. Greene & Stephen Mastrofski eds., 1988) [hereinafter COMMUNITY POLICING: RHETORIC OR REALITY] (noting lack of consensus in existing studies of community policing, and suggesting the existence of several theoretical and empirical deficiencies to account for the inconsistencies); Arthur J. Lurigio & Dennis P. Rosenbaum, *The Impact of Community Policing on Police Personnel: A Review of the Literature,* in CHALLENGE OF COMMUNITY POLICING, *supra* note 1, at 147 (reviewing twelve studies of community policing and concluding that, "[o]n balance, these studies have shown that community policing has exerted a positive impact on the police and on citizens' views of the police"); Dennis P. Rosenbaum et al., *Impact of Community Policing on Police Personnel: A Quasi-Experimental Test,* 40 CRIME & DELINQ. 331 (1994) (concluding that despite some gains in knowledge of community policing, frequency of foot patrol, and frequency or informal contact with citizens, "the absence of change was the norm rather than the exception"); Wesley G. Skogan, *The Impact of Community Policing on Neighborhood Residents: A Cross-Site Analysis,* in CHALLENGE OF COMMUNITY POLICING, *supra* note 1, at 147 (reviewing studies from six cities on the effect of community policing on fear of crime, disorder, victimization, police service, and drug availability, and concluding that the results are mixed); Mary Ann Wycoff, *The Benefits of Community Policing: Evidence and Conjecture,* in COMMUNITY POLICING: RHETORIC OR REALITY, *supra,* at 103 (describing empirical results finding that the implementation of community-oriented policing strategies led to reduced fear and improved attitudes toward police among citizens, and suggesting that those same strategies lead to positive effects for officers as well); Mary Ann Wycoff and Wesley G. Skogan, *Community Policing in Madison: An Analysis of Implementation and Impact,* in CHALLENGE OF COMMUNITY POLICING, *supra* note 1, at 75 (concluding that implementation of community policing had positive effects for both police officers and citizens). Note, of course, that a debate proceeding along the lines that I have just described presumes that one really knows exactly how to define the term "community policing." *See infra* text accompanying notes 8-39. Moreover, such a debate presumes that there is some kind of agreement about the yardsticks one should use in order to evaluate in what ways community policing is better than traditional policing.

be involved in organizing community events like the prayer vigil.[4] A great many of them agreed with statements consistent with the conclusion that the collaboration between area churches and police that resulted in the prayer vigil is good for the community and makes the officers feel better about their jobs.

Yet the data also reveal a paradox. Many of the officers who agreed with statements in support of activities like the prayer vigil and who agreed that the prayer vigil made them feel better about the prospects for the community also agreed that police interested in prayer vigils ought to engage in such activities on their own time. This paradox has interesting public-policy implications, especially for policies that emphasize greater integration of law-enforcement officers, who are state representatives, into the communities in which ordinary citizens reside. I call the opinions of these officers paradoxical because, as I explain below, police officers committed to the ideals of community policing typically are expected to (and believe they should) take on community goals and projects as their own when such projects are consistent with crime prevention. Therefore, it is hardly surprising when community police officers who thought it was good for the CPD to organize the prayer vigil and who thought that the prayer vigil was good for the community also thought that officers ought to engage in activities like the prayer vigil on official time. Explaining the opinions of officers who both supported the prayer vigil and who thought it was good for the community but who nonetheless disagreed that community police officers ought to be involved is more of a puzzle.

Residents of all communities desire safety. Those who reside in high-crime urban communities—many of whom are poor and minority—likely make safety an even higher priority.[5] One aspect of community policing on which there is widespread agreement is that community policing is designed (or should be) to help make law-enforcement priorities more consistent with the desires of community residents.[6] The question then becomes how to realize this goal. Critics of community policing fear that encouraging the alignment of law enforcement and community interests will result in the compromise of individual rights—usually criminal-procedural rights.

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    4.   *See infra* note 136.
    5.   When asked, "Are we spending too much, too little, or about the right amount on halting the rising crime rate?" 71.4% of Blacks with incomes less than $25,000 answered, "too little" in 2000, compared to 57.7% of Whites with incomes greater than $25,000. *See 2000 General Social Survey, Question 66, at* http://www.icpsr.umich.edu/GSS/. To generate this statistic, use the site's crosstabulation function. Enter "NATCRIME" as the required variable (row), "race" and "income" as the optional variables (column and control), and "year(2000)" as the section filter. Poor Blacks are substantially more likely to live in high-crime urban areas of concentrated poverty than are Whites, including poor Whites. *See* Robert J. Sampson & William Julius Wilson, *Toward a Theory of Race, Crime, and Urban Inequality, in* CRIME AND INEQUALITY 41, 43 (John Hagan & Ruth D. Peterson Eds., 1995).
    6.   *See infra* text accompanying notes 37-38.

Yet, at the same time, scholars also recognize that the process of aligning the interests of those in high-crime urban neighborhoods with the goals of law enforcement might well enable residents of high-crime communities to hold law enforcers accountable in order to better guide their exercise of discretion. It is reasonable to expect this kind of guidance to limit the violation of constitutional rights.[7]

This Essay explains that the west-side community ("WSC") prayer vigil can be considered a community-policing practice that could potentially help residents of the community to resist crime. Part I of this Essay briefly describes various police practices that are referred to as community policing. It then provides a short account of the prevalence and origins of these models. Part II offers a community-based explanation of crime through sociological theory in order to provide at least one robust explanation of how certain kinds of police practices could support community efforts to resist crime. Part III describes an example of such a police practice—the WSC prayer vigil. It also specifically explains how collaboration between the police and many church leaders from the WSC could lead to the enhancement of the capacity of the participating neighborhoods to resist crime. Part IV then turns to the opinions of the police officers about the prayer vigil. First, it analyzes responses by police officers to a survey about this collaboration. Next, the analysis focuses on the paradox in the survey responses revealed above. Last, Part IV offers explanations for this paradox and discusses their implications for community-policing policy.

I

THE INCREASING PREVALENCE OF COMMUNITY POLICING

In his *State of the Union Address* on January 25, 1994, President Clinton pledged to put 100,000 additional police officers on America's streets.[8] Nine months later, on October 9, 1994, Attorney General Janet Reno formally opened the United States Department of Justice's Office of Community Oriented Policing Services ("COPS") to administer the police-hiring grants program and to expand community-policing programs.[9] The COPS Office was established to serve four goals: (1) to increase the number of community-policing officers by 100,000; (2) to promote

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    7. *See* Dan M. Kahan & Tracey L. Meares, *The Coming Crisis of Criminal Procedure*, 86 GEO. L.J. 1153, 1182-83 (1998) (explaining that political accountability of law enforcers to community members can enhance the ability of community members to guide law-enforcement officers' exercise of discretion in order to achieve the appropriate balance between liberty and order).
    8. *See* William J. Clinton, State of the Union, Address Before A Joint Session of Congress (Jan. 24, 1994), *in* 30 WEEKLY COMP. PRES. DOC. 148, 155-56.
    9. *See* OFFICE OF CMTY. ORIENTED POLICING SERVS., U.S. DEP'T OF JUSTICE, NEWS AND INFORMATION: COPS TIMELINE, *at* http://www.usdoj.gov/cops/news_info/bg_info/bg_timeline.htm (last visited Feb. 15, 2002).

community policing in the United States; (3) to help local police agencies develop management infrastructure that could support and sustain community policing after federal funding ended; and (4) to demonstrate that community-policing techniques could significantly reduce violence, crime, and disorder in communities.[10] Although the literature on policing had indicated since the late eighties that community policing had become an increasingly prevalent law-enforcement strategy, the opening of the COPS office undeniably signaled that community policing had arrived in American law enforcement.[11]

By all indications, a great deal of community policing is being implemented in the United States today. A Bureau of Justice Statistics ("BJS") report recently estimated that state and local law-enforcement agencies employed nearly 113,000 community-policing officers or their equivalents during 1999.[12] In contrast, in 1997, the number of community-policing officers or their equivalents was only 21,000.[13] To put these numbers in perspective, the report indicates that in June of 1999, local police departments employed just over 436,000 full-time sworn officers.[14] The BJS report also states that 64% of local police departments serving 85% of all residents had full-time offices engaged in community-policing activities in 1999, which means that community-policing officers are not concentrated in just a few locales.[15]

These statistics suggest the increasing prevalence of community policing. Moreover, they suggest that the burgeoning community-policing movement is widespread. However, there are at least two problems with these data. First, other than asserting that officers are engaged in "community policing," the BJS report provides no information about what these community-policing officers are doing, how much they are doing, and where they are doing it. Second, because no information about community-policing activities is provided in the report, it is impossible to determine whether the community-policing officers counted in the report are engaged in activities that policing scholars and practitioners would consider community policing. In other words, the officers counted in the report

10. *See* OFFICE OF CMTY. ORIENTED POLICING SERVS., U.S. DEP'T OF JUSTICE, COPS OFFICE REPORT: 100,000 OFFICERS AND COMMUNITY POLICING ACROSS THE NATION 3 (1997).

11. *See, e.g.*, MALCOLM K. SPARROW ET AL., BEYOND 911: A NEW ERA FOR POLICING ch. 1 (1990); Michael J. Farrell, *The Development of the Community Patrol Officer Program: Community-Oriented Policing in the New York City Police Department, in* COMMUNITY POLICING: RHETORIC OR REALITY, *supra* note 3, at 73; Mark H. Moore, *Problem-Solving and Community Policing, in* 15 CRIME & JUSTICE: A REVIEW OF RESEARCH 99 (Michael Tonry & Norval Morris eds., 1992); Timothy Oettmeier & Lee Brown, *Developing a Neighborhood-Oriented Policing Style, in* COMMUNITY POLICING: RHETORIC OR REALITY, *supra* note 3, at 121.

12. HICKMAN & REAVES, *supra* note 2, at 1.

13. *Id.* at 1.

14. *Id.* at 2.

15. *Id.* at 2.

are community-policing officers only because those who responded to the survey designated them as such.[16] Obviously, attempts to assess the scale and scope of community policing through such methods make it very difficult to develop more concrete definitions of the practice.[17]

To address the first problem with the BJS report, policing scholars Stephen Mastrofski and Edward Maguire have examined surveys of police organizations by the Police Foundation and the COPS Office in order to catalog specific policing practices and to determine whether there is a consensus in law-enforcement practice about what constitutes community policing.[18] Although there is a great deal of variation in the definitions of community policing offered by scholars, most scholars agree that one central feature is police engagement, collaboration, or partnership with private citizens.[19] Therefore, one might expect the survey responses to feature opportunities for police and citizens to interact and work together, such as community beat meetings, as opposed to activities emphasizing police isolation from citizens, such as squad-car patrols. However, Mastrofski and Maguire's research reveals wide variations in the extent to which policing organizations participate in collaborative opportunities for police and citizens.

Consider Mastrofski and Maguire's summary of the 1993 Police Foundation Survey, the most detailed of the four surveys they reviewed.[20] While approximately 60% of organizations reported meeting regularly with community groups, only 13.7% of surveyed organizations reported including citizens in the development of policing policies.[21] Comparing the COPS surveys to the Police Foundation survey leads to more questions. All of the surveys asked police organizations to report whether they regularly met with citizens. As previously noted, 60% of the Police Foundation survey respondents reported engaging in this activity. Yet, one COPS survey assessing policing activity in small towns reported that 40% of organizations regularly met with community groups to discuss crime.[22] A different COPS survey directed at larger towns reported a rate of approximately

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16.   *See* Edward R. Maguire et al., *Patterns of Community Policing in Nonurban America*, 34 J. RES. CRIME & DELINQ. 368, 377 n.6 (1997) (explaining that no attempt was made to validate responses to community-policing checklists).

17.   David H. Bayley has produced the best line concerning this problem: "Community policing on the ground often seems less a program than a set of aspirations wrapped in a slogan." David H. Bayley, *Community-Policing: A Report from the Devil's Advocate*, *in* COMMUNITY POLICING: RHETORIC OR REALITY, *supra* note 3, at 225.

18.   *See* Maguire & Mastrofski, *supra* note 1.

