Development of Problem-Oriented Policing Series, Volume IV

EXPERIMENTING WITH THE PROBLEM-ORIENTED APPROACH TO IMPROVING POLICE SERVICE

A REPORT AND SOME REFLECTIONS ON TWO CASE STUDIES

By Herman Goldstein and Charles E. Susmilch

About this Development Series

This is the last in a series of four volumes emanating from this project. The project was designed to experiment with methods for promoting thoughtful consideration within a police agency of community problems by focusing on these problems and on the police response to them.

Volume I in the series describes the overall concept of the problem-oriented approach to improving police service. Volume II contains the results of an experimental inquiry that focused on the problem of the drinking-driver. Volume III contains a memorandum summarizing the results of a similar inquiry into the problem of the repeat sexual offender. This last document, volume IV, reports on the methods employed in conducting the two inquiries and on what was learned in this effort to develop the problem-oriented approach.

Project on Development of a Problem-Oriented Approach to Improving Police Service

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Introduction

In its broadest context, the problem-oriented approach to improving police service, by focusing primary attention on the behavioral problems the police must handle, is a new way of thinking about the police and their function. The concept, as such, is many faceted. It would affect, for example, the way in which a department is organized, administered, staffed, and trained. But the heart of the concept is a commitment to developing a capacity within the police to examine the specific behavioral problems with which they must deal and to critique their response to these problems. The principal objective of this project was to explore what is involved in developing this capacity. To do so, we collaborated with the Madison Police Department (MPD) in conducting two case studies of substantive problems of concern to the Madison community--the drinking driver (operating while intoxicated) and the repeat sexual offender (henceforth referred to as the OWI and RSO studies).

The results of these experimental efforts are set forth in volumes II and III. The volumes report what we learned about each of the problems and about the police response to them. We turn, now, to reflecting on our experience in conducting the studies. How were the inquiries made? What difficulties were encountered? What benefits were realized? And what did we learn about the various points made in volume I, where the concept was spelled out before undertaking the two case studies? These are some of the questions we will attempt to answer in this volume.

The Basic Arrangements

Before seeking to record the insights we acquired in working through the two problems, we think it important to summarize some of the considerations that went into their selection and to describe the basic arrangements for conducting the two inquiries.

1. Selection of the Problems

A high priority was placed on involving members of the department in the selection of the problems on which we were to focus. We thought it essential, if the department was to engage in the process, that the problems be widely recognized as of central concern and that systematic inquiry be seen as having the potential for producing results that would be beneficial to the department. We therefore spent considerable time, in the earliest stages of the project, explaining our objectives to officers at various levels in the organization and then soliciting their suggestions for the two case studies to which the major portion of the project would be devoted.

This process alerted us to some difficulties that we had not fully anticipated.

- Because we had dwelled on the distinction between common management problems and substantive problems and had shared our written proposal with members of the department, we assumed the suggestions we would receive would be substantive in nature. But some officers, from the highest rank down through patrol officers, nominated problems relating to personnel management and record keeping. This made us aware of just how difficult it is to wean police personnel away from traditional management concerns, toward a greater concern with substantive matters.

- The desire to be relevant led us to search for a problem of some magnitude--one that involved a good number of incidents and that was widely recognized as a problem by a substantial segment of the department and of the community. Given the relatively small

size of the community, this ruled out the subdivided, more specific type of problem we had originally planned to tackle.

- In contemplating the data that would be needed to examine a specific problem, it became clear that in a jurisdiction in which data on the larger problem is unavailable, it might not be possible to move directly to examining a sub-problem even if it meets the test of relevance.

These observations led us to our selection of the first problem and to our decision to delay selecting the second problem until after we had the benefit of working through the first problem. Once the substantive nature of our interests was made clear, department personnel-almost unanimously--urged us to examine the community's response to the drinking driver. We were somewhat surprised by this, given the secondary and somewhat peripheral position to which OWI enforcement is commonly relegated in urban police agencies. But we were impressed by the frequency with which tough-minded, crime-oriented police officers cited the high cost of the drinking-driver in lives taken, injuries caused, and property damaged, when compared to even the most serious of the traditional crimes. And we were impressed, too, by the sense of frustration that officers expressed in trying to deal with the problem more effectively. A study of the drinking-driver would meet a number of the other criteria we had established: it was clearly a problem for the entire community, not just the police; a substantial amount of research had been done on it; basic data were available as a starting point for inquiry; and the insights produced by our inquiry would have some relevance for other cities as well.

Although we were influenced in our choice of the drinking-driver problem by factors that we thought would facilitate the exploration, we were, in retrospect, too ambitious. We did not allow sufficient time to deal with the large number of complex questions, data collection problems, and unexplored issues we encountered in making this particular kind of inquiry for the first time. For example, lots of data are available on OWI arrests, but data on the dimensions and costs of the problem (incidence, injuries, property damage) are almost nonexistent. The arrest data are of extremely limited value for this purpose. Moreover, determining with any degree of accuracy what happens to those who are arrested was an extraordinarily tedious job that required an enormous investment of time.

Although officers described their response to OWI as among their most highly structured responses, we found that variations in the perceptions, style, and operating procedures of individual officers made it difficult to establish with any certainty an accurate account of how the department as a whole was dealing with the problem. And finally, we found that the kind of probing in which we engaged surfaced a series of complex needs--such as the need to refine procedures for determining the contribution of a driver's intoxicated state in causing accidents-which we could not begin to address within the confines of the project.

Because the first problem consumed more time than we had allocated, we had additional reason, beyond more closely conforming to our original plans, to narrow our definition of the second problem. Our time was limited. We had committed ourselves, for our second problem, to looking at a traditional crime problem. With this commitment and the need for selecting a more narrowly defined problem, we responded with cautious enthusiasm when members of the department suggested we examine the problem presented by the repeat sexual offender. Our caution reflected our uncertainty whether we could focus profitably on the problem of the repeat offender without first examining the total problem of sexual assault. Our enthusiasm grew out of an awareness that police personnel felt that the problem was acute and that the community ranks sexual assault as its foremost concern among local crime problems.

Based on our experience in studying the OWI problem, we imposed a number of restraints on the inquiry into the repeat sexual offender in addition to limiting our allocation of time. Because we learned that our efforts in the OWI study to explain in detail how we acquired the data on which we based our recommendations detracted from our ability to communicate with department personnel, we decided in advance to highlight our findings and keep to a minimum the explanations of how they were derived. Second, we decided to address the report on our inquiry to the specific individuals who administratively had the most direct responsibility for the problem we set out to explore. And finally, we decided to adopt a more informal style, communicating our findings and recommendations in a manner more similar to an intra-department memorandum than to a research report. These restraints explain the differences in the appearance and form of the two reports.

2. Staffing

The three regular staff of the project were: Herman Goldstein, project director; Charles E. Susmilch, codirector; and Courtney L. Marlaire, who served as a general assistant, filling the position of social science research specialist. With so small a staff, many of the tasks involved in the project were frequently interchanged. But each staff member assumed primary responsibility in some areas. Goldstein maintained contact with the agencies with which we worked, arranged for initial access to data, did a substantial amount of the interviewing and observation, coordinated the analysis of data and the development of recommendations, and assumed primary responsibility for writing the several reports. Susmilch, with his skills and knowledge in social science research, analyzed various sources of data, established data collection procedures, developed computer programs for data analysis, and analyzed the results of these efforts. He also studied the police handling of sexual assaults and wrote sections of the final reports. Marlaire assumed primary responsibility for review of the literature, collected and coded large amounts of data from police department files, did much of the field observation of police activity, some interviews of community interests, and all of the telephone interviews of OWI offenders who had gone through the Group Dynamics program.

Time commitments broke down as follows:

	Spring 1981 Jan.-May	Summer 1981 June-Aug.	Fall 1981 Sept.-Dec.	Spring 1982 Jan.-May	Summer 1982 June-July
Goldstein	full time	2/3 time	1/2 time	1/2 time	full time
Susmilch	1/2 time	1/2 time	1/2 time	1/2 time	1/2 time
Marlaire	full time	1/3 time	full time	---	--

We were able to expand our capacity substantially by employing several other individuals part time as needed to complete specific tasks or inquiries. Michael Scott, a recent graduate in sociology, who was awaiting the start of training as a police recruit, took on the extraordinarily painstaking job of collecting and verifying the data on the OWI cases that we traced through the courts. He subsequently analyzed these data and performed a number of other tasks as well, putting in many hours beyond those for which he was compensated. We drew on the expertise of Professor David Schultz, of the University of Wisconsin Extension Department of Law, in exploring the feasibility and legality of advocating a program of universal testing for all drivers involved in accidents. Luke Rettler and

Ann Kenney, law school students, prepared memoranda for us on legal issues we encountered in our inquiries. We called on Lisa Flentge and Theresa Wilson for secretarial help, as needed, and turned to Lucille Hamre for the editing and typing of our final reports. The flexibility we enjoyed in using the services and talents of these individuals greatly facilitated our work.

The opportunities for free-flowing exchanges between staff members--which were maximized by the small number, substantial time commitments, and informal working styles of the staff--were exceedingly important in advancing the objectives of the project and are therefore discussed in detail in section B.

3. Location

We started out with the view that staff assigned to examine substantive problems should, under ideal circumstances, be housed within the police agency--not only for convenience in arranging access to records and people, but to promote a daily interchange that would benefit the research and win acceptance both for the research function and for the specific conclusions and recommendations emanating from each research effort. However, it was not feasible to locate the staff within the police department, primarily because the department is already so crowded, with no work space available.

Arrangements were made for the project to use several rooms in the old infirmary building on the campus, which is about ten blocks from the Madison Police Department (MPD). This provided sufficient space and adequate isolation from regular university business. We felt that our location did indeed deny us some of the benefits possible if located in the department, and it contributed to the project being viewed as an academic enterprise rather than a departmentally sponsored inquiry. Yet, for an initial experimental effort of this kind, being located away from the police department had some off-setting benefits, which we discuss in detail in sections C and E.

4. Cooperation with the MPD

Throughout the project, we enjoyed excellent relationships with the personnel of the MPD. We were granted unlimited access to all records. We observed what we wanted to observe and talked with whomever we wanted to interview. Cooperation related primarily to matters of access, since, with a few minor exceptions, we did not ask the department to compile data. The cooperation we received in gaining access to data may well have exceeded the cooperation that would have been provided to department personnel engaged in the same process, given the informal barriers that develop among units in the typical bureaucracy.

5. Material on Which Reflections Are Based

The reflections contained in this volume are based on the experience of the staff in conducting the two inquiries reported on in volumes II and III. During those inquiries, logs were maintained in which we entered notes on all interviews, analyses of data collection efforts, and observations about the overall process of inquiry. We have drawn heavily on these logs in putting together this volume.

6. Organization of This Volume

Our reflections on the two case studies are organized into five sections, B through F, which follow. In section B, we report on our experience in developing an appropriate form of inquiry designed to make maximum use of information acquired by the police, achievable within the time and resources that might be available to a police agency. In section C, we report on some of our experiences in using the

record systems of the police and related agencies and in tapping the knowledge of police officers and others concerned with the problems we examined.