19.   *See, e.g., id.*

20.   Maguire and Mastrofski reviewed four surveys. One survey was produced by the Police Foundation, and the other three were implemented by the COPS office. For a description of the four surveys, see Maguire & Mastrofski, *supra* note 1, at 17, tbl.2.

21.   *See id.* at 25-27, tbl. 3.

22.   *See id.* at 28, tbl.4.

50% participation in this activity.[23] Because both COPS surveys were sent
to organizations that applied for grants from the COPS office, and because
the size of the COPS grants depends in part on the level of community-
policing activities in which a needy local organization claims to engage, it
is reasonable to conclude that reporting organizations might exaggerate the
extent to which they were engaged in the kinds of community-policing ac-
tivities the organizations believe the COPS office values.[24] Thus, if the ac-
tual rates of community engagement reported in the COPS survey is lower
than 40% and 50%, respectively, then such rates, compared to the rates of
community engagement reported by the Police Foundation survey, indicate
wide disparity along an important community-policing yardstick. Such dis-
parity makes it difficult to say anything meaningful about the kind of
community policing local departments engage in.

Of course even classification of various activities means little if there
is no consensus around what community policing is. The task of defining
community policing is made more difficult by the fact that there is no ex-
isting history of the origins of community policing.[25] It is fairly clear, how-
ever, that community-policing strategies constitute a rejection of policing
policies that became popular in the sixties and seventies emphasizing "'the
three Rs': rapid response, random patrols, and reactive investigation.'"[26]

Reform-era policing emerged in the sixties and seventies to combat
police corruption by instituting polices to separate police officers from the
influence of local politicians.[27] The key ideas of so-called reform policing
were rapid response, the technologies to implement rapid response, mobil-
ity, and the professionalism of policing that attended these changes.[28]
Because reformers saw local politics as the primary problem of policing,
they sought to centralize control over individual police officers through
hierarchical management structures.[29] Additionally, reformers developed
special units under central, rather than precinct, command, reasoning that
professional expertise was the best way to address specific crime problems
such as vice and drugs.[30] (Note that vice typically includes gambling, pros-
titution, pornography, and sometimes drugs, and is usually related to

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23.   *See id.* at 29, tbl.5.
24.   *See id.* at 19.
25.   *See id.* at 15 ("A well-documented analysis of the origins and development of community
policing has not yet been written.").
26.   WILLIAM BRATTON WITH PETER KNOBLER, TURNAROUND: HOW AMERICA'S TOP COP
REVERSED THE CRIME EPIDEMIC 81 (1998).
27.   *See* George L. Kelling & Mark H. Moore, *The Evolving Strategy of Policing,* 4 PERSP. ON
POLICING 10-11 (1988).
28.   *See* SPARROW ET AL., *supra* note 11, at 34-40 (describing aspects of reform-era policing);
Kelling & Moore, *supra* note 27, at 9-18 (discussing rapid response, random patrol, and a "professional
model" of policing).
29.   *See* SPARROW ET AL., *supra* note 11, at 118-23.
30.   Kelling & Moore, *supra* note 27, at 12.

organized crime.) Finally, the reform of organizational structure changed the way citizens interacted with police. The emergency-response number, or 911, became the primary mechanism for police engagement with citizens, leading to impersonal contacts between police and private citizens and the potential alienation of citizens from those law enforcers dedicated to crime control.[31]

Community policing, regardless of its specific scholarly definition, stands in contrast to reform policing.[32] Community policing in its various incarnations embraces the decentralization of command and celebrates the discretion of street-level officers, especially when they deal with community-nominated problems.[33] Maguire and his colleagues describe community policing as a label comprising three interrelated forces that have shaped law enforcement over the past three decades.[34] One force is a policing approach called "problem solving," which gained prominence following a breakthrough 1979 article by Herman Goldstein.[35] Goldstein articulated the idea that policing could be improved by focusing proactively on specific neighborhood problems, in contrast to the dominant reform notion that the police's role was to respond to citizen calls for action.[36] The second force is the decades-long interest in involving communities in law-enforcement efforts[37]—police need the support and assistance of private citizens. Since the late sixties, involving communities in policing has become a priority, as documents like the 1967 President's Commission on Crime attest.[38] The third force, organizational adaptation, has been elegantly described by David Bayley, a scholar of police-organization management. Bayley asserts that police organizational structures have evolved to implement the specific practices required by the interrelationship between forces one and two.[39] The combination of

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31. *See* Reiss, *supra* note 1, at 92.

32. *See* Moore, *supra* note 11, at 123 ("The fundamental idea behind community policing . . . is that effective working partnerships between police and the community can play an important role in reducing crime and promoting security. . . . Community policing also seeks to make policing more responsive to neighborhood concerns.").

33. *See id.* at 123; Debra Livingston, *Brutality in Blue: Community, Authority, and the Elusive Promise of Police Reform*, 92 MICH L. REV. 1556, 1572 (1994) (noting that Community policing implies "that officers are to have much greater freedom and to exercise independence") (citations omitted).

34. *See* Edward R. Maguire et al., Measuring Community Policing at the Agency Level, 8, 11-13 (1999) (unpublished manuscript, on file with author).

35. *See* Herman Goldstein, *Improving Policing: A Problem-Oriented Approach*, 25 CRIME & DELINQ. 236 (1979).

36. *See id.*

37. *See* Maguire, *supra* note 34, at 8-10.

38. *See* PRESIDENT'S COMM'N ON LAW ENFORCEMENT & ADMIN. OF JUSTICE, THE CHALLENGE OF CRIME IN A FREE SOCIETY 99-101 (1967).

39. *See* DAVID H. BAYLEY, POLICE FOR THE FUTURE (1994) (reviewing police practices and organizational structures in several countries and detailing the kinds of organizational changes necessary to implement effective crime prevention strategies).

substantive practice with organizational change produces what is commonly referred to as community policing.

Identifying the three key forces that shape community policing tells us much about the kinds of activities police officers ought to undertake in order to pursue community-policing goals. The following Part presents a sociological theory that is consistent with the apparent turn in policing from disengagement to increased interaction with private citizens. This theory provides a framework for understanding both how the state could adopt practices that support community efforts to resist and reduce crime, and how those efforts could potentially lead to greater police legitimacy.

II

CRIME AND COMMUNITY PERSPECTIVES

In communities that demonstrate the capacity to get things done, two dimensions, one structural and the other normative, work together. The structural dimension is captured by measures of community social organization, while the normative dimension is captured by measures of collective efficacy. These two dimensions are species of social capital. Both statistical and ethnographic models help to evaluate and track changes in social capital and the relationship of crime to community social processes.

I begin by describing the problem of neighborhood crime as a community-based issue. Because crimes are committed by individuals, often against individual victims, it is tempting to analyze crime on an individual basis, and to enact policies that address crime one person at a time through charging, convicting, and incarcerating individual offenders. Taking this perspective, one might conclude that to reduce crime, one must focus on the individuals that commit crimes. In contrast, a community-based perspective on crime might lead to policy solutions that do not target individual offenders at all. Such strategies might promote third-party efforts to reduce opportunities for offenders to offend or motivate potential offenders to voluntarily abide by the law.

A. Community Social Organization

To understand what potential policies might look like, it is necessary to understand just what it means to adopt a community-based perspective about crime. Clifford R. Shaw and Henry D. McKay pioneered the study of such problems at the community level.[40] Seeking to explain earlier findings that juvenile delinquency remained high in certain areas of central cities over time despite population turnover, they rejected individualistic

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40.   *See* CLIFFORD R. SHAW AND HENRY D. MCKAY, JUVENILE DELINQUENCY AND URBAN AREAS: A STUDY OF RATES OF DELINQUENCY IN RELATION TO DIFFERENTIAL CHARACTERISTICS OF LOCAL COMMUNITIES IN AMERICAN CITIES (rev. ed. 1969).

explanations of delinquency.[41] Instead, they looked to the processes by which lawbreaking behavior could be transmitted across generations.[42] They maintained that three structural factors—low economic status, ethnic heterogeneity, and residential mobility—led to the disruption of community social organization that, in turn, accounted for variation in crime and delinquency rates in a given area.[43] Key to understanding Shaw and McKay's theory is that their hypothesis depends on the direct relationship between community social processes and crime in contrast to hypotheses that posit direct relationships between factors such as community poverty and crime. For example, Shaw and McKay theorized that residential mobility in poor neighborhoods disrupted a community's network of social relations, making it difficult for that community to establish norms of crime control.[44] Similarly, Shaw and McKay believed that racial and ethnic heterogeneity in neighborhoods thwarted the ability of poor community residents to achieve consensus, thereby fueling fear and mistrust of one another. Clearly, fear and mistrust among neighborhood residents makes it difficult for residents to cooperate at the community level to exert social control over unruly youth.[45]

Because Shaw and McKay believed that the capacity of a community to maintain social control was a function of the structural context of that community, they looked to the community itself, not the individual, as the explanatory unit for crime rates in urban areas. This was a path-breaking finding at the time, since Shaw and McKay's contemporaries believed that associations between concentrations of African Americans and

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41. They noted:
    It is clear from the data included in this volume that there is a direct relationship between conditions existing in local communities of American cities and differential rates of delinquents and criminals. . . . Delinquency—particularly group deliquency, which constitutes a preponderance of all officially recorded offenses committed by boys and young men—has its roots in the dynamic life of the community.
Id. at 315.

42. *See id.* at 174, 316-21.

43. Shaw and McKay found that the relationship between structural community factors and delinquency was substantial. They found a correlation of .89 between delinquency rates in Chicago community areas and a proxy measure for poverty—the number of families on relief. *See id.* at 146-47. They found a correlation of .60 between delinquency and population heterogeneity (percentage of foreign-born and Negro heads of families). *See id.* at 152-55. Generally speaking, a correlation above .8 is considered indicative of a strong positive relationship, and a correlation between .5 and .8 is considered indicative of a moderately positive relationship. Thus, both of these correlations are meaningful. *See* LAWRENCE C. HAMILTON, MODERN DATA ANALYSIS: A FIRST COURSE IN APPLIED STATISTICS 481 tbl.14.5 (1990).

44. *See* SHAW & MCKAY, *supra* note 40, ch. 16. *See also* RUTH R. KORNHAUSER, SOCIAL SOURCES OF DELINQUENCY: AN APPRAISAL OF ANALYTIC MODELS (1978) 63-64 (explaining that, according to Shaw and McKay's theory, residential mobility leads to social disorganization through institutional disruption.)

45. *See* SHAW AND MCKAY, *supra* note 40 at 184-85; KORNHAUSER, *supra* note 44, at 64-65.

the foreign-born and crime in urban areas were due to the individual dispositions of group members, including genetic explanations for offending.[46]

Though Shaw and McKay's theory to explain social problems in communities was ignored for quite some time, it has, in the last fifteen years or so, made a comeback. Contemporary researchers have extended Shaw and McKay's work by solidifying the notion of community characteristics as distinct from the aggregated demographic characteristics of individuals who live in communities.[47] For example, researchers have demonstrated in several studies that violence is associated with poverty and residential instability in neighborhoods, establishing the connection between violence and neighborhood composition as opposed to the spatial distribution of individuals with particular demographic characteristics.[48] Additionally, researchers have recently made inroads to defining those characteristics that best enable social control and the realization of the common values of residents—community social organization.[49] In describing the continuous nature of community social organization, theorists have focused on three processes: (1) the prevalence, strength, and interdependence of social networks; (2) the extent of collective supervision by neighborhood residents and the level of personal responsibility they assume for addressing neighborhood problems; and (3) the rate of resident participation in voluntary and formal organizations.[50] Their hypothesis is straightforward: when the processes of community social organization are prevalent and strong, crime and delinquency should be less prevalent, and vice versa.

46.   *See* ROBERT J. BURSIK, JR. & HAROLD G. GRASMICK, NEIGHBORHOODS AND CRIME: THE DIMENSIONS OF EFFECTIVE COMMUNITY CONTROL 25-27 (1993) (explaining scholarly disagreement over Shaw and McKay's findings when they were published and alternative explanations for high crime rates in urban areas).

47.   The research is "ecological" rather than "psychological." A fundamental assumption of ecological research is that social systems exhibit structural properties that can be examined apart from the personal characteristics of their members. *See* BRIAN J.L. BERRY & JOHN D. KASARDA, CONTEMPORARY URBAN ECOLOGY 13 (1977).

48.   *See, e.g.*, Douglas S. Massey, *Getting Away with Murder: Segregation and Violent Crime in Urban America*, 143 U. PA. L. REV. 1203 (1995) (describing how race and class segregation concentrates violent crime in poor, minority neighborhoods); Robert J. Sampson & Janet Lauritsen, *Violent Victimization and Offending: Individual-, Situational-, and Community-Level Risk Factors, in* 3 UNDERSTANDING AND PREVENTING VIOLENCE: SOCIAL INFLUENCES 1, 48-63 (Albert J. Reiss & Jeffrey A. Roth eds., 1994) (summarizing the recent work applying social-ecological theory to explanations of the variation of criminal violence).

49.   *See* WILLIAM JULIUS WILSON, WHEN WORK DISAPPEARS: THE WORLD OF THE NEW URBAN POOR 20-21 (1997) (defining community social organization this way); Robert J. Sampson & W. Byron Groves, *Community Structure and Crime: Testing Social Disorganization Theory*, 94 AM. J. SOC. 774, 777-82 (1989) (same).

50.   *See, e.g.*, WILSON, *supra* note 49, at 20 (offering these three characteristics); Robert J. Sampson & William Julius Wilson, *Toward a Theory of Race, Crime and Urban Inequality, in* CRIME AND INEQUALITY 45 (John Hagan & Ruth D. Peterson eds., 1995) (same).

These community social organization processes, however, do not have to be activated in favor of norms that support law-abiding behavior; they are simply infrastructure. The metaphor of "norm highways" helps to clarify the fact that the social infrastructure of a community by itself can either inhibit or support crime.[51] Whether infrastructure supports a community's efforts to resist crime will depend on the kinds of norms transmitted among individuals who live in a neighborhood. Like autos on an actual highway, norms can travel in any direction on "roads" of neighborhood social infrastructure. Thus, the "norm highways" of neighborhoods may facilitate crime as well as prevent it.

Sociologist Mary Patillo-McCoy has established empirical support for the notion that tight social networks sometimes support criminal conduct on a community-wise basis. In researching a Black middle-class community in Chicago, Patillo-McCoy found that dense social ties "positively affect[ed] informal and formal supervision of youth.... But . . . Groveland's dense networks similarly allow for organized criminal enterprises."[52] This finding suggests that an important normative aspect of effective communities must be considered; social processes alone may simply represent untapped potential to get things done. Ideally, communities exhibiting strong ties, high levels of organizational participation, and high levels of teen supervision also will be committed to the activation of these resources for the good of the community.

B. *Collective Efficacy*

Researchers in the Project on Human Development in Chicago Neighborhoods ("PHDCN") have developed a concept to capture normative dimensions of community efforts to resist crime. The PHDCN researchers coined a term—"collective efficacy"—defined as the ability of neighborhoods to realize the common goals of residents and maintain effective social control.[53] They found, through multilevel statistical analyses,[54] that the collective-efficacy measure is negatively associated with perceived violence, violent victimization, and homicide rates net of Chicago neighborhood-level predictors of crime such as concentrated disadvantage, immigrant concentration, and residential stability.[55] In fact, PHDCN researchers found that when collective efficacy was accounted for

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51. *See* Tracey L. Meares, *Norms, Legitimacy and Law Enforcement*, 79 OR. L. REV. 391, 395 (2000); Tracey L. Meares, *Place and Crime*, 73 CHI.-KENT L. REV. 669 (1998).

52. MARY PATILLO-MCCOY, BLACK PICKET FENCES: PRIVILEGE AND PERIL AMONG THE BLACK MIDDLE CLASS 70 (1999).

53. *See* Robert J. Sampson et al., *Neighborhoods and Violent Crime: A Multilevel Study of Collective Efficacy*, 277 SCIENCE 918, 918-19 (Aug. 15, 1997).

54. The analytic model accounted for variation among individuals, variation within neighborhoods, and variation between neighborhoods. *See id.* at 920.

55. *See id.* at 921-23.

in their model, the coefficients for concentrated disadvantage and residential stability became statistically insignificant,[56] which suggests that collective efficacy plays a powerful mediating role between neighborhood composition and crime. Because the results of the PHDCN study described so far are cross-sectional, researchers devised a test to assess the relationship between collective efficacy and current crime in light of the prior crime rate. This connection is a critical one because in neighborhoods with high crime rates, residents may be unwilling to engage in acts of social control, which in turn will increase crime.[57] Researchers found, after re-estimating the statistical models with a three-year average homicide rate, that collective efficacy remained statistically significant and substantially negative in all three models.[58]

To measure collective efficacy, the PHDCN researchers utilized particularly innovative methods. Survey respondents were not asked about their own practices and opinions; instead, they were asked to assess what happened in their neighborhood. Specifically, researchers tapped into residents' assessments of neighborhood networks and practices, the extent to which people in the neighborhood shared the same values and the extent to which they trusted one another.[59] In this way, community characteristics were mapped, paving the way for true ecological research.

C. Building Social Capital

James Coleman has described the concept of social capital this way: "Social capital . . . comes about through changes in the relations among persons that facilitate action. . . . Just as physical capital and human capital facilitate productive activity; social capital does as well."[60] According to Coleman, social capital is realized through relationships.[61] In an

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56.   *See id.* at 922.

57.   *See id.*

58.   *See id.*

59.   PHDCN researchers measured practices of informal social control through a five-item Likert-type scale. Residents were asked about the likelihood that their neighbors could be counted on to intervene if: (1) children were skipping school and hanging out on a street corner; (2) children were spray-painting graffiti on a local building; (3) children were showing disrespect to an adult; (4) a fight broke out in front of their house; and (5) the fire station closest to their home was threatened with budget cuts.

To measure indicia of neighborhood social cohesion and trust, PHDCN researchers asked respondents how strongly they agreed that with respect to their neighborhood: (1) people are willing to help their neighbors; (2) it is close-knit; (3) people can be trusted; (4) people generally do not get along with each other; and (5) people do not share the same values.

The two measures of informal social control and social cohesion were then combined into one measure—collective efficacy.

60.   James S. Coleman, *Social Capital in the Creation of Human Capital*, 94 AM. J. SOC. S95, S100-01 (1988) (introducing and defining the concept of social capital). Coleman noted that "a group within which there is extensive trustworthiness and extensive trust is able to accomplish much more than a comparable group without that trustworthiness." *Id.* at S111.

61.   *See* JAMES S. COLEMAN, FOUNDATION OF SOCIAL THEORY 304 (1990).

attempt to bring more clarity to the sometimes amorphous idea of social capital, Robert J. Sampson, Jeffrey D. Morenoff, and Felton Earls distinguish the structural dimension of social capital from the normative one.[62] In their view, community structural characteristics such as friendship networks and participation in community organizations are potential resources that a community might utilize.[63] In contrast, a community-wide norm of adult supervision of neighborhood children for the purpose of social control is a positive goal-directed task that "activates" the resource potential found in friendship networks.[64]

To see how community structural and normative social capital dimensions work together, consider the social-process dimensions already discussed. When adults in a community inculcate a community expectation that each will supervise the community's children collectively, then increased supervision of teenage peer groups should follow.[65] A community-wide expectation of youth supervision will not be meaningful unless substantial numbers of the adults in a community believe that they are obliged to meet it. Therefore, a community of people must encourage adults to engage in beneficial community-wide supervision of children—perhaps by threatening social sanction for the failure to do so.[66] In order for such a threat to be credible, however, there must be connections, or social networks, among adults in a community to enforce the norms of community supervision of youths. Without networks connecting adults, any adult in the community can easily free ride on the contributions of his or her neighbors. All of this means that local friendship networks should reinforce adult supervision of teenage peer groups, which in turn could lead to lower levels of both victimization and offending.[67]

Friendship networks might also create another form of social capital by facilitating information transmission between residents of a community.[68] Information channels may be especially important to residents of crime-prone neighborhoods in urban centers. Urbanization is almost synonymous with densely populated communities, and population density can be a barrier to social-capital formation among city dwellers. The problem for many city dwellers is not so much that they have fewer acquaintances

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62. *See* Robert J. Sampson et al., *Beyond Social Capital: Spatial Dynamics of Collective Efficacy for Children*, 64 AM. SOC. REV. 633, 633-36 (1999)

63. *See id.* at 635.

64. *See id.*

65. *See* Coleman, *supra* note 60, at S102-03 (pointing to mutuality of obligation as an example of social capital); *see also* Sampson et al., *supra* note 62, at 647 (presenting a statistical model suggesting that neighborhood residents are more actively involved in child supervision when others are as well).

66. *See* COLEMAN, *supra* note 61, at 244-45 (explaining the relationship between the emergence of a norm and sanctions).

67. *See, e.g.*, Sampson & Groves, *supra* note 49, at 788-89 (demonstrating that supervision of teenage peer groups is associated with lower crime rates).

68. *See* Coleman, *supra* note 60, at S104.

or weaker friendship networks than non-city dwellers; rather, the problem is one of proportion. The networks that a city dweller creates typically have less potential to include all of the individuals in a community with whom a resident comes into contact. Put simply, high population density increases the number of strangers. Friendship networks make it easier for residents to identify who "belongs" and who does not.

Participation in formal organizations is another community structural factor that theoretically should reinforce the crime-reduction benefits of both teenage supervision and friendship networks. Local formal organizations such as church groups, PTAs, community-policing organizations, and the like provide community residents with important opportunities to create overlapping relationships. Overlapping relationships subject the residents of a community to expectations and obligations in multiple contexts, and these expectations and obligations often are transferable across different contexts. The existence of multiple, overlapping relationships among a community's residents has important implications for crime prevention.[69] Friendships among neighbors that are reinforced through individual participation in local formal organizations are very likely to increase adult supervision of teenage peer groups and facilitate information transmission.

Professors Robert Sampson and W. Byron Groves have studied the relationship between the components of community social organization surveyed here (levels of teenage peer group supervision, prevalence of friendship networks, and participation in formal organizations) and crime using British Crime Surveys in 1982 and 1984.[70] Their work bolsters the theoretical projections made above. Specifically, their study finds that a measure of unsupervised teenage peer groups in the 1992 British Crime Survey had the independent effect of all variables in the regression equation on three types of victimization measured in the survey: mugging or street robbery, stranger violence, and total victimization.[71] Additionally, unsupervised teen groups had the largest independent effect on self-reported personal violence offending rates in 1982.[72] Local friendship networks were substantially and negatively related to robbery, and organizational participation had significant inverse effects on both robbery and

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69. *See id.* at S108-09 (explaining the concept of appropriable social organization); Marvin D. Krohn, *The Web of Conformity: A Network Approach to the Explanation of Delinquent Behavior*, 33 Soc. Prob. S81, S83 (1986) (calling this process "multiplexity" and explaining that "if a person interacts with the same people in differing social contexts it is likely that his behavior in one context will be affected by his behavior in another").

70. For a description of the data and methodology used in the study, see Sampson & Groves, *supra* note 49, at 782-86. Note that the analysis in this piece potentially suffers from the ecological fallacy problem described above in note 47, as it attempts to characterize community-based processes through aggregated individual-level data rather than through more direct measures of community characteristics.

71. *See id.* at 788-89, tbl.3.