A major commitment, central to the problem-oriented approach, was to adopt a broad, nontraditional perspective in viewing each problem. Section D reports the results of our experience in adopting such a perspective.

The focus changes somewhat in section E, where we report on the insights we acquired about the potential for internalizing the process of inquiry within a police agency; e.g., the engagement and resistance of police personnel, the requirements for staffing, and the factors that appear likely to affect the success of such an endeavor.

And finally, in section F, we set forth some general conclusions, based on the two case studies, about the potential value in the approach with which we experimented.

Developing a Suitable Form of Inquiry

How does one, from within a police agency, conduct research regarding the substantive behavioral problems with which the police must deal? What special needs exist in conducting such research?

In planning this project, we knew from the beginning that our research efforts would be radically different from the pure research model that an academician might employ in studying similar behavioral problems. We recognized that we were launched on what might more accurately be termed an exploration than a narrowly defined and rigorously conducted scientific inquiry. Unanticipated difficulties would be encountered in defining a behavioral problem from the police perspective and in trying to portray an accurate picture of the police response. We were under self-imposed pressures to produce results that would be useful to the police in developing more effective responses to the problems to be examined. And there were also some serious constraints on time, resources, etc. (All of these factors will be described in detail later in this section.)

To work within these restraints required that we take some shortcuts. We were confident that we could do so and still produce valid, useful information. At the same time, we were mindful of the limitations on our findings, which is why both the OWI and the RSO reports are such highly qualified documents. The shortcuts that we took are reflected in the patchwork of small, varied data collection and analysis efforts that comprised the two studies. We came to refer to these efforts collectively as our eclectic approach, a concept initially described in volume I, drawing as it does on a wide assortment of methods for collecting information. Lest the term suggest some new, exotic form of research methodology or statistical procedure, we emphasize that it is simply our way of referring to our practice of developing the larger picture by using a variety of sources and by adapting a number of different methods to acquire information and to guide the inquiry. The methodological and statistical procedures we used in both studies were elementary.

In undertaking this effort, of course, we were aware of the substantial and impressive body of new research on police operations within the past decade. Researchers have developed and striven to perfect methods for rigorously assessing the effectiveness of standard forms of police operations, such as preventive patrol, foot patrol, investigative efforts, and quick response. These projects, for the most part, were large-scale, expensive efforts designed to answer the big questions of national significance. They had highly specific research designs. They used structured data collection instruments, large samples to collect massive amounts of data, and sophisticated statistical analysis procedures. Their objective was to test, through the use of control groups or statistical controls, the

effect of changes in operations. Although we applaud these efforts and see the need for more of them, they were not, at least at this stage, directly relevant to our interests.

1. Major Factors Influencing the Form of These Inquiries

Our objectives were radically different and much more modest than the projects described above. We were not seeking ultimate answers in delving into the limited problems of the drinking-driver and the repeat sexual offender in Madison. Nor were we committed to contribute to the development of the methodology used for large-scale research in the police field. Rather our primary objective was to explore ways in which a middle-sized police agency could responsibly critique its own handling of a specific behavioral problem in light of current factors and local circumstances. Several needs affected the form of our inquiry, most of which, though apparent at the outset, became clearer to us as we progressed.

a. An Unabashed Concern to Be Practical, to Concentrate on Improving Police Service.

Previously we commented on the tendency of the police to retreat to procedural matters relating to the mechanics of running the agency rather than focusing on the substantive behavioral problems encountered. A similar difficulty occurred in our work in trying to maintain our commitment to improving police service. This is a very pragmatic objective, an anathema to many academic researchers. And because academics are conditioned to explore the theoretical as opposed to the pragmatic, we constantly had to remind ourselves that our goal was to improve the quality of the police response. A large number of intriguing and intellectually stimulating issues came to our attention that we would have liked to pursue. We identified these for further inquiry (see section F-4-d), but resisted devoting time to them once we established that they were not central in our search for improvements that could be implemented with some dispatch.

b. Full Recognition of the Environment in Which Police Function; the Political, Legal, and Social Restraints; and the Interrelationships Between Agencies.

What the police do results from an incredible range of competing and conflicting pressures. Those who initiate these pressures are usually not aware of the problems created for the police. Some of the most acute problems the police now confront are a result of single-purpose reforms whose proponents gave little consideration to their impact on police functioning (e.g., deinstitutionalization of the mentally ill). Those who initiate change in dealing with a problem within a police agency must take note of the web of intricate considerations that bear on the response. We found it extremely important, for example, in the study of OWI, to understand fully the time and stress in administering a breathalyzer test, to appreciate the strong pressures on officers to avoid getting involved in processing a drinking-driver, and to understand the relationships with the courts and other agencies in the community that deal with the drinking driver. We found, moreover, that not only was such knowledge important in our evaluation of current responses it enabled us to establish higher credibility with officers and others interviewed. This, in turn, led to their providing us with deeper insights into the problem.

c. Short Time-Frame.

Time is a major limitation on an inquiry. Police agencies do not have the resources to conduct lengthy studies. But another factor compelling a short time-frame, which we had not fully appreciated, is the likelihood that rapid changes may occur in legislative policy or in public attitudes that affect the definition of the problem or the way it is handled in the community. Although we spent only six

months on the OWI study and only three months on the RSO study, events in the state led to significant changes regarding both problems during those months. The laws relating to the drinking-driver were totally rewritten. Legislation requiring that police be notified of all paroles was enacted and new administrative rules affecting the supervision of both parolees and probationers went into effect. A citizen's action group concerned about repeat sexual offenders was formed just as our report was being considered by the top echelon of the police department. Thus, even within the severely restricted time-frames in which we worked, the environment affecting the problems with which we were concerned was changing. This required that we make some quick decisions on the direction of our inquiries and that we do so on very pragmatic grounds.

d. Communicating Results to the Police.

The results of research efforts must be communicated to practitioners clearly and concisely to maximize the likelihood that they will be used. This is, with increasing frequency, being achieved by an abbreviated report, relegating to a technical appendix the supporting data and descriptions of methodology.

Some difficulty was anticipated in communicating to police personnel the results of so novel an inquiry, especially since some of the officers we sought to engage were at the operating level and had no prior experience in reacting to a research document. Also, in the pressured world of police administration, one cannot expect decision makers to work their way through all of the detailed considerations involved in looking carefully at a substantive problem. A special effort was therefore made to address to the police the report of the results of the OWI inquiry. Brief summarizing captions were used to organize the material and highlight our findings; jargon was avoided; and statistical presentations were kept in their simplest form. But the volume of the report, the sheer mass of data, and the occasional explanations of how we derived our data apparently slowed many readers and dissuaded others from even attempting to read the document. With these concerns in mind, the RSO report was written as a memorandum, and statistical and other detailed presentations of data were minimal.

In subsequent reflections, we concluded that communicating to the police the results of research on substantive problems was more complex than we had assumed. The police do indeed have an aversion to long reports and especially to quantitative data. They tend to view the latter with suspicion, as reflecting a simplistic statement of complex problems, because they feel that numbers alone cannot possibly convey the subtleties surrounding individual cases and the intricate social phenomena that affect both the problem and the police handling of the problem. But it is wrong to conclude from this reaction that the police cannot deal with complex information.

To the contrary, we found that police officers who worked most directly on the problems we explored wanted to know all of the details. They appreciated having a document that captured the nuances of their operations, the intricate interrelationships, and the interdependencies with which they are very familiar. They seemed genuinely pleased that others had been able to describe complexities that they knew about, but had never articulated on their own. Including these details gained acceptance for the reports and convinced the readers that the researchers had gained a full understanding of the problems. The challenge, therefore, is in fashioning a report that is brief and clear, but that does not filter out the rich details of the complex problem being examined.

2. The Equivalent of a Research Design

The original article that proposed a problem-oriented approach to improving police service outlined, in the most general terms, a sequence of steps that police administrators could take in launching a self-

examination of their response to specific behavioral problems in the community. As noted in volume I, this was intended to convey the overall approach. It was not, by any means, suggested as a formula for conducting research. To the contrary, we anticipated from the outset that flexibility would be required, and it characterized all of our efforts in examining both the OWI and the RSO problems. Now, in reflecting on the experience, we feel that this flexibility emerged as one of the most significant aspects of the project. This observation will be discussed in detail in section 4 below. However, the inquiries were not without structure, and some of the steps taken in each inquiry are reported here.

a. Reconnaissance.

We familiarized ourselves as quickly as possible with the overall dimensions of each problem. Initially we turned to the literature, taking full advantage of the rich resources of the Criminal Justice Reference and Information Center in the University of Wisconsin Law School. The material on the drinking driver is voluminous. Although the material on the sex offender may have been equally voluminous, very little has been written on the more narrowly defined problem of the police relationship with ex-sex offenders in the community. The massive amount of material on the drinking-driver was a mixed blessing. Much of the material was directly relevant to our inquiry, but sifting through it was an awesome, time-consuming task. Several current syntheses of the literature proved helpful, but even these presented problems because the research findings are so heavily qualified and often methodologically suspect. Some programs for coping with the drinking-driver, unproved in their effectiveness, nevertheless are repeated with such frequency that they are assumed to be an essential part of any effort to deal effectively with the problem. Several individuals heavily involved in research on the drinking-driver aided us in locating material of special interest and, most important, in assessing its value. We concluded from the experience that individuals doing research on this problem from within a police agency would have great difficulty in making effective use of the research that has been done or that research results might be used selectively in an uncritical fashion.

Another aspect of our early preparation involved "nosing around" the MPD. We talked informally with people throughout the agency about our interest, gaining from them their varied perspectives of the problem, their primary concerns, and their suggestions how best to-pursue the inquiry. These initial contacts proved invaluable. They alerted us to key issues, directed us to various sources of data, and identified individuals who had some specialized knowledge about the problem. Superficial comments were as useful, at this point in the inquiry, in putting together our understanding of the problem, as the more precise information we picked up.

The identification of veteran officers recognized as experts within the department in dealing with OWI or RSO was especially important. They were often called on to help with training in the department; their influence on the department's response was substantial. Our having turned to them early enhanced our credibility. We arranged private sessions with each of them, exploring all aspects of the problem. This was extraordinarily helpful in that it plunged us quickly into the world of the operating police officer as he or she struggles with OWI or RSO. As noted in section C, subsequent inquiries showed that the knowledge and perspective of these individuals were heavily influenced by their experience, position in the department, and personal value system; but that did not lessen the significance and value of their perspective in the earliest stages of our inquiry.

We early observed some selected aspects of police operations at critical points of the process relating to the problem being examined. Thus, for example, we stationed ourselves at the breathalyzer unit within the first few weeks of the inquiry on OWI. This afforded an opportunity to learn a great deal, quite quickly, about the type of offenders being processed, the tasks involved in administering a breathalyzer test, the amount of time required, and the criteria employed in deciding whether to arrest.