72. *See id.* at 792-93, tbl. 5.

stranger violence.[73] While the magnitude of the effect of formal-organization participation was not as large as the effect of peer-group supervision and friendship networks on stranger violence and total crime victimization, the direction of the effect clearly supported earlier theoretical predictions.[74] Perhaps most importantly, the study found that the effects on crime of the community-organization factors tested were much larger than the direct effect of socioeconomic status on crime.[75]

More recent empirical work refines the relationships between a community's social capital and crime reduction. Utilizing PHDCN data, which measures community characteristics in a more sophisticated fashion than do the British Crime Surveys, Jeffrey D. Morenoff, Robert J. Sampson, and Stephen W. Raudenbush demonstrated empirically that friendship networks, neighborhood organizations, and participation in voluntary associations appear to reduce violence through the promotion of collective efficacy.[76] The authors statistically disentangled the independent effects on homicide of structural dimensions of social capital, such as social ties, and the normative dimensions of social capital, such as collective efficacy. In essence, the authors find that dense networks alone are neither necessary nor sufficient to explain homicide rates; instead, networks appear to create the capacity for neighborhood residents to exert social control.[77] In keeping with this idea, the statistical models the authors present show that social networks are positively and significantly associated with collective efficacy.[78] Similarly, the models show that organizations and voluntary associations appear to impact homicide indirectly by fostering collective efficacy.[79]

D. *Ethnographic Studies*

Statistical associations alone fail to explain the relationship between crime and community social processes. However, recent ethnographic work supports the quantitative studies explored thus far. While scholars can theorize about what lies behind statistical estimates, additional qualitative evidence is needed to confirm inferences. Qualitative research provides a context for understanding and interpreting regression analyses.

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73.   *See id.*
74.   *See id.*
75.   *See id.* at 789. The authors argue that the indicator of unsupervised teens mediates 80% of the total effect of community socioeconomic status on mugging and street-robbery victimization.
76.   *See* Jeffrey D. Morenoff et al., *Neighborhood Inequality, Collective Efficacy, and the Spatial Dynamics of Urban Violence*, 39 CRIMINOLOGY 517 (2001).
77.   *See id.* at 548-49 fig.4.
78.   *See id.* at 550.
79.   *See id. Compare* Ruth D. Peterson et al., *Disadvantage and Neighborhood Violent Crime: Do Local Institutions Matter?*, 37 J. RES. CRIME & DELINQ. 31 (2000) (finding that recreation centers, but not libraries or retail establishments, have a crime-reducing impact in extremely disadvantaged areas).

In two ethnographic works, Elijah Anderson compellingly recounts how the weakening of the structural fabric of an urban community called "Northton" accompanied the transmission of two different sets of norms among residents of the community.[80] Anderson describes in great detail the clash between "decent" values (norms associated with hard work, family life, the church, and law-abiding behavior) held by some families in Northton and "streetwise" values (norms associated with drug culture, unemployment, little family responsibility, and crime) held by others. A central theme in Anderson's story is the gradual breakdown of a community tradition involving the transmission of decent values by neighborhood "old heads" to neighborhood youngsters.[81] This breakdown accompanied the constriction of employment opportunities for the young, increased neighborhood transience, and increased crime.[82]

Anderson's ethnography of Northton reflects the predictions of social-organization theory. As social networks in Northton weakened and contracted due to residential instability, unemployment, and increased drug use, a rival set of streetwise values flourished.[83] The streetwise norms that Anderson describes are at once a product of affirmative reinforcement of lifestyles that focus on drug use and crime and the vacuum created by the breakdown of broad social networks. For example, when work in the formal labor market is not available for significant numbers of a community's residents, a value system among the jobless may affirm the pursuit of economic opportunities outside of the formal labor market and in the informal labor market, or even in the illegal drug economy.[84] Furthermore, when social networks in a community are weak and disparate, it becomes more difficult for the community as a whole to emphasize the importance of seeking work in the formal labor market.

Anderson's finding that streetwise values did not completely overtake decent values in Northton illustrates the functioning of collective efficacy in a community. While many in Northton continued to adhere to decent

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80. *See* ELIJAH ANDERSON, STREETWISE: RACE, CLASS, AND CHANGE IN AN URBAN COMMUNITY (1990) [hereinafter ANDERSON, STREETWISE] (describing the impact of wider economic changes on the African American community in Northton and introducing the notions of "decent" and "street" orientations); ELIJAH ANDERSON, CODE OF THE STREET: DECENCY VIOLENCE AND THE MORAL LIFE OF THE INNER CITY 35-65 (1999) [hereinafter ANDERSON, CODE] (describing "decent" and "street" families).

81. *See* ANDERSON, STREETWISE, *supra* note 80, at 69-76; ANDERSON, CODE, *supra* note 80, at 204-05.

82. *See* ANDERSON, STREETWISE, *supra* note 80, at chs.2 & 3 (describing the relationship between economic changes in the Northton community and the attendant vulnerability of the community to crime—especially drug offenses).

83. *See id.*

84. *See* WILSON, *supra* note 49, at 66-72 (explaining that in communities in which joblessness is prevalent, residents may internalize modes of behavior that are inconsistent with preference for work in the formal labor market, which is characterized by greater regularity in hours and more consistent work than informal and illegal labor markets).

values, they still confronted streetwise values in their daily lives since those values predominated among the youth in the community.[85] Of course, with competing value systems in a community, it is harder to establish a common value set, especially one directed toward affirmative collective efforts to resist crime as opposed to norms that support withdrawal from public life. The problem is magnified when the competition takes on a generational aspect.

For example, promotion of a community-wide norm of supervision of teenage peer groups is likely to be more effective when the level of social capital among adults exceeds that among teens in the community. Unfortunately, when the social capital among teens is high, which often is true in the communities containing street gangs,[86] individual parents face a dilemma. If parents cannot count on each other to supervise each other's children, then individual parents must counteract the norms developed by groups of teens—norms that may promote lawbreaking behavior. Each parent alone has little power to counteract the power of the teen group. Moreover, the power of the teen group may make the individual parent's task more intimidating, causing her to exert even less supervisory control than she otherwise would. This is, of course, a very general description of some of the mechanisms that underlie the withdrawal of Northton's "old heads" from community life.[87]

In her new book, *Black Picket Fences*, Mary Patillo-McCoy's description of "Groveland," a Black middle-class Chicago community, stands in stark contrast to Anderson's description of Northton. Patillo-McCoy

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85. *See* ANDERSON, CODE, *supra* note 80, at 98-106 (explaining how "decent" kids are impelled to "code-switch" and adopt "street" personas in public).

86. The social-capital differential between teens and adults in the poorest urban communities may be driven in large part by numbers. For example, Chicago Housing Authority ("CHA") data collected in August of 1991 indicate that the ratio of individuals 15 years old and older to those 14 and under living in the Robert Taylor Homes and Stateway Gardens, two large contiguous CHA projects, was 0.946. *See* THE CHICAGO HOUS. AUTH., CHICAGO HOUSING AUTHORITY STATISTICAL PROFILE (1992). A tabulation of 1990 census data indicates that the poorest census tract in the United States in 1991 contained Stateway Gardens. The same study indicates that the Robert Taylor Homes were located in one of the ten poorest census tracts in the United States. *See* Flynn McRoberts & Terry Wilson, *CHA Has 9 of 10 Poorest Areas in U.S. Study Says*, CHI. TRIB., Jan. 26, 1995, at 1. For a point of comparison, consider this same ratio for the Black middle-class community of Chatham. *See* Patrick Reardon, *Profile: Chatham Chicago*, CHI. TRIB. June 7, 1998, *available at* http://yacgi.chicagotribune.com/homes/redirect.cgi. (describing Chatham as Black middle-class enclave). According to 1990 census data, the ratio of individuals 15 years old and older to those 14 and under living in Chatham was 5.14 (For data underlying this calculation, see CHICAGO CMTY. AREA DEMOGRAPHICS, *at* http://www.cagis.uic.edu/demographics/demographics_intro.html.). Thus, it is not surprising that adult social capital at Robert Taylor Homes and Stateway Gardens, where there are more children than adults, is exceeded by youth social capital, while adult social capital in Chatham, where there are five adults for every child, is significantly greater than social capital among youth.

87. For a quantitative demonstration of the dynamics described here, see Sampson et al., *supra* note 62, at 656-57 (finding that residents of disadvantaged neighborhoods have much lower expectations for shared intervention on behalf of children in public settings even where the level of personal ties is not affected by concentrated disadvantage in neighborhoods).

provides a rich account of the multiple ways that Groveland's residents exert social control over youth. For example, she recounts a local school's council meeting in which one attendee stated, "We have to take responsibility for all of our children. The same children that are beating up on our children are also our children. They go right around the corner when they go home. They are our children."[88] This statement captures the expression of collective efficacy through a particular institutional process: a school council meeting.

Patillo-McCoy goes on to describe how participants at community meetings of block clubs, police beats, church groups, and the chamber of commerce, among others, devote a great deal of time to the issue of youth supervision.[89] Gangs and "gang-bangers" are the top concerns of Groveland residents.[90] Strategies such as removing pay phones from the street, removing gang graffiti from buildings, hiring police monitors for playgrounds, and providing activities for at-risk youth are employed by the citizens in their effort to address gang issues.[91] Patillo-McCoy's description provides real-life examples of the processes that Sampson and his colleagues describe through statistics. Yet, Patillo-McCoy also demonstrates how strong social networks can also support "corporatized" gang activity.[92] Patillo-McCoy explains that Chicago's largest street gang, the "Black Mobsters," had a strong presence in Groveland and dominated parts of the neighborhood,[93] but she describes how the top "Black Mobster," Lance, is fully integrated into the community.[94] Lance makes sure that Groveland is clean because of his self-interest in protecting his family and due to the numerous activities of residents described above. Lance is an agent of social control in the neighborhood, and the residents know it. Patillo-McCoy's ethnography demonstrates that in the midst of seemingly effective community social organization, those involved in serious crime can peacefully coexist alongside those who abhor crime.

This review of the sociological literature affirms that crime is a community problem that can usefully be addressed from a community-based perspective. The existing research suggests numerous policy paths. For example, paying particular attention to criminal-law policy, I have explained elsewhere how certain policing strategies could have potentially

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88.   *See* PATILLO-McCOY, *supra* note 52, at 78.

89.   *See id.* at 79-82.

90.   *See id.* at 80.

91.   *See id.* at 79-82.

92.   *See* Jeffrey A. Fagan, *Gangs, Drugs, and Neighborhood Change, in* GANGS IN AMERICA 39, 43 (Ronald C. Huff ed., 2d ed. 1996) (describing "corporate gangs" as those gangs with elaborate cohesive leadership structures that exist to make money and mimic business and group dynamics).

93.   *See* PATILLO-McCOY, *supra* note 52, at 83, 85.

94.   *See id.* at 85-90.

positive effects on community social organization.[95] However, this Part began by asserting that it is possible to imagine policy directed at third parties, instead of offenders, designed to help a community resist or reduce the crime in its midst. Given the theory outlined above, it should be clear that the police, or the state more generally, likely can promote community social organization more directly than policies for reverse sting operations or ordinances on anti-gang loitering. While law-enforcement policies such as reverse stings and anti-gang loitering ordinances may result in improved collective efficacy, such a result would be indirect. Given the description of the processes necessary to build a community's capacity to get things done, we might imagine government programs that are more directly in the business of creating linkages among individuals in a neighborhood, or involving individuals in community institutions. We might even imagine programs involving individuals in organizations and bringing together community organizations and institutions that typically have little to do with one another for the purpose of helping children and addressing crime. Such programs involve rethinking relatively traditional approaches to law enforcement in terms of social-organization improvement.

Creating connections among institutions that traditionally have had little contact creates the potential for social capital. If those connections are created around a particular goal, such as improved neighborhood safety, the research on collective efficacy reviewed above suggests that the structural relationships can be activated in support of community efforts to reduce and resist crime. The question, then, becomes how the state generally, or the police specifically, could bring community institutions together in ways that build a community's capacity for crime reduction. The next Part describes a quite surprising method that has taken place in Chicago—police-supported community-wide prayer vigils.

III
THE CHICAGO PRAYER VIGILS

If a person is asked what she thinks of as community policing, that person might say, "Police officers walking a beat." Another person asked the same question might say, "Police officers who focus on garbage and graffiti clean-up in the neighborhood." Yet another asked the question might say, "Police sponsorship of a midnight basketball league." On Chicago's west side, I suspect that someone asked the question might say, "Community policing takes place when cops and residents pray together."