Taken together, these various inquiries enabled us to get a feel for each problem and its dimensions before we made more systematic decisions about how to explore it.

b. Inventorying Inquiries.

In our commitment to be uninhibited in we spent several days, as a staff of three, brainstorming our inquiries, pages of questions we the OWI problem. We collected ten would have liked, ideally, to have subsequently grouped around common points At times, this exercise seemed frivolous, answered. These were of interest especially as the list of questions grew so out of proportion to what we could conceivably include in our inquiry. But in retrospect, it served the very useful function of getting us to think about the interrelationship of all aspects of the problem; it served as a basis for setting priorities; and it helped develop the general conceptual framework for our inquiry.

By contrast, the narrowness of our second inquiry enabled us to refine our basic questions with great dispatch. The challenge with the RSO problem was somewhat the opposite of that in the OWI problem. We felt obligated to take note of the numerous and quite complicated matters one would be concerned about in a broad study of the problem of sexual assault (e.g., treatment effectiveness and special parole provisions) and to weigh how these factors might affect our more limited inquiry without getting involved in a detailed consideration of them.

c. Priority Setting.

In the larger OWI study, we moved rather quickly to considering the feasibility of various types of inquiries that would answer the questions we had raised. By weighing the feasibility of a study along with the importance we attached to the questions, we came up with a tentative research agenda. Some basic questions and studies were clearly beyond our capacity. We obviously could not do anything within our inquiry that would add to the knowledge that has been gathered on the relationship between alcohol consumption and the incidence of accidents. We decided that, when this relationship was relevant to our inquiry, we would simply make the best use we could of the reported research.

When we considered all of the questions relating to the costs to the community of drinking and driving, we were dissatisfied with the oft-repeated national data and thought it important to acquire information locally. Information was also needed on at least the major costs-deaths and injuries. Thus a substantial amount of time was invested in studies of fatal and serious-injury accidents.

Questions on the incidence of drinking and driving were not so easily answered. We hungered for specific data on the incidence of drinking and driving in Madison. Such data would greatly enrich a local study of the kind we were conducting. But we concluded that the most valid method for determining incidence--conducting road surveys--was not feasible. It would have been very expensive. More important, we feel it would have drawn heavy criticism in this liberal community as a violation of civil rights, with the possibility that the data gathering effort would have overshadowed whatever benefits came out of the study.

The large number of questions raised about the use of the criminal justice system in dealing with the OWI problem troubled us. Were we unwisely being drawn into spending a disproportionate amount of time exploring the effectiveness of the system simply because it has traditionally occupied so central a role in coping with the drinking-driver? We concluded that the questions in this area were nevertheless important; that the expectation was that they would be answered by our study. Not meeting this expectation would have affected our credibility. We also believed that the-resulting data might be useful in a negative way, i.e., to question the heavy reliance on the criminal justice system. These

considerations plus the feasibility of tracing cases through the system led to what we labeled our "court study."

d. Tentative Matrix of Information Needs and Research Methods.

Having decided tentatively on a number of mini studies, we related them to our original inventory of queries, anxious to determine how many questions could be answered by each study. We then committed ourselves to the studies, noting the desirability of expanding them in ways that would enable us to answer the maximum number of questions. Some questions, by design, would be explored by more than one study.

Thus, for example, the mini study of the logs of breathalyzer results potentially had information about variations in arrest rates by day of week and time of day, the intoxication level of those arrested, and the rate of refusals. At the same time, we expected to derive similar data from police computer listings of arrests and from our court sample.

The matrix for the OWI study was much more ambitious and more structured than that for the RSO study. The latter reflected the narrowness of our inquiry and the more limited amount of time available, but perhaps most important, the confidence we had developed by having conducted the OWI inquiry. The whole process of launching an inquiry into a substantive problem could be greatly expedited over a period of time by individuals who acquire some experience in conducting such inquiries and who develop the essential blend of initiative, commitment, and intellectual curiosity.

e. Conducting the Studies.

The staffing of this experimental effort was obviously atypical. Each of the three professional staff on the project took responsibility for designing and conducting several of the mini studies. And the actual collection of data was done by these same staff members, as were the subsequent analysis and write-up of findings.

Each staff member was aided by the daily interchange that took place. If a data collection form was developed, for example, it was circulated among the other staff for comments before it was used. The constant meetings between staff members, discussed below, were a crucial factor affecting the overall capacity of the research staff. Even though the talents and skills that were brought to bear on this experimental project were substantially in excess of what an average police agency could muster for a similar task, they were fully utilized. Aside from struggling with totally new problems encountered because of the newness of the approach, we found that the most mundane data collection effort was a learning experience in which we often discovered additional data or new insights that were of great value. Given the nature of bureaucracies, we expect this will be true of similar inquiries. The data collection efforts could not have been delegated to individuals unfamiliar with the larger aspects of the project without substantial sacrifice in the return on the investment of time. We feel, therefore, that professionals with less seniority, experience, and contacts than our staff could successfully conduct similar inquiries after some basic patterns are established through similar efforts of this kind. But one would always want to keep the staff of professionals relatively small, dividing the labor between them and operating as a flat organization so that they all participate in the collection of data lest the numerous by-products of the most mundane inquiries be lost.

3. The Feedback Cycle

As noted earlier, the flexible manner in which our inquiries were conducted emerged as a major feature of the entire effort. We went through the several steps outlined in the previous section, but reconceptualized and redesigned our inquiry as we learned more about the two problems and the value of the methods used in exploring them.

Weekly meetings of the staff facilitated constant rethinking of the form of the inquiry. Although staff members were in daily contact, a designated period was set aside each Friday to share, somewhat more formally, the results of the week's efforts. This led quite naturally to the on-going reassessment. These meetings had no agenda, but we regularly examined these questions:

- What problems were occurring in using the acquired data for our needs?

- What new data sources were identified since the last meeting?

- What data sources had dried up or were found not to be as relevant as hoped for at a previous meeting?

- Were the questions being asked correctly?

- To what extent did new answers to questions confirm or conflict with previous information we had obtained?

- What changes, if any, were required in our research plans based on new information that had been acquired?

- What was the significance of newly acquired information in contemplating strategies for improving the quality of police service?

The importance we attached to this process can best be illustrated by descriptions of the route by which we reached two of our most important findings and recommendations in the OWI study.

- Based on our personal knowledge, newspaper accounts, and the experiences of police officers, we believed that a small group of especially troublesome drivers were disproportionately contributing to the drinking driver problem in Madison. The MPD does not maintain data that would have enabled us to identify all drivers with a record of repeated incidents of OWI. Data by geographic area were not available from the Department of Transportation. At the same time, however, we were acquiring data on serious injury accidents to aid in establishing the costs of the OWI problem. In studying the serious injury accidents, our attention was drawn to the driving record of those held responsible. An inordinately high percentage of them seemed to have been previously revoked, reflecting extensive records that included prior convictions for OWI, numerous moving violations, and many accidents. This was not, by any means, a random sample of drivers in Madison, but we decided the finding was of sufficient significance to warrant taking the time to examine the records of these drivers in detail. This inquiry established that approximately one-third of the impaired drivers in serious injury accidents had extensive records. This was a large enough group, in our judgment, to support strongly the need for the MPD to focus on such drivers. A program for monitoring troublesome drivers

was therefore included as a major component in the total program for dealing more effectively with the OWI problem.

- ▪ When we studied the costs in lives attributed to the drinking-driver, we knew that a number of the persons killed were the drinking-drivers themselves. But it was not until we examined the sanctions imposed on the responsible drivers that we were alerted to the full significance of this factor. Having established that severe sanctions are rarely invoked and that there was no sanction in most cases, we looked for and quickly found the answer: in a surprising 93 percent of the fatalities in our sample, the victim was the at-fault driver or a passenger in the at-fault driver's car. The extremely small percentage of "innocent" victims gave us an entirely different perspective of the drinking-driver problem in Madison and strongly influenced the balance of our inquiry. Given the importance of this piece of data to our study, we remain puzzled by the failure of many more ambitious studies of the drinking-driver to distinguish victims based on whether they were the at-fault drivers or passengers who put themselves at risk by accompanying an at-fault driver.

The meetings at which the relationships between different segments of the study were crystallized were quite intense, often lasting three or more hours. Routine procedures (such as in data collection and in the development of coding schemes) that, in other situations, would be considered of little consequence took on much greater importance as we recognized the contribution that working them through made to the constantly evolving nature of the effort. After a meeting, each researcher had a good idea of what had to be accomplished by the next meeting, by the next day, or even on occasion within the next hour. The connection between various efforts often necessitated an answer to a question by one researcher before a second researcher could proceed on another. We frequently teamed up to get a particularly onerous task accomplished (e.g., coding of data) or to answer an especially important question. The aid of outside experts was sought on questions that required-special expertise (e.g., a complex legal issue).

The content of these meetings changed as each study progressed. By the midpoint in each project, the meetings began to concentrate on the implications of the findings for improving the quality of police service and on the adequacy of the data for supporting the changes that began to surface as most desirable.

If a police agency with the initiative to undertake substantive research was pressed to adhere to a lock-step form of inquiry and to a rigid time schedule similar to that commonly outlined in other types of research proposals, a substantial sacrifice in the quality of the end product would be made at the outset. Given the lack of experience in conducting such inquiries, our explorations taught us that it is simply not possible to anticipate how best to proceed until one becomes involved in the inquiry. We recognize this presents a dilemma, because it requires not only that police administrators commit themselves to what many will consider a novel and perhaps even extravagant endeavor, but also that they tolerate a high degree of ambiguity and uncertainty as the effort proceeds. These conditions represent the antithesis of the clock-like precision that characterizes routine aspects of police operations. They are, moreover, extraordinarily difficult to maintain in an organization subjected to public pressures to ensure that every dollar spent on personnel goes into what the public conceives to be a direct response to the immediate threat of crime.

4. The Research Design Retrospectively

As a result of the process that has been described, the inquiries into each of the two problems we examined-as we now look back on them--took the form of a series of interrelated mini studies. The

Table I: Summary of Mini-studies Comprising Inquiry into the Drinking-Driver Problem

Study	Purpose	Examples of Uses
A. Interviews		
1. Police Administrators • chief • inspectors • captains • lieutenants	In early contact, to identify current policies and expectations; discover their understanding of problem and response; identify difficulties they see in responding; elicit ideas for improvement.	Aided in deciding on inquiries; alerted to troublesome procedures and issues.
2. OWI experts in police department • breathalyzer technician • officer with reputation as specialist in OWI enforcement • sergeant with strong commitment to OWI enforcement	In early contact, to acquire concentrated knowledge about problem and response quickly; get general sense for decision-making in field; identify troublesome areas; learn about attitudes of officers.	Aided in deciding on inquiries; identified sources of data; alerted to troublesome issues; suggested alternate responses.
3. Individuals working within criminal justice system • city attorneys • prosecutors • defense counsel • court commissioner • judges • coroner • jail staff • juvenile detention officers	Learn about the formal and informal workings of the system in responding to OWI, with special interest in the end results achieved in the processing of arrests made by the police.	Revealed lack of awareness of magnitude and form of problem police were experiencing on streets; volume, complexity of handling, and concerns for fairness cautioned against looking to the criminal justice system to handle a higher volume of cases.
4. Police officers • fifteen officers assigned to regular patrol	Supplement information acquired through direct observations, explore perspective of problem, criteria used in arrest decision, alternatives to arrest; elicit suggestions for dealing with problem and reactions to tentative proposals.	Confirmed wide variation in practices of individual officers; confirmed use of informal alternatives and identified criteria for their use; provided sound criticism of numerous alternatives advanced for dealing more effectively with problem.

5. Individuals in community whose occupation brings them into regular contact with the OWI problem
  ▪ high school driving instructors
  ▪ minister who delivers death notifications
  ▪ alcohol treatment professionals
  ▪ insurance company executives
  ▪ state driver improvement personnel
  ▪ doctors and nurses
  ▪ legislative staff persons
  ▪ bartenders and bar owners
  ▪ members of Alcoholics Anonymous
	Acquire a full picture of community involvement with the OWI problem; determine costs to others and effectiveness of other controls; determine how other responses relate to the police response; estimate likely impact of proposals for change.	Fleshed out our ability to assess cost of problem; alerted to high level of frustration in other programs; had attention directed to most troublesome offenders; revealed great willingness to cooperate with police.

6. Individuals personally affected by OWI ▪ persons convicted	Establish tangible costs, such as fines, lawyer fees, time lost from employment, car repair, medical costs, increased insurance costs; establish costs of problem in human terms: embarrassment, stigma, inconvenience, family problems, and possible loss of Job.	Tended to be unproductive because of embarrassment, defensiveness, desire to put incident behind them.
▪ survivors of victims	Established the depth of suffering experienced by the survivors of a person killed by an OWI driver.	Very useful to fill out what is otherwise often a cold presentation of statistics.

7. Informal contacts
  ▪ friends
  ▪ relatives
  ▪ neighbors
  ▪ colleagues, all of whom seem to have had some contact with one or more aspects of the OWI problem
	Probe for relevant information among this chance population; acquire accounts that could be used to confirm, question, or illustrate patterns of practice we had identified.	Played a surprisingly important role in helping us to seek out certain information and practices; in questioning data; and in putting tentative proposals to a "reality" test.

B. Direct Observation

1. Bars and restaurants
  ▪ bartender-patrol interactions
  ▪ patrons leaving bars at closing time
  ▪ all-night restaurants attracting bar patrons
	Explore role bartender plays in controlling consumption and impairment; examine closing procedures; acquire rough estimate of number of intoxicated drivers who leave bars at closing time; examine feasibility of serving food before	Helped confirm large number of drinking-drivers on road after bar closing; caused us to abandon proposal for encouraging sale of food after bar closing; contributed to development of plan for more rigorous control of bartenders.

or after closings.

2. Proactive OWI enforcement activity tours of duty with fifteen police officers on night and early morning shifts, mostly on weekends	Observe drinking-driver behavior and variations in police response; learn criteria and factors that influence officers in choosing whether to in-vestigate and, if investigated, whether to arrest or take some other alternative; see firsthand what is involved in "processing" an alleged drinking-driver.	Confirmed existence of broad discretion and informal use of alternatives to arrest; revealed tremendous variation in attitude and response of individual officers; lent strong support to subsequent proposal for field contact system.
3. Investigation of traffic accidents accomplished while on patrol	Document numerous demands on officer at scene; pinpoint difficulties in determining extent to which alcohol may have been a factor contributing to accident; identify factors that determine if an arrest for OWI is made.	Questioned contention that enforcement was 100 percent in all alcohol related accidents; established need for more uniform testing of drivers involved in accidents.
4. Emergency room	Document investigative procedures followed in pursuing alcohol involvement of drivers being treated for injuries sustained in an automobile accident; study interrelationship between police and medical staff.	Illustrated reasons why alcohol factor is sometimes not pursued; drew attention to awkwardness of conducting investigation while driver is being treated; identified medical personnel as good sources of information on OWI problem.
5. Breathalyzer examinations	Familiarize staff with standard procedures in breathalyzer testing; determine time required for testing; observe refusal process.	Determined that logs maintained were excellent source of data; got quick sense for range of behavior of persons charged with OWI; led to conclusion that predicted savings of time with new equipment would not significantly expedite arrest process.

C. Study of Records

1. Court-tracking study compiled complete data on processing of the 92 individuals arrested in March 1980 for OWI	Determine what happens to the individuals arrested for OWI by police; convictions; sentences; licensing sanctions; recidivism; etc.	Questioned basis for police complaints; drew attention to complexity of offenders and their behavior; raised doubts as to capacity of system to handle more cases; highlighted ineffectiveness of system in dealing with chronic offenders.

2. Fatal study examined all 63 traffic fatalities in Madison from 1975 to 1980	Establish major costs of OWI; examine role played by alcohol in these accidents, driving records of at-fault drivers, sanctioning of at-fault drivers. Identify any patterns of significance in developing preventive strategies.	Enabled us to draw complete picture of who, what, when, and where of accidents; recognized difficulty police have in establishing "fault"; led us to pay more attention to who was "at fault" and the influence this determination has on perspective of problem.
3. Serious injury study examined 93 serious injury accident cases that occurred in Madison in 1980	Same as above.	Provided data to parallel that obtained on fatals; led us to sub-study of records of responsible drivers, which subsequently supported need to give extra attention to drivers with an extensive record of OWI convictions, moving violations, accidents, and license sanctions.
4. Breathalyzer log study examined all 326 cases from four-month period in 1980 in which a breathalyzer sample was taken from a person arrested for OWI	Establish the BAC levels of those persons being arrested; determine the frequency of refusals.	Challenged patterns of enforcement described by officers; i.e., number of refusals was smaller, number of arrests per officer was smaller, and level of intoxication were higher.
5. Group dynamics study obtained records and response to special survey from 90 individuals convicted of OWI and now attending a driver improvement program	Determine where drivers did their last drinking; whether others were present who could have driven; and what their experience cost them.	Supported need to direct enforcement action at premises licensed to sell intoxicating beverages; led to our abandoning notion of having others in car take over from driver since they were most commonly reported to be more intoxicated than driver.
6. Jail census inventoried all persons in county Jail on March 19, 1981.	Determine extent to which Jail was being used as a punishment for persons convicted of OWI or related offenses.	Established infrequent use of Jail, pointing to informal use of alternatives despite mandatory sentencing of third-time offenders.
7. Monthly logs of OWI arrests examined all arrests made in 1980 for OWI to determine arresting officer.	Establish the frequency with which different members of the MPD arrest for OWI; identify different patterns for proactive and reactive arrests.	Provided clear picture of variations among officers; challenged some of the exaggerated claims on number of arrests made.

D. Miscellaneous Inquiries

1. Newspaper and magazine articles	Keep informed as specific incidents or more general developments occurred during the course of the study.	Stimulated discussions; helped as reference points in interviews; served as informal barometer of community sentiment.
clipped and circulated articles relating to the general problem of OWI and describing specific cases in Madison		
2. Literature search	Learn and have a basis for assessing the current state of knowledge regarding the total problem of the drinking-driver.	Gave us an overall picture of the state of knowledge regarding the problem to which we could relate our knowledge about the local situation; provided data on questions we did not have the time or resources to explore on our own.
3. Conference attendance	Benefit from an effort on part of organization that sponsors most of research in this area to provide a "state of the art" session for practitioners.	Aided us in sifting through massive literature; made contacts for us with knowledgeable persons; enabled us to locate and acquire needed materials quickly.
sponsored by National Highway Safety Administration held at Eau Claire, Wisconsin, February 1980		
4. Reading of cases	Discover dimensions of the problem one might not otherwise encounter; have framework to which to relate materials on which working.	Helped in designing data collection instruments and in interpreting results; toward end, reading cases served as a way of testing application of new strategies by asking what would have happened in a given case if recommendations had been in place.
as part of other mini-studies, periodically read case files in their entirety		

Table II: Summary of Mini-studies Comprising Inquiry into the Repeat Sexual Offender Problem

Study	Purpose	Examples of Use
A. Interviews		
1. Police administrators	Explore current understanding of problem; establish nature of current relationship with probation and parole.	Learned of major gaps in knowledge regarding ex-offenders in community; established that there was strong support for development of alternative strategies.
2. Corrections administrators	Explore sensitivity to problem; determine policies regarding relationships with police; potential for experimentation in establishing new relationships.	Aided in documenting current weaknesses in community supervision system; helped identify special problems resulting from Madison serving as a magnet for certain ex-offenders; established openness to local experimentation in developing new relationships with police.
3. Police criminal investigators	Examine extent to which investigations focus on ex-offenders and extent to which police use information available on such offenders; establish nature of current interaction with probation and parole agents; establish substantive content of such contacts.	Established gross inadequacy of current procedures; identified unmet needs; provided basis for developing alternate strategies.
4. Probation and parole agents	Learn about nature of supervision; establish current relationship with police, including sharing of information, apprehension policies, etc.; identify problems; solicit suggestions for dealing with them.	Identified weaknesses in communication with police and basis for current misunderstandings; provided cases subsequently used to explore breakdowns; identified needs that probation and parole agents have for police contact.
5. Miscellaneous individuals in community knowledgeable regarding the repeat sex offender problem ▪ medical and psychiatric experts ▪ parole board ▪ special review board for sexual offenders ▪ Dane County Project on Rape	Determine extent to which police concerns regarding ex-offenders were shared by others concerned about sexual assault.	Lent support to need for improved relationship between corrections and police; identified specific examples of difficulties experienced in past that demand attention.

6. Informal contacts
   ▪ citizens from various walks of
       life
	Benefit from community perspectives of problem.	Alerted us to extent to which small number of infamous cases influence community perspective of total problem; also alerted us to substantial differences between community knowledge regarding cases acquired through media and more detailed knowledge in official files.

B. Operational Audits

Efforts had previously been made to meet some of the joint needs of police and corrections agents. But the systems in place apparently were not meeting these needs. It was therefore necessary to undertake several audits to establish whether they were working and what problems, if any, existed. This usually involved selecting a small number of cases (20 or less) and tracing them through the appropriate system.

1. Notification Audits	Check on the adequacy of a system by which a card was sent to the police on each person placed under supervision in Dane County.	Established that system was accurate, but occasionally suffered from delays; system was not being utilized fully in MPD due to lack of knowledge and limited access.
2. Arrest notification audit	Check on adequacy of procedure by which probation and parole agents were to be notified of arrest of one of their clients, with police making use of a computerized system to determine probation and parole status.	Established that system was close to fully accurate, but not utilized. Nonuse stemmed from confusion about 24-hour availability, distrust of information, and uncertainty as to what to do if it was established that an arrestee was in fact under supervision.
3. Registration system audit	Check on results of policy requiring registration of certain ex-offenders with police, so that police have some information in their files on these offenders.	Determined system was being used with regard to a small number of offenders and had become clerical operation; information was not being used by police.
4. Intelligence system audit	Check on integration of data on ex-offenders into files used to assist in preventing serious crimes and in identifying offenders in unsolved crimes.	Without the name of a suspect, identification based on physical characteristics and offender types was extremely limited, and access by modus operandi was not possible.
5. Apprehension order system audit	Check on procedure by which probation and parole agents request police assistance in taking a client into custody.	Established police did not take requests seriously; action, if any, depended on agents and police involved in a given case; computerized system designed to communicate request to police was used simply to store request should offender be picked up on other grounds.