That person likely would be referring to a series of community-wide prayer vigils beginning in 1997 in some of the most disadvantaged and

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95. *See* Tracey L. Meares, *Social Organization and Law Enforcement*, 35 AM. CRIM. L. REV. 191, at 217-27 (explaining how reverse drug-sting and antigang-loitering ordinances could support community social organization).

high-crime neighborhoods in Chicago. The first was held in May 1997 on Chicago's impoverished west side as a community-wide prayer vigil to end violence against children.[96] The structure of the vigil was somewhat unique. The participants stood in groups of ten on designated corners—the same corners where lookouts often hawked contraband by calling out "Rocks and Blows!"—and prayed for peace in the community.[97] Following the prayer vigil, the group was joined by thousands of other community residents who went to a large park for a "praise celebration," which included music from a 400-member gospel choir, food, and inspirational speeches.[98] While the size of the event made it unique, the number of people participating in the day-long activities was not its most remarkable feature. What was remarkable about the vigil was that its key instigator was the police commander of the Harrison District, Claudell Ervin.

The commander's involvement in the WSC prayer vigil followed a vision he had received approximately six months before the event. In his vision, Commander Ervin saw community residents standing in groups of ten on street corners:

> The Lord blessed me in such a mighty way when he gave me visions of ten people on the corner. I could never understand why ten people. The word says where two or three are gathered, I'm in their midst. Why ten? But then on prayer vigil day, I see why ten. Ten makes a statement on that corner. Two, three people, well, you know, what you all doing? You all really ain't doing nothing. But ten folks on the corner covers the whole corner. You got to go around them.[99]

Acting on the vision, Commander Ervin sent out letters to hundreds of churches in the Harrison Police District containing an invitation to church

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96. The vigil covered an approximately 15-square-mile area bordered on the North, Ashland, Cicero, and Austin Avenues. For media accounts of the day's events, see Gary Marx, *Cop Believes West Side Has a Prayer: Harrison Commander Uniting Thousands for Vigil Against Violence*, CHI. TRIB. May 2, 1997, at 1; Dave Newbart, *Residents Take Faith to the Streets for Vigil: Participants Pray for West Side Peace*, CHI. TRIB. May 4, 1997, at 1.

97. As I did not attend the first vigil, detailed information about it was gleaned through numerous interviews with participants and key organizers. Initial interviews with key vigil participants were conducted on May 22, 1997, June 11, 1997, and June 12, 1997. Following these initial interviews we constructed a list of potential interviewees by reviewing sign-in sheets from the planning-and-evaluation meeting for the first prayer vigil. Additionally, we distributed fliers in local churches and asked interviewees about others who might be interested in talking with us. Finally, we offered nominal monetary compensation ($10) for those who agreed to an interview. Fifty-five interviews were conducted between 1997 and 1998. Forty-one of these were with individuals who represent institutions. All interviews were conducted after promises of confidentiality according to human-subject research regulations at the University of Chicago, so their names will not be revealed in this Essay. My description of the 1997 WSC prayer vigil is taken from these interviews.

98. *See id.*

99. Interview with Commander Claudell Ervin, Police Commander of the Harrison District, Chicago Police Dept., in Chicago, Ill. (May 22, 1997).

leaders to attend a meeting at the police district headquarters.[100] The invitation itself was not at all unusual. Community policing in Chicago was premised in part upon outreach to key neighborhood leaders,[101] and churches are central to disadvantaged African American communities.[102] In fact, interviews with key participants and institutional representative revealed that Ervin's immediate predecessor, Commander Bolling, also had tried outreach to church leaders in the district. Bolling's efforts, however, proved to be unfruitful. While Bolling had attempted to involve area church leaders by inviting them to meetings in area Baptist churches, Commander Ervin's strategy was different. Ervin invited the pastors from various denominations to attend a meeting at police headquarters rather than at their home churches, and he signed the invitation letter with an Old Testament scripture. Only pastors of the host churches showed up to the meetings organized by Bolling. In contrast, large numbers of pastors turned out for Ervin's meetings at police headquarters. It was during these meetings at the Harrison Police District Headquarters that the police and the pastors collaborated to plan a prayer vigil.

A. The WSC Prayer Vigil as an Example of a State-Supported Social Organization

The church-police collaboration that occurred in several west-side communities in Chicago[103] beginning in 1997 presented such a poignant example of state-supported community social organization that it prompted a study. Data was collected over two years to assess the impact of two community-wide prayer vigils facilitated by the police.[104] The goal of the

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100. *See id.*

101. *See* SKOGAN & HARTNETT, *supra* note 1, at 145-46 (explaining that churches constituted a "separate analytic focus" given that churches were key in several of the prototype districts).

102. *See* C. ERIC LINCOLN & LAWRENCE H. MAMIYA, THE BLACK CHURCH IN THE AFRICAN-AMERICAN EXPERIENCE (1990).

103. The WSC is comprised of seven local Chicago Community areas either in whole or in part: West Garfield Park, East Garfield Park, Austin, Humboldt Park, West Town, Near West Side, and North Lawndale. According to 2000 Census Data, the 11th District accounts for 2.8% of the total population of Chicago and ranks 19th among the 25 districts in terms of population. *See* 1999/2000 CHICAGO POLICE DEP'T BIENNIAL REP. (2001). In 1997, there were 69 more murders in the 11th district than any other district in the City. *See* 1997 CHICAGO POLICE DEP'T ANN. REP. 16 (1998). The same was true in 1998, 1999, and 2000. *See* 1998 CHICAGO POLICE DEP'T ANN. REP. 10 (1999) (noting that in 1998 the 111th district had 71 murders, 10.1% of the City's total); 1999/2000 CHICAGO POLICE DEP'T BIENNIAL REP. 12-13 (2001) (noting that in 1999 the 11th district had 79 murders, 12.3% of the City's total, and that in 2000 the 11th district had 67 murders, 10.6% of the City's total).

104. We collected data through five instruments administered between 1997 and 1999. The five instruments can be grouped into four different categories: (1) Two mail surveys administered in 1997 after the first prayer vigil and in 1998 after the second attempted to gauge the level of institutional participation and the impact on institutional linkages because of the vigils; (2) A survey of the population of police officers in the Harrison district; (3) a randomized phone survey of 506 respondents from the WSC area; (4) 55 open-ended interviews (14 individual-level and 41

research was to explore whether the potential benefits of the theories of social organization and collective efficacy could be realized on the ground. The study design was constructed keeping in mind that improved relations between churches and the police can assist residents of neighborhoods concerned about crime in three related, yet structurally different, ways. The first structural path concerns the vertical relationship between the police and the church.[105] The second structural path emphasizes improvements that flow from tighter and more prevalent horizontal relationships among key community institutions.[106] The third path involves the individual relationships that neighborhood residents have with one another.[107] This analysis reflects an application of Albert Hunter's three-level schema of social control.[108]

1. Hunter's Three-Level Schema of Social Control

Hunter asserts that community social control occurs at three levels: private, parochial, and public.[109] The private level is the most basic. The private level of social order is comprised of an individual's family and friends, those with whom the person is closely connected. Social control is achieved informally through mechanisms such as support and mutual esteem at one end, and ridicule, criticism, and even ostracism at the other.[110] The next level of social order is the parochial.[111] Individuals at this level, while connected, do not have the same sentimental attachments that are found at the private level.[112] As a result, there is a much greater likelihood for the formation of important so-called weak ties at the parochial than at the private level.[113] Hunter points to the public level as the final level of social control. The public level is comprised of resources external to the community, such as bureaucratic agencies like the police and other

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institutional-level) designed to obtain first-person descriptions of the WSC, to probe attitudes toward the community, relevant institutions, and the prayer vigil, and to get a sense of the vigil's impact.

    105.   *See infra* text accompanying notes 114-17.
    106.   *See infra* text accompanying notes 111-13.
    107.   *See infra* text accompanying notes 109-10.
    108.   *See* Albert Hunter, *Private, Parochial and Public Social Orders: The Problem of Crime and Incivility in Urban Communities, in* THE CHALLENGE OF SOCIAL CONTROL: CITIZENSHIP AND INSTITUTION BUILDING IN MODERN SOCIETY: ESSAYS IN HONOR OF MORRIS JANOWITZ 230 (Gerald D. Suttles & Mayer N. Zald eds., 1985).
    109.   *See id.*
    110.   *See id.* at 232-33.
    111.   *See id.* at 233-34.
    112.   *See id.* at 234.
    113.   These ties are "weak" because the relationship between two people weakly tied is less intense than the relationship between close family and friends. Mark Granovetter, who wrote the classic article on the topic, has shown, however, that such "weak ties" may be critical for job searchers. *See* Mark S. Granovetter, *The Strength of Weak Ties*, 78 AM. J. SOC. 1360, 1369-73 (1973); *see also* ROBERT D. PUTNAM, BOWLING ALONE: THE COLLAPSE AND REVIVAL OF AMERICAN COMMUNITY 319-21 (2000) (emphasizing the economic value of weak ties, which may be more likely to lead to job opportunities for those whose strongest ties are within economically disadvantaged communities).

instrumentalities of government.[114] The major difference between this level and the other two is that the public level of social control relies uniquely on its legitimate monopoly on coercion and force to produce order. Hunter describes the criminal-justice system as the "ultimate" source of social control.[115]

The public level can legitimately use force to produce order; however, this force alone cannot produce society's desired level of social control because of resource limitations and other formal constraints, such as constitutional law.[116] Social control at the public level is produced through formal sanctions—the threat or actual imposition of coercion; therefore, compliance at this level is produced through instrumental means. Instrumental means of producing compliance depend upon an individual's fear of sanctions to produce an effect.[117] If one assumes that people will comply with rules only with the threat of coercion, then instrumental methods of social control depend upon the commitment to increasing the use of force if necessary. This means that instrumental means of producing compliance can be costly. For example, if deterrence is produced by maintaining a certain probability of detection of rule breakers, then authorities must be willing to devote resources to maintain or increase the level of police to ensure meeting the requisite probability of detection.

In contrast to social control produced at the public level, and given the limitations of formal social control, social control produced at the private and parochial levels is produced through informal means and, therefore, is more likely to utilize normative rather than instrumental methods of compliance. Individuals voluntarily conform to the expectations of others by internalizing community norms.[118] In some situations, the compliance produced through the intermeshing of the private and parochial levels of social order looks much like compliance produced by the instrumental means at the public level—sometimes people comply because they fear informal sanctions imposed externally.[119] However, the individual who complies for normative reasons does so because she feels an internal obligation to do so.[120]

Social networks harness personal knowledge and trust among family, friends, and neighbors to create internalized expectations of obligation to conform to social norms.[121] Thus, it should be easy to see how Hunter's schema compliments the theories of social organization and collective

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114.   *See* Hunter, *supra* note 108, at 238-39.
115.   *See id.* at 238.
116.   *See id.* at 238-39.
117.   *See* TOM R. TYLER, WHY PEOPLE OBEY THE LAW 21 (1990).
118.   *See id.* at 24-26.
119.   *See id.* at 24, 59.
120.   *See id.* at 24.
121.   *See supra* text accompanying notes 60-79 (section on social-capital building).

efficacy. While those theories help to explain how neighborhood residents resist crime through informal means without always resorting to the police and other criminal-justice entities, Hunter's three-level schema explains the relationship between a community's informal and formal efforts to produce safety.

2. The Application of Hunter's Schema to the Analysis of the WSC Vigil

Drawing on Hunter's schema, we can see how improved relations between the police at the public level of social control and churches at the parochial level might benefit neighborhoods plagued by crime. Newly formed connections between churches and the police on the west side of Chicago could produce a new species of social capital to be directed toward violence control. For example, by interacting with church leaders and parishioners, the police likely would gain access to new sources of information to assist them in criminal investigations. Such interactions might make church leaders and parishioners more willing to identify offenders who victimize them, which in turn would allow the police to locate offenders more efficiently.[122] If more offenders are located and arrested, then the certainty of punishment increases and so does the level of formal deterrence. Church leaders, on the other hand, could parlay a stronger relationship with the police into better access to municipal-government resources.