C. Records Studies

1. Study of sexual assaults in 1981 all reports of sexual assaults reported to the MPD between January 1, 1981, and October 9, 1981, were examined	Determine number of newly reported assaults attributed to ex-offenders; explore if there were any significant differences between types of offenses committed by those whose identity remained unknown, those who were charged for the first time, and those who had a prior record of sexual assault.	Little direct use was actually made of these data, but a great deal was learned about the complex nature of sexual assaults that subsequently had a pervasive effect on the study: the difficulty in defining an assault; the use of other charges that mask prior sexual offenses; and the influence of former relationships, mental illness, and commercial sexual involvement on characterizing an assault.
2. The current case load study at our request, Probation and Parole took a census of all individuals under their supervision on November 1, 1981	Determine the number of individuals under supervision in the community; the number of these who were ex-sex offenders; and the number of this last group who were from outside the city.	Confirmed what others had told us. A substantial percentage of individuals under supervision had committed their offense outside the county; immigration was from rural areas; actual numbers were small, and number considered serious risk smaller. Data provided solid basis for justifying increased police contacts with those under super-vision.

D. Miscellaneous Inquiries

1. Newspaper clippings	Keep informed about cases of interest; get some sense for community sentiment regarding problem.	Alerted us to vast difference between public knowledge and insider knowledge regarding same cases; served as raw material for exploration of fear-generating factors.
2. Case studies	Examine in great detail those cases that had received widespread attention in the community as examples of offenses that had generated intense concern regarding the sexual assault problem.	Used details of the cases to direct interviews to larger, more abstract issues. Cases emerged as important data in firmly establishing the involvement of ex-offenders under supervision in new sexual assaults.

tables on the following pages summarize the studies, the purpose in conducting them, and some of the uses made of the data.

5. Some Concluding Observations

Having conducted the studies summarized in the previous tables and having produced the reports based on them (which are reproduced in volumes II and III), we have some reactions regarding the form of the inquiry which are of a highly subjective nature, but which we think appropriate to record here.

a. Adequacy of the Data; Validity of our Findings.

During each inquiry, we often expressed great uncertainty whether we could capture accurately, within the time and resources we had available, both the nature of the problem we were examining and the nature of the police response. Each discovery of a new pocket of data, a new twist in our understanding of the problem, or a conflict with an earlier finding was unnerving. But by the time all our findings were put together and the conflicts were resolved, we were very confident in what we reported. We were familiar with all of the little pieces in the puzzle and how they fit together. Our confidence was buoyed by the very positive reaction we received when people who contributed to our study were asked to review the results. Though we may have challenged their prior understandings, they uniformly praised each report for its comprehensive character, its depth, and the detailed manner in which important points were - supported. They repeatedly conveyed to us their feeling that we were very much on top of the problem--seeing all of its sides. Although reactions of this kind are not by any means a substitute for an independent assessment of the validity of each study, we think that they constitute important feedback on a process that does not, from the outset, profess to be scientific in its handling of data. The confidence expressed in the quality of the reports influenced the seriousness with which they were taken in the agencies to which they were addressed.

b. Cross-Checking of Data.

A major factor contributing to our confidence in our findings was the frequency with which data from different sources confirmed a single finding. In our interviews\ with police and prosecutors, we sensed that an informal standard was in use that operated against both the arrest and the prosecution of those with a BAC of less than .13, but this was consistently denied by some police officials and some prosecutors. Our analysis of the log of BAC tests did establish that few people with a BAC of less than .13 were being charged. This finding was confirmed by our analysis of the BAC data on those arrested who appeared in our court sample. It was further confirmed by the responses to the questionnaire administered to those attending the Group Dynamics program. And it was confirmed, too, by the cases for which the prosecutor was willing to accept a plea to a reduced charge, all of which involved a BAC of less than .13. The most adamant of those who questioned the formal police practice had to interpret these findings as confirmation of the practice or turn to a less satisfactory explanation-- that drinking-drivers do not come to police attention unless they measure .13 or above.

c. Lack of Precision Versus Substantive Knowledge of Cases.

We were initially troubled by our inability to be more rigorous in the analysis of data due to missing information, small samples, questionable coding by agencies, etc. But as we progressed, we concluded that in policy research of this kind one does not always need data that will stand up under scrutiny by more rigorous standards. For example, in our study of the repeat sexual offender, it was sufficient to know that there were enough cases of a specific type to make the problem worth worrying about. The same can be said regarding the number of drivers with poor driving records that we discovered in our

study of serious injury accidents. Our confidence in using the data to convince others to do something about the problem was influenced by the intimacy we felt we had with the specific cases--a feeling, admittedly, that one can get only in a local study of modest proportions where the researcher can develop familiarity with the cases being analyzed and not have to depend exclusively on the summary statistics.

d. Shortcuts that Can Be Taken in a Local Inquiry.

With the objective of maximizing the potential for a police agency itself to conduct inquiries of this kind, we had originally proposed that full use be made of data already maintained by the police department and related agencies. In section C we report in detail on some of our experience in utilizing this data. With one small exception, we conducted our inquiries without creating new data collection forms. Some other shortcuts from which one can benefit in inquiries of this kind were not as clearly apparent to us at the outset of the studies.

On many occasions, our efforts were expedited because of our familiarity with the local scene. We knew who to turn to when we got in a jam. We imposed on old friend ships to help us acquire data and make-contacts. If, for example, the city had contracted with an organization from outside the city to do these studies, the organization could not have benefited from this familiarity and the long-established contacts we enjoyed. Thus police agencies that can internalize the process do have some distinct advantages over outside groups.

A somewhat similar benefit was that the local nature of the effort enabled us to use local reference points. We could talk about the "State Street problem" or the "Cuban problem" or about specific cases and, in this shorthand fashion, incorporate reference to a complex phenomenon without having to spell it all out--thereby greatly facilitating communication.

Preparation of our reports was also facilitated because of the limited local audience we were addressing. We occasionally caught ourselves, despite our best efforts, writing for a broader audience, with the result that we made some sacrifices in our ability to communicate with local practitioners. The report on the repeat sexual offender was more disciplined in this respect. Committing ourselves to a limited audience and holding to this commitment greatly facilitated preparation of the report.

Placing before the public detailed and highly qualified research findings bearing on public issues has always been extraordinarily difficult. Major issues are often debated in simplistic terms. In the study of the repeat sexual offender, we discovered that the use of the five infamous cases to illustrate the pattern of repeat offenses by sexual offenders provided a simple, recognizable, but totally responsible way in which to win community support for the programs that were advocated. This was not by design. But the emergence from our inquiry of these five recognizable cases as reflective of a confirmed problem was a happy coincidence.

The opposite has more often occurred: a single celebrated case, which is most atypical, has been used to justify changes in legislation and administrative policies, often disrupting the delicate balance in the operations of the criminal justice system and producing results of questionable value.   The lesson of - our experience is that trying to identify a series of recognizable cases to illustrate and support one's findings indeed has merit. If used carefully, it can be an effective and responsible device to engage both practitioners and the public in an exploration of issues that might otherwise escape them or be misunderstood. The success with which politicians have used this device to gain support for illogical and sometimes irrational programs is, although disdainful, instructive for those with more carefully thought-through proposals.

THE USE OF VARIOUS DATA SOURCES

It was argued, in support of the overall concept on which this project was based, that police agencies store or have easy access to a vast amount of information; that this information, if properly analyzed, would be useful in shedding new light on the substantive problems with which the police must deal and in assessing the value of their current response. Some of these data sources were briefly identified in the preceding section. In this section, we reflect in greater detail on our efforts to extract and make use of this information-both that information that is accumulated in the record system of the MPD and related agencies and that information that is collected in the minds of MPD personnel.

1. Agency Records

In conducting the OWI and RSO studies, we made use of records that were maintained by the MPD; records that were maintained by outside agencies (e.g., the courts, the Department of Transportation, and the Division of Corrections); and records that were jointly maintained by the MPD and an outside agency. These systems were designed to fulfill a wide range of quite different purposes related to the operations of these agencies, but substantive research was clearly not among them. The challenge, therefore, was in determining how data collected and maintained for so many different purposes could be used to put together a single, valid picture of a substantive problem and of the police response to the problem.

a. Locating Relevant Systems.

That we would be drawing on a number of different overlapping record systems was taken for granted at the outset. What we did not anticipate was the multitude of such systems and subsystems and the difficulty that would be experienced in locating them.

When the-OWI study was completed, we found that we had used data drawn from twenty different record systems:

1. Arrest card file (MPD)
2. Case report and accident file (MPD)
3. Computerized listing of OWI summonses and status of cases (MPD)
4. Fatality file (MPD)
5. Coroner's files
6. BAC logs (MPD)
7. Results of blood tests for BAC (Department of Health lab)
8. Drivers' records (Department of Transportation)
9. Accident records--computerized (DOT)
10. Accident records--originals (DOT)
11. Criminal history records (Crime Information Bureau)
12. Microfiche index (clerk of courts)
13. Dockets (COC)
14. Case files (COC)
15. Summonses (COC)
16. Occupational license file (COC)
17. Booking sheets (jail)
18. Summonses for pending cases (MPD)
19. Case files (district attorney's office)

20. Case files (city attorney's office)

After having identified the most obvious sources of data (e.g., the computerized listing of OWI summonses), we found it necessary to locate and use additional sources most often because data were missing, were recorded too summarily for our purposes, or were not retrievable from a larger system. We also searched out additional sources simply to acquire information on a variable that was nowhere else recorded. Here are some illustrations of how our needs led us to discover new systems:

- To establish the disposition of a case in the court sample, it was sometimes necessary to go from the index maintained by the clerk of courts to the dockets and then to the'case files. If the case files did not include the disposition, we then dug into the files maintained by the district attorney and city attorney.

- To acquire all of the detailed information we desired on fatal accidents, the regular MPD case files proved inadequate. Inquiry then led us to a separate set of more complete files maintained on fatalities by the Hit and Run Unit which, because of its expertise in accident investigations, is called in on all fatalities.

- To locate reports of serious injury accidents caused by intoxicated or drinking drivers would have required searching through thousands of police officer reports among which these accident reports are filed. By obtaining access to a computerized file, maintained by the Department of Transportation, of all accidents, we were able to obtain the file numbers of serious injury accidents which then enabled us to pull the reports on these accidents from the MPD files.