Perhaps even more interesting than the benefits on the vertical plane that flow from better relationships between churches and police are the stronger connections among the churches themselves. The WSC data show that church leaders rarely had frequent contact with leaders outside their denomination.[123] One reason for this is simple competition among the denominations for congregants who can contribute to the collection plate.[124] The overwhelming majority of African American churches are denominations in which the minister serves at the pleasure of his congregation.[125]

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122.   *See* BUREAU OF JUSTICE STAT., U.S. DEP'T OF JUSTICE, CRIMINAL VICTIMIZATION IN THE UNITED STATES, 1999 STATISTICAL TABLES, tbl.103, Percent of Reasons for Not Reporting Victimizations to Police, By Race and Type of Crime (indicating that some victims do not report victimizations to police because they believe police to be uninterested, inefficient, or biased).

123.   The WSC mail survey reveals that while 65% of church leaders reported frequent contact with other church leaders within their denomination, only 35% reported frequent contact with leaders of the same religion but outside their denomination. Fewer still, about 18%, reported frequent contact with leaders from other faiths.

124.   For an interesting account of the relationship between disestablishment and the rise of and importance of competition among sects and individual churches, see Roger Finke, *Religious Deregulation: Origins and Consequences*, 32 J. OF CHURCH AND STATE 609 (1990).

125.   C. Eric Lincoln and Lawrence H. Mamiya document that in 1989, 38,800 churches were organized under the National Baptist Convention, USA, Inc., the National Baptist Convention of America, or the Progressive National Baptist Convention. *See* LINCOLN & MAMIYA, *supra* note 102 at 31, 35, 37 (documenting the number of churches in the three denominations in 1989). This represents 64% of the churches of traditionally African American denominations. African American Methodist (AME) and Pentocostal denominations make up the remainder. *See id.* at 54, 58, 64, 84 (documenting

The communication barrier between church leaders from different sects is also fueled by distrust that flows from different faith-practice norms and liturgies. For example, I interviewed at least one Protestant minister who responded that he had had contact with church leaders of a different faith—Catholic priests.[126] To that minister, the faith practice norms of Catholicism were different enough from his own such that he believed Catholicism and Protestantism to be different faiths despite the fact that both are Christian.

Denominational cleavages are also supported by demographic differences between sects. For example, in their landmark study of Black churches, C. Eric Lincoln and Lawrence H. Mamiya found that traditionally, Black Methodists tend to come from the middle-income bracket, while the majority of Pentecostal Church of God In Christ (COGIC) members are working class or working poor.[127] Baptist churches serve the largest chunk of churchgoing African Americans and reflect a diversity of social classes.[128] A recent study indicates that African American Catholics have higher median incomes than individuals of any other typical African American religious affiliation, exceeding the median annual income of Baptists by almost $4,000.[129]

Given these demographic differences, it should be obvious that church organizations of different sects serve different, but overlapping, parts of the WSC. It is also likely that organization leaders are located in various social networks and operate within different spheres of influence. Bringing these institutions together can have an important impact on the ability of a community to assert social order. Collaboration between leaders of different groups would enable them to form "weak ties" with each other and would allow the individual leaders to access resources to help their congregations as well as to build a stronger base to influence the public level of social control.[130]

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the number of churches in three AME denominations and the number in the Church of God in Christ (COGIC) denomination). Lincoln and Mamiya note that Baptist ministers are not appointed to a church by a higher ecclesiastical authority. *See id.* at 42. Churches belonging to the COGIC denomination, while not as free-standing as Baptist churches, tend to exercise considerable autonomy. *See id.* at 84-88.

126. The historical antagonism between Catholics and some Protestants, especially evangelical Protestants, has a long history in the United States. *See, e.g.*, ROBERT WUTHNOW, THE RESTRUCTURING OF AMERICAN RELIGION: SOCIETY AND FAITH SINCE WORLD WAR II 72-76 (1988). Note, however, I did not get the sense that the Protestant minister whom I interviewed held animus against Catholics; rather, he just had not worked with many Catholics.

127. *See* LINCOLN & MAMIYA, *supra* note 102, at 172 (1990).

128. *See id.*

129. *See* BARRY A. KOSMIN & SEYMOUR P. LACHMAN, ONE NATION UNDER GOD: RELIGION IN CONTEMPORARY AMERICAN SOCIETY (1993).

130. *See* Granovetter, *supra* note 113, at 1373-76 (noting that ties among different types of groups appeared to enable effective community organizing against a neighborhood threat).

Rather than analyzing the WSC prayer vigils,[131] I will focus next on the officers' beliefs about the events that took place. As I will show in Part IV, many officers who worked in the police district under Commander Ervin's supervision held positive beliefs about the WSC prayer vigil whether or not they participated in the vigil. Many of the officers in the Eleventh District believed that the prayer vigil benefited the communities in which they worked. Such a finding would appear to be good news for implementing the theories of community organization and collective efficacy on the ground. Those theories suggest that if communities are structured in certain ways and if the individuals in the communities have the inclination to take ownership of community problems that support crime, then crime can be resisted.[132] If the state is going to play a role in supporting the community structure that improves a community's capacity to resist crime, then one would hope that the state actors who are helping to bring about structural change believe that their efforts are worthwhile.

The data in the next section reveal a paradox, however. While many officers surveyed registered very positive opinions about the WSC prayer vigil and its impact, about half of those same officers registered opinions that are inconsistent with state-supported efforts to bring important community institutions together in ways that could improve a community's capacity to resist crime. Instead, these officers implied that the task of facilitating collaboration among the churches ought to be carried out in the officer's private capacity. For those who believe that the state should be involved in supporting community efforts in favor of informal social control, this finding is problematic. The finding suggests that an important limit on implementing community-based crime resistance may be state actors' conceptions of themselves.

IV
ASSESSING THE OFFICERS' OPINIONS OF THE 1997 WSC PRAYER VIGIL

Following the first WSC prayer vigil in 1997, 170 police officers in the Eleventh District were surveyed.[133] Researchers administered the

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131. I have another paper that analyzes the data to determine the social-organization impact of the WSC prayer vigils. *See* Tracey L. Meares, *Churches, Communities and Crime* (unpublished manuscript, on file with author).

132. *See supra* text accompanying notes 40-79.

133. The following is a summary of the respondents for the police survey: 28.2% worked the graveyard shift, 38.2% worked during the day, and 33.5% worked evenings. At the time of the survey, 12.9% were sworn members of the CPD for 0-2 years, 27.6% for 2-5 years, 30.0% for 5-10 years, and 25.9% for 10 or more years. With respect to the surveyed officers' rank, 84.1% were privates, 7.6% were sergeants, and 1.2% were lieutenants. The length of time assigned to the district varied considerably: 30.6% were assigned to the district for 0-2 years, 28.2% for 2-5 years, 25.9% for 5-10 years, and 11.8% for 10 or more years. Finally, officers varied with respect to the distance they lived from the 11th district: 7.1% lived within 0-2 miles of the 11th district, 17.6% lived within 2-5 miles, and 71.8% lived 5 or more miles away from the 11th district.

surveys during the officers' meetings and roll call at the beginning of each of the three shifts: "graveyard," day, and evening.[134] The survey consisted of twenty-seven questions that asked the officers to indicate whether they strongly agreed, somewhat agreed, somewhat disagreed, strongly disagreed, or had no opinion about numerous statements. It was created using guidelines from prior community-policing research.[135] The researchers obtained a near 100% response rate from the officers surveyed due to the institutional support provided by Commander Ervin and his staff.[136]

As noted above, many people agree that creating closer relationships between police and community residents is a key aspect of community policing. Eleventh District officers were asked to evaluate two statements about the potential relationship between the prayer vigil and relationships between the police and community members: (1) "the prayer vigil made me feel better about the prospects for this community;" and (2) "the prayer vigil helped create a more personal relationship between the police and some residents in the community." The first statement is a measure of the officer's opinion regarding the potential outcome of a putative community-policing tool—the prayer vigil. The second statement is arguably a measure of the extent to which the vigil ought to be considered part of a community-policing program.

The data reveal that a substantial minority of officers surveyed, about 41%, either strongly agreed or somewhat agreed that the prayer vigil made them feel better about the prospects for the WSC in which the officer worked.[137] Over half of the respondent police officers, 55.6%, either strongly agreed or somewhat agreed that the vigil created a more personal relationship between police and some community residents.[138] These percentages are particularly interesting in light of the fact that only 14% of the respondents actually participated in the prayer vigil in some way.

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134. With the help of the shift lieutenants and Commander Ervin, researchers were introduced to the officers and explained the study. The surveys were then administered over a period of days, and the officers were guaranteed that their responses would be completely confidential.

135. *See* Dennis P. ROSENBAUM ET AL., CTR. FOR URBAN AFFAIRS AND POL'Y RES., NW. U., THE IMPACT OF COMMUNITY PREVENTION PROGRAMS IN CHICAGO: CAN NEIGHBORHOOD ORGANIZATIONS MAKE A DIFFERENCE?, *in* COMMUNITY CRIME PREVENTION PAPERS (1985).

136. Chicago police officers are divided into furlough groups. For any given period of weeks, a certain number of furlough groups are inactive. Researchers chose survey periods that maximized the participation of the most furlough groups in the survey. Importantly, this survey was not administered to a sample, but to a population. A sample consists of an observed subset of the population; a population consists of the total set of relevant individuals. A necessary and important implication of this distinction is that a statistical analysis of a population is descriptive, not inferential. ALAN AGRESTI & BARBARA FINLAY, STATISTICAL METHODS FOR THE SOCIAL SCIENCES 5-8 (Collier Macmillan, 2d ed., 1986).

137. Another 41% of police officers surveyed offered no opinion about the first statement, and about 18% of surveyed officers disagreed with it.

138. About 24% of respondents disagreed with this statement, and another 19% offered no opinion.

Eleventh District officers were also asked to assess their feelings about the following series of statements about the value of the prayer vigil as a policing tool: (1) "it is good for the CPD to be involved in organizing events like the prayer vigil;" (2) "the CPD should help the community to organize religiously oriented events like the prayer vigil;" (3) "the prayer vigil was a good investment of police time and resources;" and (4) "the prayer vigil is consistent with what I think Community Policing is supposed to be." The survey responses demonstrate that overall, a greater percentage of officers registered opinions in favor of, rather than against, the prayer vigil as a policing tool; however, the percentages are fairly close to one another in each case.[139]

In order to tie the perceptions of officers to the theory of state-supported social organization explained above, it is useful to make some basic predictions about the relationship between officers' perceptions of the value of the prayer vigil as a tool and their assessment of its potential impact. For example, we might expect that the police officers who feel better about the community's prospects because of the prayer vigil also think that it is good for the CPD to be involved in organizing events like the prayer vigil. Similarly, we might expect the officers who feel better about the community's prospects after the vigil to also believe that the CPD should help the community to organize religiously oriented events like the prayer vigil. Moreover, we might even expect such officers to believe that the prayer vigil is consistent with their own conception of community policing.

As Table 2 indicates, the officers' responses, by and large, are consistent with these expectations.[140] The vast majority of police officers who reported having more favorable expectations about the community's prospects after the prayer vigil also agreed with statements in support of the CPD's involvement in organizing similar events.

These data would appear to be good news for those concerned about a lack of police support for innovative strategies that could lead to enhanced informal social control in neighborhoods with crime problems. As noted above, many scholars consider citizen input in the development and implementation of crime-prevention programs a necessary component of community policing.[141] As Jerome Skolnick and David Bayley wrote, community policing involves police-citizen reciprocity, which means that police "genuinely feel, and genuinely communicate a feeling, that the public they are serving has something to contribute to the enterprise of

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139.   *See infra* APPENDIX, tbl.1.
140.   *See id.*, tbl.2.
141.   *See supra* note 19 and accompanying text.

policing."[142] A recent survey by the Police Foundation found a high level of support among police officers for the proposition that the police should look to the public for advice and cooperation.[143] If one assumes that community members support police collaboration with religious institutions,[144] one would hope and expect that the police officers who are concerned about the community's prospects would be willing to utilize strategies that the community supported and that the officer himself or herself believed to be a good idea.

Yet, the data reveal an interesting wrinkle in this respect. Respondent officers were asked whether the prayer vigil should be conducted by police officers on their own time rather than as an official police activity. We might expect police officers who indicated that organizing prayer vigils makes them feel better about the community's prospects, and who believe that police-facilitated prayer vigils are consistent with good policing, to disagree with the following statement: It is fine if police officers want to participate in prayer vigils on their own time, but it is not the CPD's job to organize and participate in them.

Interestingly, the data do not consistently reveal this trend. Predictably, those who responded that the prayer vigil did not make them feel better about the community's prospects thought that police officers who were interested in such activities ought to pursue them on their own time. Less predictably, about half of the officers who supported activities like the prayer vigil and who stated that the prayer vigil made them feel better about the prospects for the community also agreed that police interested in prayer vigils ought to engage in such activities on their own time. Table 3 contains the data supporting this paradox.[145]

These results are at least curious. If police officers do not think that a particular practice is consistent with their view of community policing, then it is not at all surprising that those officers believe that officers who are interested in such a practice ought to engage in that practice off duty. On the other hand, if we assume that one tenet of community policing is that police officers ought to be charged with carrying out practices that the community approves and supports in order to foster better relations between police and community members, then it is reasonable to expect the officers to align themselves with the practices that the community

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142. JEROME K. SKOLNICK & DAVID H. BAYLEY, THE NEW BLUE LINE: POLICE INNOVATION IN SIX AMERICAN CITIES 212 (1986).

143. POLICE FOUND., THE ABUSE OF POLICE AUTHORITY: A NATIONAL STUDY OF POLICE OFFICERS' ATTITUDES 25 (2001) [hereinafter POLICE FOUND].

144. In the case of the WSC, there is reason to think that community members support the concept. We surveyed 500 adults randomly by phone in the WSC. When asked "Do you believe that cooperation between the police and the church is a good idea," 84% answered, "yes."

145. *See infra* APPENDIX, tbl.3. Note that this paradox is consistent even when the question about the value of the prayer vigil is asked in different ways. *See id.*, tbl.4.

approves. This is especially true when an officer herself thinks that the practice is beneficial. As noted above, the recent Police Foundation survey suggests, at least at the national level, that today's police officers believe that community partnership and cooperation are effective means of addressing community crime problems.[146]

As the next two Sections demonstrate, whether we can expect police officers to support programs like the WSC prayer vigil depends on at least two aspects of the police officer's conception of her role. One might think that a police officer ought to support activities such as the prayer vigil if that officer believes that they bring police closer to the community, given the material on community policing reviewed above. This police officer must support the underlying values of the community policing in the first place. As Part IV.A demonstrates, persuading officers to let go of the self-image that reform policing promotes has not been the easiest of tasks.

To explain why those who object to CPD involvement with the WSC prayer vigil hold that belief, the values embodied in the First Amendment immediately come to mind. Yet, ideas about separation of church and state cannot be the only factors that explain the paradox in the attitudes of Eleventh District police officers. Consider one study designed to compare the attitude of elites to those of the general public concerning issues of church and state.[147] The study's authors conclude that there is a direct correlation between education and views about the separation of church and state. Compared to college graduates, respondents who had only a high-school diploma were much less likely to oppose government support of religious activity.[148] Respondents with some college education were more likely than those with only a high-school diploma to oppose government support of religious activity, but a majority of that group was in agreement with the position of government support for religious activity.[149] Given that most police officers have not graduated from college,[150] one would not expect strong ideas about the separation of church and state to motivate their opinions of the Chicago prayer vigils. In fact, the data support the opposite conclusion as the majority of respondents with only a high-school education or some college education agreed with the notion that government

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146.   *See* POLICE FOUND., *supra* note 143.

147.   *See* TED G. JELEN & CLYDE WILCOX, PUBLIC ATTITUDES TOWARD CHURCH AND STATE (1995).

148.   *Id.* at 67.

149.   *Id.*

150.   One 1988 study found that 87.4% of police officers did not have a baccalaureate. *See* Eugene A. Paoline, III, et al., *Police Culture, Individualism, and Community Policing: Evidence from Two Police Departments*, Just. Q. 17, 583 (2000) (citing D.L. CARTER ET AL., THE STATE OF POLICE EDUCATION: POLICY DIRECTIONS FOR THE 21ST CENTURY 38 (1989)). A 2001 study by the Police Foundation found that 66.9% of police officers did not have a baccalaureate degree. POLICE FOUND, *supra* note 143, at 11.

should support all religions.[151] Objection to state involvement in religious activity could explain the responses of the officers who believe that police officers who want to participate in prayer vigils ought to do so on their own time, but the objection does not explain fully the more nuanced position of officers who seemed to view the prayer vigils as a community-policing tool and who claimed that the CPD should not be involved in organizing prayer vigils. Part IV.B takes up this issue.

A. *Community Policing and Ideal Police Work*

Research examining the level of support among police officers for community policing might as a general matter explain the paradox in the attitudes of the Eleventh District police officers. As Arthur J. Lurigio and Wesley G. Skogan have said, "[T]he transition to community policing is frequently a battle for the hearts and minds of police officers. Community policing requires ... officer[s] to attempt unfamiliar and challenging tasks, ... and to reach out to elements of the community who were previously outside their purview."[152] Training for traditional, reform-era policing has emphasized basic law-enforcement activities such as weapon firing, patrol, investigation, arrest, and report writing.[153] Such training helped to contribute to the "professionalization" of police.[154] In contrast to reform policing, community policing often requires police officers to shift their orientation from a focus on reactive activities that promote proactive approaches to identifying and addressing problems—ideally, in collaboration with citizens.[155] Given the focus of traditional police training, one might expect police officers to resist community-policing activities; indeed, researchers in Chicago found that CPD officers were ambivalent about community policing before it was implemented in prototype districts.[156]

Police researchers have pointed out at least two reasons why police officers might resist the shift from reform policing to community policing. First, officers might resent having to perform tasks that they classify as "social work" rather than "real" police work.[157] Second, officers might

151. *See* JELEN & WILCOX, *supra* note 147, at 67.
152. Arthur J. Lurigio & Wesley G. Skogan, *Winning the Hearts and Minds of Police Officers: An Assessment of Staff Perceptions of Community Policing in Chicago*, 40 CRIME & DELINQ. 315, 316 (1994).
153. *See* SAMUEL WALKER, THE POLICE IN AMERICA: AN INTRODUCTION 313-15 (3d ed. 1999).
154. *See id.* at 35 (noting that the traditional agenda of "professionalization" included, among other factors, more police training).
155. *See, e.g.*, Lurigio & Skogan, *supra* note 152, at 318 (laying out the features of Chicago's community-policing program which freed beat officers from 911 calls, while emphasizing a more proactive police approach to crime problems).
156. *See id.* at 328-29.
157. *See, e.g.*, JEROME E. MCELROY ET AL., COMMUNITY POLICING: THE CPOP IN NEW YORK 34 (1993) (quoting a police officer who said that police "[l]ike to see themselves as 'crime-fighters' even

view citizen participation as interfering with their autonomy and disregarding their expertise.[158] These aspects of police culture suggest that converting police officers to community police officers is no easy task.

Organizing and participating in prayer vigils is not traditional police work. Rather than investigating crimes and arresting offenders, officers who were involved in the prayer vigil engaged in activities that to them, no doubt, looked very little like "police work." Moreover, rather than utilizing their crime-fighting expertise, the officers involved had to cede direction of the event to nonpolice citizens—church leaders. Given these departures from more typical "crime-fighting" work, the lack of support among some Eleventh District officers for CPD involvement in prayer vigils can be explained by the factors to which scholars such as Skogan and Lurigio have looked in order to make sense of police resistance to community policing generally.

When officers were asked whether, as a general matter, the CPD should be involved in helping the community to organize itself to fight crime, 91% percent of the officers surveyed either strongly agreed or somewhat agreed.[159] This finding suggests that the Eleventh District CPD officers viewed community policing more positively than did the officers that Lurigio and Skogan surveyed in 1993.[160] However, the fact that the vast majority of the Eleventh District CPD officers appear to support community policing does not discount the reasons proposed by scholars to explain resistance to community policing. This case should be considered a specific example of community policing. While 91% of the officers surveyed supported CPD involvement in community–organizing to fight crime, 34% of those did not believe it was a good idea for the CPD to be involved in organizing events like the prayer vigil.[161] It is possible to

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though they know they aren't really"); SKOGAN & HARTNETT, *supra* note 1, at 80 (quoting a police officer's statement: "I'm a police officer, not a social worker. I don't have time to sit and shoot the shit.").

158. *See, e.g.*, SKOGAN & HARTNETT, *supra* note 3, at 85 (describing officers' skepticism towards community policing due to potential infringement on police authority by citizens).

159. This question was purposefully worded to emphasize the potential community-organizing aspect of community policing. It goes further than simply asking officers whether citizens should assist them or whether police should work with citizens. Instead, in using such broad language, it suggests the possibility of more independent action by private citizens to fight crime.

160. *See* Lurigio & Skogan, *supra* note 152, at 326-28.

161. *See infra* APPENDIX, tbl.5. Although most of the CPD officers surveyed appear to support community policing, we might expect the strength of that commitment to vary with demographic factors, especially when officers are asked about particular community-policing practices. For example, police researchers have demonstrated that there is a relationship between age, minority status, rank, and favorable attitudes towards community policing. *See* Lurigio & Skogan, *supra* note 152, at 327 (demonstrating higher levels of endorsement for community-policing activities among older officers, minority officers, and high ranking officers, and showing that these same officers were more optimistic about the prospects for community policing to lead to change). While we were unable to collect data on race, we collected data on other demographic variables. A chi-squared (χ^2) analysis of the cross tabulations of the officers' opinions regarding participation in activities such as the prayer vigil on

conclude that even those officers who support community policing find that police-supported prayer vigils cross the line of proper community policing. They might believe so because the prayer vigils too closely resemble social work and do not provide the officers with enough discretion to exercise their professional expertise. Or, police officers might believe that prayer vigils cross the line in another way, as the next Section explains.

B.   Community Policing and Internalized Constitutional Norms

Even police officers who believe that the WSC prayer vigil is consistent with community policing and that the prayer vigil made them feel better about the prospects for the community might nonetheless conclude that it is better for police officers to be involved in community prayer vigils on their own time rather than the CPD's because of their commitment to another principle. The First Amendment's proscription of certain relationships between religion and government might be the most straightforward way to explain that a significant number of police officers simultaneously favor the prayer vigil and believe that it is not the CPD's role to be officially involved in such events.[162] While this statement may seem obvious, it is important to note that officers who reach this conclusion must reject at least one other factor that police officers typically value—their role as law-enforcement officers charged with preventing or reducing crime.

Many view the police as crime fighters.[163] Police also view themselves in this way, and their view of themselves as expert professionals depends, in part, on presenting themselves as individuals uniquely devoted to protecting the public.[164] Because a primary role of the police is to address crime, police officers may conceptualize themselves in ways that support their ability to combat crime. Moreover, it is also reasonable to expect police officers to endorse activities that help them address crime. Therefore, we might expect officers who believed both that the prayer vigils made them feel better about the prospects for the community and that the vigils were a good use of police resources to also believe that it is appropriate for the CPD to support prayer vigils. These beliefs, considered together, are consistent with a professional identity in support of addressing crime.[165]

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one's own time and the length of time as a sworn officer reveal no statistically significant associations among the variables. The χ^2 statistic measures the proximity of the observed frequencies to the expected frequencies for independent variables. The χ^2 significance test measures the likelihood that the observed association would occur if the variables were independent. AGRESTI & FINLEY, *supra* note 136, at 211-12.

162.   The First Amendment to the U.S. Constitution states, "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof. . . ." U.S. CONST. amend. I.

163.   *See* WALKER, *supra* note 153, at 4.

164.   *See id.* at 5.