The process of acquiring information on sexual assaults and sexual offenders was similar, but we found ourselves more constrained in fully using some data because of the time and effort that would have been necessary to acquire them. Thus, for example, given the degree to which we concentrated on the recidivism of the offenders, it would have been desirable to learn more about prior offenses by acquiring all of the police reports on these offenses rather than only terse identifications of the crime for which the individual was convicted. But this would often have required requesting copies of reports from the archives of police agencies spread around the country that handled the previous investigations.

Our experience was that no one individual--however expert--was familiar with all of the systems and subsystems we eventually uncovered and used. During the two studies, we developed several methods for locating relevant systems.

- Worked backward from routine summary reports that are produced. The persons who compile the summary reports led us to previously unidentified files of source documents from which the summaries are prepared.

- Traced the flow of paper work (especially multiple copies) from police officers to clerical workers and through the clerical operation. Having traced the registration procedure for parolees, for example, we uncovered a file containing information valuable for our purposes that was virtually unknown to those in the MPD who might also have found it useful in their work.

- Inquired how statutory requirements that certain records be maintained are met.

- Learned from outside agencies about information routinely sent to the police department, and then established what is done with this information upon receipt. It was in this

manner that we established that the MPD had a file of all individuals placed under supervision in Dane County--the existence of which was not known to the police administrators and investigators we had interviewed in the earliest stages of our inquiry.

- Asked employees, particularly the clerical staff, questions about how they would acquire a missing piece of information if it was not recorded where one expected to find it or if a file were missing. Having had to produce such information in the past, staff members were quite resourceful in knowing where to look--and thereby identified sources of data that, for them, were backups to the more familiar readily-at-hand systems with which they worked.

The penchant of bureaucracies to create multiple copies of any form, compounded in recent years by the ready access to photocopying machines and by the extensive use of computers, makes likely a large number of record systems bearing on any substantive problem handled by a police agency. As paper work moves from section to section and from agency to agency, information is added, cases are filed and indexed in different ways, and manual systems are computerized. It is ironic that multiple, overlapping, and sometimes redundant record systems, the natural enemy of efficiency experts, turn out to be a bonanza of sorts for the person conducting substantive research within a police agency.

b. Each System's Limitations.

The potential for methodological errors in making use of agency records for research purposes is obviously enormous, given the various purposes for which such records have been established. On discovering the rich, systematic accumulation of data stored in police department files, one tends to want to make more use of a specific record system than is often warranted. The biggest danger is that the system itself will be allowed to influence the direction of the inquiry, leading researchers away from the question they initially set out to answer.

Because the record systems are for a specific purpose, they are inadequate sampling frames for focusing on certain forms of behavior. Entries are not made into files based on the behavior (such as drinking and driving) involved in an incident, but rather on the basis of actions taken: e.g., the results of BAC tests are listed in a log; arrests are recorded in the arrest file; summonses are listed in the summons file; reports completed by officers are in the files of officers' reports. In other words, there is no single file on drinking-drivers. Thus, if one's interest is in a form of behavior, as would always be the case in problem-oriented research, the researcher will most likely have to turn to a variety of different systems, just as we did in the case of the OWI study, to acquire relevant information. But all of these sources, taken together, may still not be sufficient to provide a complete picture of the behavioral incidents of interest to the study.

- In attempting to gain a complete picture of the police response to the OWI problem, we obtained a list of all persons to whom summonses for OWI had been issued. We also obtained a list of drinking drivers involved in fatal accidents and were able to compile a list of drinking-drivers involved in serious injury accidents from files maintained by the Wisconsin Department of Transportation. We added those fatalities and injury cases that had been classified as hit and runs and were believed to be caused by a drinking-driver. But even these sources did not give us a full picture of all drinking-drivers who had come to police attention. We had established through observation that the police often took action against drinking-drivers without issuing a summons--or by issuing a summons for a lesser offense such as reckless driving or failure to have control of a vehicle. These informal actions and alternative charges are lost to any effort to compile a total picture of police actions relating to drinking-drivers. Because we thought an understanding of such actions-- their form and the frequency with which they are taken--was essential to our study, we

supplemented our hard data with softer interview data from police officers and drinking-drivers in an effort to fill in for these unrecorded aspects of the police response.

- When police investigate an automobile accident, they are expected to record facts about the condition of the drivers, including whether they appear to have been drinking, are impaired, or are under the influence of drugs. These reports are subsequently used by insurance companies to settle claims and by the Wisconsin Department of Transportation to analyze factors that contribute to accidents. At the same time, the police must make a separate decision whether one or more of the drivers should be issued a summons for OWI, and if so, the report is then used to support a prosecution. An officer may conclude, for a variety of appropriate reasons, that while one or more of the drivers may have been drinking, a prosecution is not warranted. .We did in fact find a significant number of accident reports on which officers recorded such a conclusion. Some officers related that they would never indicate that a person had been drinking if they had decided not to issue a summons. They believed that doing so would only increase the likelihood of subsequently being held to account for having acted improperly, for the reports are also used to account to officers' superiors for their actions. It is interesting to note that annual statewide summaries, based on these data, are published without acknowledgment of this fundamental problem. The pressures that lead the police not to record the intoxicated state of the driver led us to warn, in our study, that the summary of reported accidents involving a drinking-driver was probably understated.

- Three separate interests (one outside the MPD and two inside) regularly analyze sexual assaults committed in the community. By limiting themselves to those cases that are given the sexual assault label for purposes of the Uniform Crime Reporting system, they do not incorporate into their analysis the most severe cases of sexual assault that, because they involved more serious offenses as well, were otherwise classified for purposes of crime reporting.

In trying to maintain an appropriate perspective, not limited by existing record systems or available data, the need often arises for information on a variable that is not available in'any existing record system.

- From the beginning of the OWI study, we felt that drivers who drank to excess in public places were perhaps more amenable to control. We thought that if some bars and taverns appeared negligent in not controlling excessive drinking, they could be dealt with through more direct enforcement action. But after examining all of the record systems, we found that officers never recorded information about the location at which drinking-drivers had their last drink. We would have sought to acquire this information by asking officers to fill out a form after each arrest for a period of time, but we were very conscious of the resistance of the rank-and-file to still more paper work. In addition, our observations of the breathalyzer testing sessions indicated that, at the time of arrest, many offenders were not willing to even admit they had been drinking, let alone where they had been drinking. We could have depended on data acquired in other jurisdictions. We chose, instead, to incorporate the question "Where did you have your last drink?" into a survey we conducted of persons attending the Group Dynamics program as part of their sentence for OWI, acknowledging that the group was by no means representative of all drinking-drivers. We also asked police officers with whom we talked their impression of whether certain liquor-serving establishments in the area generated a disproportional number of drinking drivers.

Throughout the two studies, our primary guard against being misled by existing record systems was the familiarity we had, on going into the project, with the inner workings of a police agency and the even greater familiarity we acquired of the factors that influenced the production of records. We also had the benefit, of course, of a somewhat independent status--a benefit that enabled us to be more selective and critical in the use of information from police files than is likely if we had long been a part of the organization producing such files.

The major point emerging from these observations is that the burden is on the researcher to determine the extent to which existing records can be used to build a valid picture of the behavioral problem that is the subject of the research. One is precluded from complaining about the inadequacies of the records to meet the researcher's needs, since the records were not designed to fill these needs. The person making the inquiry must be both careful and creative in making the fullest possible use of available data. The researcher must be familiar with the factors that influence the initial recording of such data and the manner in which they are classified and stored. And, most important, the researcher must have a research plan sufficiently clear to guard against allowing the content and limitations of a record system to redefine the original research objective.

c. Quality of Recorded Data.

In the previous section, we noted our concern about those data that do not find their way into a record system. Here we focus on the quality of the data that are recorded, using officers' reports as they are more commonly known) repeatedly stressed the value of sessions, a pile of case reports (e.g., sexual assaults or homicides by intoxicated use of a vehicle). It affords a unique opportunity to quickly acquire a feel for the similarities among cases; for the range of incredibly varied, complex circumstances (or case reports, as an example. We have reading, in one or two on similar incidents that distinguish cases; and for the difficulties that the police experience in handling such cases. But whether one is using the reports in this fashion or using them as raw data from which to build a data file for statistical analysis, it is especially important--as an extension of the point made in the preceding section-to understand some of the factors that influence the production and content of these reports. Failure to do so can lead a researcher to misinterpret the reports or miss much information that is included in them.

- In a substantial number of case files that we read, important information was implied rather than explicit. Police reports serve simultaneously as internal documents and public documents. Because of this dual character, officers will often present interpretive information regarding a case in an internal "code" rather than by making such interpretations explicit and therefore subject to challenge. The examples of such coded information we encountered most often involved references to locations and persons. Among the police and other criminal justice agencies, various street corners, areas, and business establishments have reputations as places where certain types of troublesome behavior regularly occur. A reference to a particular location can tip off an insider that the reporting officer believes there is more to the case than the "simple facts." Certain locations, for example, are known to the police to be gathering places for street prostitutes, those trafficking in drugs, and fencers. Other locations are known to be meeting places for motorcycle gangs, Cuban immigrants, teenagers, homosexuals, and the deinstitutionalized chronically mentally ill.

- Similarly, among individuals working within the criminal justice system, certain individuals have reputations for certain kinds of behavior. A simple statement, declaring that a victim, a witness, or an alleged offender is the associate, friend, or roommate of one of these well-known individuals carries a meaning well beyond the explicit meaning conveyed by the statement. Such statements can be the single most important entry in a

report. They may explain why, for example, an alleged sexual assault is referred to the unit concerned with prostitution or why an alleged armed robbery is referred to the officers assigned to investigating narcotics. A researcher unfamiliar with the local scene would miss these important messages and might therefore be misled in analyzing and classifying such reports.

- Police reports are prepared with an eye to prosecution and to justifying the police action taken. It is quite natural that officers should want their reports to convince the reader that the actions they took were reasonable and within their legal authority. This can take the form of imposing a rational format on a less than rational event. Discrepancies may exist between what actually happened and what is reported. We cannot estimate the percentage of police reports in which this occurs, but the potential cautions against using information presented in case reports as the exclusive basis for characterizing the behavior with which police must deal or for studying police decision making.

- Periodic shifts in the interests of the police can influence the content of reports. The most clear-cut example of this came to our attention as we were reading case files for the RSO study. Several burglary-sexual assault cases had occurred in a middle-class neighborhood during a period of several months. Investigators and the press had noticed similarities in these cases. The case files of subsequent burglary-sexual assault cases in that geographic area became extensive. Investigating officers were probing for linkages with the other unsolved cases. Similar cases, in other geographic areas and at other time periods, did not generate reports with the same amount and kind of detailed information. In addition, it appeared to us that a number of cases were included among the unsolved sexual assault cases for this time interval that in other time periods would have been classified as burglaries. Without knowing about the special interest of the police, the variations in reporting practices could have appeared to be random.