165.   Twenty-two officers held an opinion that could be characterized in this way.

The data presented here suggest that in addition to caring about serving the public through addressing crime, some police officers also conceptualize their roles in terms of appropriate public and private activities. The group that most clearly demonstrated an opinion that can be characterized in this way are the officers who believed that the prayer vigil made them feel better about the prospects for the community, but who nonetheless did not think it was a good idea for the CPD to be involved in organizing such events. These officers quite understandably stated that police officers who wanted to participate in prayer vigils ought to do so on their own time.[166] However, explaining the views of a different group of officers—those who claimed to feel better about the community's prospects after the vigil and who claimed that it was a good idea for the CPD to be involved in organizing events like the prayer vigil, but who stated that it is better for officers to engage in such activities on their own time—cannot be done in a straightforward manner.[167] One must conclude that these officers, as a group, are profoundly ambivalent about their roles as agents of the community and as representatives of the state who ought to be committed to constitutional values. I emphasize constitutional values because the officers were never asked explicitly whether they thought that CPD support of the WSC prayer vigil was unconstitutional or otherwise violated law or agency rules. Moreover, many Americans are untutored about the structure of government and the constitutional principles of the First Amendment. Ted Jelen and Clyde Wilcox report that one-third of the respondents to their survey of attitudes toward church and state knew that freedom of religion was protected by the First Amendment.[168] Still, they note that people have many opportunities through church services, parochial schools, media outlets, and the like to develop coherent positions on church-state matters without explicitly tying them to constitutional interpretations.[169]

The idea that the data support the interpretation that officers have internalized First Amendment values without coming to an explicit conclusion about the constitutionality of the WSC prayer vigil fits with recent research on the "legal consciousness" of ordinary citizens. Laura Beth Nielsen explains that the study of legal consciousness focuses on how ordinary citizens articulate their understandings of law and legality in everyday social life.[170] Importantly, Nielsen also emphasizes that legal consciousness refers as much to how people do not think about the law as it does to what they do think about it.[171] In other words, legal

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166. Eight officers held an opinion that could be characterized in this way.

167. Twenty-nine officers held a position that could be characterized in this way.

168. JELEN & WILCOX, *supra* note 147, at 31.

169. *See id.*

170. *See* Laura Beth Nielsen, *Situating Legal Consciousness: Experiences and Attitudes of Ordinary Citizens About Law and Street Harassment*, 34 LAW. &. SOC'Y. REV. 1055, 1059 (2000).

171. *See id.*

consciousness can be "the body of assumptions people have about the law that are simply taken for granted. These assumptions may be so much a part of an individual's worldview that they are difficult to articulate."[172] Thus, one way to explain why some police officers believed that the prayer vigil had a positive impact and was consistent with good policing, but that officers ought to be involved in such activities on their own time is that the opinion reflects a somewhat unarticulated consciousness about an appropriate role for the state. Until the question was asked, it was not in the forefront of the officers' minds.

The potential inconsistency between constitutional norms and community policing has been raised in other contexts. For example, David H. Bayley has warned that a shift from traditional reactive policing to problem-solving and community policing could result in the erosion of constitutional rights through strategies that effectively encourage citizens to act as vigilantes.[173] That is, because community policing is designed to make police officers more accountable to the desires of neighborhood residents, one might worry that community policing will provide majority populations with a tool for oppressing minority populations.[174] When one thinks about the ways in which greater interaction between police and private citizens could encroach on constitutional rights, it is natural to consider whether constitutional protections could be eroded by state actions at the request of the community.[175] This danger cannot be denied even in the context of this Essay. Commander Ervin's goal was to promote greater involvement of WSC institutions into the everyday work of keeping streets safe. The theories of social organization and community-based social capital reviewed above explain the potential crime-reduction and resistance value of the collaboration between the police and church-organization leaders in communities like the WSC. Yet, some scholars have criticized state-supported community efforts to resist crime in the inner city as insufficiently attentive to individual criminal-procedural rights.[176]

However, while some scholars register concern that community policing might lead to the constriction of individual constitutional rights, one

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172. *Id.*

173. *See* Bayley, *supra* note 17, at 232.

174. *See id.*

175. For example, in some respects, state actors—especially police—should internalize norms that set them apart from private individuals. Police should be able to tell community residents, "No we are NOT going to frisk every young man on the block because the Constitution requires us to have justificatory evidence before engaging in a search."

176. For an explanation of the value of state-supported community efforts, see Tracey L. Meares & Dan M. Kahan, *Law and (Norms of) Order in the Inner City*, 32 LAW & SOC'Y. REV. 805 (1998). For criticism of this approach, see Bernard E. Harcourt, *After the "Social Meaning Turn": Interpretive Theories and Methods of Proof in Contemporary Criminal Law Scholarship*, 34 LAW & SOC'Y. REV. 179 (2000); Dorothy E. Roberts, *Race, Vagueness, and the Social Meaning of Order-Maintenance Policing*, 89 J. CRIM. L. & CRIMINOLOGY 775 (1999).

benefit of the church-police collaboration was that it led to greater levels of accountability of the police to the residents of the WSC than existed prior to the vigil—a kind of accountability that could reduce incursion by police on the constitutional rights of the WSC residents. The accountability increased because after the WSC prayer vigil, Commander Ervin's relationship with the ministers was an important source of his legitimacy in the community.[177] Ervin depended upon their favor to develop the community's trust in him. Because the ministers held positions of trust within various neighborhoods of the WSC, their willingness to work with Commander Ervin in turn increased the community's trust in the police.[178] Therefore, it is not surprising that Commander Ervin valued his relationship with church leaders.

The creation of social capital enabled a higher level of accountability of the police to the community, and it was a function of the particular activity described here—a community-wide prayer vigil facilitated by the police. Thus, while some officers may have objected to the CPD's support of the prayer vigil for reasons sounding in constitutional principle, it is important to see that the role of the state—the police—in the prayer vigil helped to create a social structure that potentially prevented other encroachments on individual rights by police officers.

THE FUTURE OF COMMUNITY POLICING

One central idea of the community-policing movement is that private citizens ought to partner with law-enforcement officers to produce higher levels of safety in communities. The community-policing movement rejects the notion of police officers as professional crime fighters. Instead, ideal community-policing officers are flexible generalists willing to help community residents solve crime problems or other noncrime problems

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177. A story helps to illustrate this point. In the fall following the 1997 prayer vigil, a young minister came upon two CPD officers arresting a man in a WSC neighborhood. Although the arrestee was not one of the minister's congregants, the minister decided to intervene. The officers asked the minister to leave the arrest scene, which was unfolding peacefully, but the minister refused. The rest of the account is contested, but the minister ended up being arrested. When the minister was taken to the Eleventh District Headquarters to be processed for an arrest, Commander Ervin saw him but did not talk to him because Ervin was on his way out. When Ervin returned he was unable to speak to the minister because the minister had already invoked his right to remain silent and to speak to a lawyer. That evening, several of the church leaders who now worked together because of the prayer vigil held a press conference complaining about racial profiling in the WSC. Commander Ervin was extremely upset by the incident and undertook strenuous efforts to meet with the prayer vigil's church leaders in order to find a solution that would allow the group to work together again on the 1998 prayer vigil.

178. The ministers functioned effectively as trust intermediaries. *Compare* Karen S. Cook & Russell Hardin, *Norms of Cooperativeness and Networks of Trust, in* SOCIAL NORMS 327, 338-40 (Michael Hechter & Karl-Dieter Opp, eds. 2001) (explaining the centrality of *guanxi*, personal intermediaries who make introductions between members of previously unassociated groups, in Chinese business society).

that residents believe to lead to unsafe conditions in their neighborhoods.[179] As noted above, however, policing scholars have had a difficult time deciding exactly what kinds of activities constitute community policing.

This Essay offers a theory of state-supported social-capital formation to explain how the WSC prayer vigil could be considered a particularly innovative example of community policing. According to the theories of community-based social-capital formation, it would appear that activities like the WSC prayer vigil may well enhance the capacity of the disadvantaged neighborhoods that comprise the WSC to resist and reduce crime. Moreover, the nature of relationships formed between the churches and the police, and among the churches themselves as a result of the vigil, would appear to enhance the potential of WSC residents to better hold law-enforcement officers accountable. Through increased accountability, police are more likely to direct their energies to problems and issues that residents care about; moreover, increased accountability is likely to reduce the violation by law-enforcement officials of individual rights pertaining to searches, seizures, and the like.

All of this sounds quite positive, but the mechanism to achieve this state of affairs was quite unusual: a police-facilitated community-wide prayer vigil. One could reasonably fear that such an activity, while potentially advancing freedom from encroachment on say Fourth Amendment rights, might infringe on rights protected by the First Amendment. In fact, it would appear that some of the officers in the district where the vigil took place thought so. Others did not appear concerned. Still others appeared deeply conflicted.

What should we make of this? There are no easy answers, but the data do raise some specific questions about the enterprise of community policing. How important is it that police be psychologically committed to projects that the community believe important? Does the answer to this question suggest that it is important for the project of community policing that law-enforcement officers share the cultural norms and background of the communities that they police? Does the shift from reform policing to community policing present too high a danger of compromise of constitutional rights? And finally, is it possible to imagine trade-offs of one constitutional right for another? Should we permit certain communities that historically have been denied adequate law-enforcement resources and access to the political arena to decide for themselves whether this trade-off is permissible?

Answering these questions is a daunting intellectual agenda. My hope is that by providing a community-based perspective on crime, theories of

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179.   *See, e.g.*, SKOGAN & HARTNETT, *supra* note 1, at 165-93 (noting that citizens' complaints and calls for service from police ranged well beyond traditional complaints about crime to problems associated with sewers, potholes, abandoned buildings, and graffiti).

state support for community efforts to do something about crime, and some survey data on police opinions, I have provided food for thought for those interested in participating in the endeavor.

APPENDIX

TABLE I

	Yes	No	No Opinion
Good for CPD to be involved in organizing events like vigil	54.6% (89)	34.4% (56)	11.0% (18)
CPD should help organize religiously oriented events	42.7% (70)	47.0% (77)	10.4% (17)
Prayer vigil was a good investment of police time and resources	48.8% (78)	33.1% (53)	18.1% (29)
Prayer vigil is consistent with community policing	43.9% (69)	36.3% (57)	19.7% (31)

TABLE 2

Feel better about community's prospects	Good for CPD to be involved in organizing events like the vigil			CPD should help organize religiously oriented events			Prayer vigil is consistent with community policing		
	Agree	Disagree	No Opinion	Agree	Disagree	No Opinion	Agree	Disagree	No Opinion
Agree	83.1%	15.4%	1.5%	73.8%	21.5%	4.6%	73.4%	17.2%	9.4%
Disagree	24.1%	75.9%	0.0%	17.2%	79.3%	3.45	17.9%	75.0%	7.1%
No Opinion	38.1%	34.9%	27.0%	21.9%	57.8%	20.3%	24.2%	38.7%	37.1%

TABLE 3

		Feel Better About Community Prospects			Prayer Vigil on Own Time		
		Agree	Disagree	No Opinion	Agree	Disagree	No Opinion
Good for CPD to be involved in events like the vigil	Agree	83.1%	24.1%	38.1%	53.9%	41.6%	4.5%
	Disagree	15.4%	75.9%	34.9%	87.5%	7.1%	5.4%
	No Opinion	1.5%	0.0%	27.0%	61.1%	0.0%	38.9%

TABLE 4

		Own Time		
		Agree	Disagree	No Opinion
CPD should help organize religious events like vigil	Agree	47.1%	48.6%	4.3%
	Disagree	89.6%	6.5%	3.9%
	No Opinion	41.2%	11.8%	47.1%
Prayer vigil was a good investment of police time and resources	Agree	55.1%	39.7%	5.1%
	Disagree	86.8%	9.4%	3.8%
	No Opinion	58.6%	13.8%	27.6%
Prayer vigil is consistent with community policing	Agree	47.8%	49.3%	2.9%
	Disagree	91.2%	5.3%	3.5%
	No Opinion	61.3%	9.7%	29.0%

TABLE 5

		Prayer Vigil is consistent with what I think community policing is supposed to be		
		Agree	Disagree	No Opinion
CPD should help community organize against crime	Agree	58.5% (86)	34.0% (50)	7.5% (11)
	Disagree	14.3% (1)	71.4% (5)	14.3% (1)
	No Opinion	12.5% (1)	12.5% (1)	75% (6)