- The content of case reports may be influenced by an officer's early expectations about disposition. Based on what is known to an officer before the report is written, the officer may conclude that the reported offense will be unfounded, or that the complaint will be dropped by the victim, or that the perpetrator is likely to be apprehended and tried. Differing expectations may lead to very different types of information being included in the report. Some of the differences are fairly obvious and inconsequential for research purposes. For example, in most cases involving a well-known, already apprehended offender charged with incest, there will be little or no effort to obtain a detailed physical description, whereas a substantial effort will be made to record a detailed physical description in cases in which the offender is unknown and un-apprehended. But some differences can be more troublesome to the researcher, as, for example, when reports containing references to a victim's prior psychiatric history, current medications, or previous unsolved assaults reported by the victim also appear to be much abbreviated in their coverage of other matters usually covered in sexual assault cases.

Some of the variations in police reports are clearly attributable to the divergent practices of police officers as data collectors and recorders. But some of these variations result from factors like those illustrated above. We learned, in our studies, to view such variations as simply another source of data. That perspective helped us to obtain a more complete picture of the problems under examination and of the MPD's response to these problems.

d. Special Problems' with Computerized Records.

The computerization of police record systems and of the record systems in related agencies has great significance to an exploration of this kind, in that it raises the possibility that data of value in conducting substantive research, otherwise unavailable, might be easily retrievable. We were, therefore, alert to the uses that could be made of already computerized data and to some of the special problems that such data present.

The project used computerized record systems in three different ways:

1. The MPD, like most police agencies, is in the process of computerizing some of its record systems. We found, however, that most of the information currently on computers is for use in administration, in planning the use of resources, in expediting dispatching, and in indexing records. The only computerized data that had any bearing on our two inquiries was the listing of summonses issued in OWI cases, which was of great value. That existing departmental systems were of such limited use was not surprising, given the absence of'a tradition of concern for "product oriented" research in police agencies.

2. The MPD has immediate, direct access to computer files of criminal histories and persons on probation and parole maintained by the state's Crime Information Bureau (CIB). And it has similar access to computer files of drivers' records maintained by the Wisconsin Department of Transportation (DOT). We made extensive use of all three of these files in our studies.

3. The DOT has computerized its records of all accidents. The department prepared a tape for us containing information on all accidents that occurred in Madison in 1980, from which we subsequently extracted the data we required on serious injury accidents involving drivers who had been drinking.

As a general observation, we found existing computerized records most useful in (a) identifying specific records that we wanted to examine in detail (e.g., drawing a sample of accident cases involving serious injuries in Madison in 1980; drawing a month's sample of cases in which OWI citations were issued); (b) acquiring the past records of offenders; and (c) acquiring data on some specific variables descriptive of people or events (e.g., age, sex, race, time, location) that are well captured by computerized systems.

One of our primary interests in both studies was to acquire information descriptive of incidents--of the behavior that brought a case to police attention. It is theoretically possible that coding schemes could be developed to capture the full complexity and variety of such behavior, but existing computerized systems in police agencies are clearly not designed with this purpose in mind. We, moreover, have serious questions whether the effort would be worthwhile even if technically feasible. A well-prepared police report gives the reader a good sense for the character of the people involved in an incident; for the atmosphere in which it occurred; for the motivations of the actors; and for the intensity of the interactions. These are extremely important factors in understanding the nature of the behavioral problems the police are called on to handle. They are also factors not easily fit into forced coding schemes. Thus, for one of the major needs in developing police research on substantive problems (i.e., that of helping to better define the nature of the problem), it is our judgment that computers will be of limited value.

Given the uses we did make of computerized records, we anticipate that those who do undertake to engage in substantive research in a police agency will find computerized systems increasingly useful as more and more records are placed on computers. For example, a researcher in a jurisdiction in which a PROMIS system has been installed would probably be greatly aided in any project that required, as our

OWI project required, tracking offenders through the criminal justice system. We invested a tremendous amount of time in accomplishing this task manually.

But increased dependence on computerized records requires vigilance regarding the accuracy of such records. The awesome capacity of computers to store, retrieve, and manipulate data induces a sense of confidence in the accuracy of such data that we found can be very misleading. It is ironic that, in the interest of research, we developed a greater concern about the accuracy of data than appears to have been expressed by those who use the same information for operating purposes. It is unfortunate if errors or omissions mislead researchers; it is a much more serious matter if a police officer, relying on inaccurate information, is led into a life-threatening situation; into improperly arresting a citizen; or into allowing a wanted person to go free.

We encountered numerous patterns of errors and omissions in the computer records we used that created problems for us and that have obvious implications for those who utilize these records for operating purposes. A search for the source of these errors and omissions taught us some things about the limitations of computerized records that are relevant to those who might engage in similar inquiries. For example:

- The DOT's computerized file of drivers' records lists, along with convictions, suspensions, and revocations, the accidents in which the driver is involved. We were obviously interested in the accident record of drivers with convictions for OWI. The DOT also maintains a separate computerized file of accidents. We used this file to identify drinking - drivers involved in serious injury accidents. When we checked the drivers' file on these drivers to obtain their complete driving record, we found that, in over 20 percent of these cases, the serious injury accident that brought the driver into our sample was not recorded or was miscoded as a property damage accident. Although both systems are maintained by the same department, they are obviously designed to serve two quite different purposes. Information in one system is not cross checked with the other system. The drivers' record system, which we found to be very accurate with respect to arrests, convictions, suspensions, and revocations, was very inaccurate with respect to accident involvement. A researcher (or a police officer) not attuned to the bureaucratic division of labor could erroneously assume that the information on accidents in the computerized drivers' records files was accurate and complete.

- The MPD's computerized file of OWI summonses listed a large number of the cases as still pending after a year or more. This initially led us to believe that there was .a substantial problem of delay in the courts and that this, in itself, would be of the utmost significance in evaluating the community's response to the OWI problem. But our manual search of court records and our check of offenders' records through the DOT's computerized files indicated that the vast majority of these cases had indeed been resolved. The problem--a common one in criminal justice information systems--was that vital information on the disposition of cases was not being fed back to the agency maintaining the record systems.

Having discovered these errors and omissions through our use of the computerized records for research purposes, we alerted the person most directly responsible for the operation of each system to the problems we encountered. A follow-up by a Division of Corrections administrator to our discovery of omissions in the CIB's computerized file of persons on probation and parole led to a realization that persons released from the forensic unit of the state's mental institution were not being entered into the system. This was immediately corrected. Thus a substantive research effort that uses existing record systems for a quite different purpose, but that requires accuracy and completeness, has the small but

significant side benefit of serving as an audit of sorts on systems that apparently are not otherwise tested in this manner.

2. Interview Data

From the very beginning of this project, we recognized that much important data on the substantive problems we would be studying would not be in books, in reports, or on computer tapes, but rather in the minds of those who deal most directly with these problems. We therefore devoted considerable time to interviewing a large number of individuals both within and outside the MPD. We also, somewhat less formally, interviewed the police officers whose activities we observed. Our comments here will focus almost entirely on the interviews conducted within the MPD. In the final subsection, we will comment briefly regarding the data collected through interviews of individuals outside the police department.

Our reason for concentrating on the interviews with police personnel is twofold. Given the objectives of the project in experimenting with various forms of inquiry within a police agency, we were interested in learning about the value of interviews as a way of tapping the vast amount of knowledge that police officers accumulate over the years in dealing with specific community problems. Beyond this, however, we were especially interested in learning if the interviews-and related observation-- would be useful in advancing our understanding of the nature of "police expertise" as that term has been used in the literature on the police in recent years. Specifically, to what extent is the articulation of police expertise helpful in the development of the problem-oriented approach to improving police service--in the definition of substantive problems and in fashioning new and more effective responses for dealing with them?

a. Accuracy.

In the early stages of each inquiry, long periods of time were spent interviewing officers especially knowledgeable regarding either OWI or RSO. These officers had handled hundreds of the type of cases in which we were interested. They illustrated the points they made by citing examples drawn from their firsthand experience, sometimes at a dizzying pace. They carefully distinguished between cases, identifying the endless combinations of factors that make one case different from the next. We came away from these interviews with enormous respect for the knowledge these officers had acquired and felt much advanced in our understanding of each problem.

Subsequent knowledge acquired in each of the two inquiries, from collections of hard data and from interviewing others inside and outside the MPD, afforded-us an opportunity to check on the accuracy of the information we had obtained. From this process, we reached some general conclusions about the validity of interview data obtained from the police:

The police sources proved to be most valuable and accurate in

- identifying the range and complexity of each problem;

- identifying the range of police responses.

They were of limited value and less accurate when pressed for specifics in

- providing more detailed information regarding each problem (e.g., Who drinks and drives? Who dies [driver, passenger, innocent victim) in alcohol-related accidents? What percentage of sexual assaults are committed by convicted sex offenders?);

- estimating the frequency with which different responses are used (e.g., warning rather than arresting a driver whose BAC is estimated to be below .13).

They were least accurate in

- describing the details of operating procedures and in pinpointing the source of what is often assumed to be established policy;

- describing the outcome of their efforts.

The level of misunderstanding about the outcome of police efforts was somewhat surprising. Among the perceptions common, in varying degrees, among police officers is the belief that

- arrestees refuse to take the breathalyzer test and are therefore not being convicted [most take the test; those who refuse nevertheless usually enter a plea of guilty];

- most of the persons charged with OWI avoid conviction by entering a plea to a reduced charge [charges are rarely reduced, and then only when the BAC is very low];

- many OWI cases go to trial, requiring that police officers spend a large amount of time in court [none of the cases in our March 1980 sample went to trial];

- all intoxicated drivers who become involved in accidents are charged with an offense [discretion appears to be common in accident cases]; and

- all persons, including first offenders, convicted of OWI are automatically revoked [first offenders are revoked only if they do not complete the Group Dynamics course, which most complete].

As it turned out, it was relatively easy to check out police impressions regarding the outcome in OWI cases. More precise data were available to meet the needs of the inquiry. But the misunderstandings have far-reaching implications for police operations. As we indicate in the OWI report, we believe misunderstandings strongly influence individual police officers in deciding how much time to devote to drinking-drivers and whether to make an arrest.

In the study of RSO, misinformation and lack of awareness related more to procedures than outcomes. Investigators handling sexual assault investigations were to varying degrees unfamiliar with departmental files of ex-offenders, the registration of ex-offenders, and the existence of the computerized file that enables officers to determine if a person is currently on probation or parole. Here, too, the cost to the research effort was limited, in that we quickly discovered these data sources through our interviews with individuals inside and outside the MPD and through the record-tracking procedures described earlier. The cost of such information gaps in terms of past effectiveness of police operations is probably substantial.

Although it would obviously be misleading to depend on interview data without independent verification, we feel it is important to observe that the collection of hard data, without benefit of interviews, could be even more misleading. What we learned from the interviews enabled us to chart the full dimensions of each problem to recognize the subtleties and complexities that characterize individual cases; and to acknowledge the difficulties that arise when one tries to deal with the

problem without an adequate number of suitable responses. It also enabled us to be much more selective in deciding which hard data to collect and to be much more discriminating in their use.

b. Obstacles to Obtaining Interview Data at the Problem Level.

As we pressed officers to be reflective about the problems they handle and the way in which they handle them, we realized, more clearly than before we began our inquiries, that we were asking them to think about their work from a radically different perspective--one that was totally foreign to them. This problem surfaced in several ways.

- Police agencies traditionally place little, if any, value on officers--especially at the operating level-putting their thoughts together on the handling of similar incidents, such as OWI and RSO cases. Officers we interviewed frequently volunteered that they had never been asked similar questions about their work. They enjoyed the novelty of the experience, but sometimes admitted to some awkwardness in trying to answer our queries.

- Even officers with special knowledge about a problem such as OWI or RSO may be influenced in their understanding by the nature of their specialized assignment. For example, the officer who is most skilled in the operation of the breathalyzer was obviously influenced in his perception of what was happening to OWI cases as they went through the courts by the fact that he was frequently required to testify in the relatively small percentage of cases that were borderline and were therefore contested.

- Celebrated, atypical cases are often used as a basis for reflections and generalizations regarding a larger problem area. In the OWI study, officers repeatedly generalized about the nature of drinking driver fatality cases on the basis of two cases in which totally innocent victims had been killed. Our inquiries indicated that cases involving innocent victims were rather rare (about 6 percent of the drinking-driver fatalities in a six-year period) and were not very good examples to use in characterizing the larger problem.

Given these obstacles, we were confronted early with the challenge of how to get officers to reflect on their jobs in ways to which they were not accustomed. One key to successfully tapping police knowledge, we discovered, was in understanding that police, for the most part, store information on the basis of incidents. Although police officers may be uncomfortable with a question such as, "How would you characterize the repeat sex offender problem in Madison?", they will be quite comfortable in telling the interviewer about case A, in what respects case A is like case B, and how case C differs from the first two. We settled, therefore, on a form of indirect questioning that engaged officers regarding the incidents they were accustomed to handle.

Building on this approach, we found it helpful for the interviewer to be familiar in advance with some of the cases an officer had investigated. If the interviewer knew the details of a case, an officer was more inclined to discuss it. Discussion of one case would almost inevitably lead to discussion of another. In this manner, and with appropriate questioning, we found that officers were gradually more willing to talk at a higher level of abstraction--about types of cases rather than about specific cases. The insights we thus acquired contributed significantly to our total inquiry.

It is perhaps inherent in the omnipotent character of policing that police officers, when questioned about their work, are reluctant to say "I don't know." This is especially true at the higher levels of the organization. By encouraging respondents to provide us first with a description of their experience in dealing with a particular problem, we sought to avoid placing officers in a situation in which they felt

that they were expected to know the answers to all of our questions. This usually enabled us to ask our questions in ways that related to the officer's frame of reference regarding the problem.

As the two inquiries progressed, we were able to use information from other sources to sharpen the focus of subsequent interviews. For example, rather than ask officers about levels of enforcement, we were able to report to officers on what the data said regarding the average arrest activity of each officer. We would then use the interview to seek the help of officers in explaining the tremendous variations between officers. Using the results of our mini studies in this manner worked well. It served as a way to convince those we were interviewing of the seriousness of our endeavor and that we had already penetrated beyond surface descriptions of practices and the explanations for them. This produced, we thought, a greater level of candor toward the end of each inquiry. It made officers think more carefully about their answers, and it made us much better questioners and listeners.

c. Police Expertise--What Is It?

Since the 1960s, when the first serious inquiries were made into the nature of police functioning, the term "police expertise" has been widely used, but without specific meaning. It grew out of the realization that so much of policing was amorphous; that little guidance was provided to the officer on the beat; that even if guidance was provided, the endless variety of unpredictable situations the officer was expected to handle required a tremendous amount of improvisation; and that the results of this shapeless process were nevertheless often quite satisfactory. It was speculated that this satisfactory resolution was often the result of a body of expertise that officers at the street level develop, but rarely articulate.

As originally used, "police expertise" was sometimes equated to "street sense"--that knowledge or skill that police officers acquire through the years that enables them, on confronting a situation, to make judgments that will be different from those made by laypeople. It was said, for example, that police officers become adept, based on their expertise, in determining what is or is not suspicious. Over the years, however, police expertise has come to be viewed more broadly as descriptive of a larger body of unique knowledge that police officers acquire because of their proximity to the problems with which they deal and because of the frequency with which they deal with them. It was this broader concept of police expertise that we were interested in exploring in the context of this project. We were intent on learning, in particular, whether police officers have untapped knowledge and insights regarding problems such as OWI and RSO. And we were especially interested in learning more about their response to these problems: the informal alternatives they use, the criteria they employ in choosing from among these alternatives, and their sense of the relative effectiveness of these techniques.

Among the questions we constantly bore in mind were: Is there such a thing as police expertise? How valuable is it? Can it be articulated? And, most important, can it be independently verified?

The body of police expertise we came closest to identifying is the knowledge and skill police officers display in identifying intoxicated drivers and in determining what to do about them. We found that police officers, unlike laypersons, have an ability to spot the less-than obvious drinking-drivers among all others using the streets and highways. And they pride themselves on stopping only those individuals who will test .13 or higher on the breathalyzer. If asked to articulate their criteria, officers often refer to the special sense that they develop over the years about the relationship of certain driving behavior to alcohol involvement. But they found it difficult to be more specific. Several referred us to the officer with the reputation for making the greatest number of OWI arrests, observing that he had an uncanny ability to spot drinking-drivers on the most subtle clues. Because the quality of the judgment that an officer makes in stopping an individual for OWI is so basic in determining the quality (both effectiveness and fairness) of the overall response to the problem, we

pursued this matter in the literature. To our delight, we discovered that the Rational Highway Traffic Safety Administration had commissioned a study in which trained observers accompanying police officers on patrol recorded 643 instances of driver behavior and vehicle actions that deviated from the norm. The drivers were tested and the results were correlated with the different behavior and actions, resulting in the production of a list of cues with an indication alongside each cue of the probability that a police officer observing the cue will find that the driver has a BAC equal to or greater than .10. The listing was tested by officers in 4,600 patrol stops in several cities before it was, with several minor refinements, published.

With appropriate cautions, we recommended adoption of the guide in Madison. Use of the numerical probabilities gives it a more "scientific" aura than we believe is needed or desirable. But in concept, it reflects a noble effort to articulate and validate so-called police expertise and is far superior to continuing a situation in which this important decision-making point in dealing with drinking-drivers is left to the discretion of officers without any guidance other than that conveyed by the general statutory authority to stop and question individuals suspected of committing an offense.

We sense from our inquiries that similar bodies of expertise, less amenable to measurement and quantification, guide officers, for example, in deciding what to do once an OWI driver is stopped; in relating to the victims of sexual offenses; and in sifting out suspects in the investigation of sexual crimes. Police officers were very straightforward in identifying the full range of actions that they might take (both legal and of questionable legality, using present standards). They pride themselves, and properly so, on having used a response that reflected an especially good "fit" for a given incident. But police officers were not as helpful in identifying the criteria they use in choosing from among these alternative forms of action. To pursue this, one would have to engage in a much more detailed study in which a large number of cases were observed carefully. And validating the criteria would require prior clarification of goals and follow-up to determine if the goals were achieved. The only effort of this kind with which we are familiar is the current study of alternative responses to domestic violence in Minneapolis, being conducted by the Police Foundation in collaboration with the Minneapolis Police Department.

d. Interviews outside the Police Department.

With a commitment to examining the police response to OWI and RSO in the larger context of the community's response to each of these problems, many individuals outside the MPD were interviewed. [See section D-1.] As we reflect on our experience in conducting these interviews, several significant points emerge.

Individuals in related agencies, dealing with the same problems, repeatedly revealed that they are poorly informed regarding both the nature of the problem as the police must deal with it and the nature of the police response. It became clear that the police, as the front line agency, have a much fuller exposure to all aspects of a problem than do any of the other individuals who, by virtue of their special responsibility, see but a portion of the problem. Prosecutors and judges, for example, tended to view the entire drinking-driver problem as consisting of the cases that came before them. They seemed somewhat baffled when we sought to engage them in a consideration of some of the difficult issues that arise at the police level in deciding which cases should be brought into the criminal justice system and how to deal with those that are not prosecuted. Some naively believed that these issues would disappear if the police more aggressively applied legal standards to observed conduct.

The same observation can be made about interviews conducted with such varied interests as those engaged in treatment programs, in the registration of drivers, in driver education, and in the insurance industry. Operating from a somewhat independent status, we were able to place before these

individuals the larger problem with which the police struggle, even though this frequently challenged their perceptions of the problem and the value of their efforts. We are uncertain that individuals identified with the police department could have been as forceful in eliciting information that might be interpreted as making the respondents seem naive or as making the efforts of the respondent's agency appear to be of questionable value.

This surfaces a closely related point. The outside sources we contacted obviously have certain vested interests in their response to the problem which influenced their interviews with us. Whatever commitment an insurance company might have to preventing drinking and driving is mitigated somewhat by awareness that the drinking-driving problem is one of the major factors supporting the need for automobile insurance. The statutory requirement that certain drinking-drivers be assessed and that others, upon conviction, be routed into alcohol and drug treatment programs has greatly increased the resources available to such programs. In general, we were struck by the candor with which individuals we interviewed discussed the conflict between their self-interests and the development of an integrated, coherent community response to the problem under examination. Elected officials (prosecutors and judges) were very sensitive to how their comments might reflect on them and the manner in which they are discharging the responsibilities of their office. Again we were thankful for the independence associated with university affiliation, for it allowed us to obtain honest answers to questions that it would have been difficult or impossible to ask had we been employed by the MPD.

We were struck by the reaction of police personnel to the ease with which we arranged to interview judges, prosecutors, defense counsel, and psychiatrists. In formally, police will frequently refer to persons in these occupations in derogatory terms and as naive in their understanding of the behavioral problems with which the police must deal. But in more formal contacts, police tend to be deferential to such individuals. They tend, for example, to attribute to a psychiatrist a. capacity to predict violent behavior that most psychiatrists themselves would deny. The "pecking order" of the several professions involved in handling the OWI and RSO problems, and the adversary nature of the criminal process that puts defense counsel, for example, on the "other side," would admittedly have made inquiry by a person based within a police department more difficult. It is obviously important that an interviewer feel free to press beyond superficial statements, to ask for supporting data, and to check and recheck the credibility of information that is provided. Difficult as this is, however, we nevertheless believe that some of the barriers to candid exchanges are artificial; that police have much freer access to such individuals than the social conditioning of the past leads them to believe.

Adopting a Broad, Fresh Perspective

The original concept of the problem-oriented approach, as set forth in volume I, places heavy emphasis on using a broad, fresh perspective in examining the problems the police must handle, uninhibited by the traditional restrictive manner in which these problems and the police response to them have been viewed in the past. In studying the problems of the drinking-driver and the repeat sexual offender in Madison, we adopted several guidelines in an effort to achieve this more comprehensive perspective.

We committed ourselves (1) to look at each problem broadly as a community problem--not just as a problem of concern to the police; (2) to focus on actual behavior, rather than on only that behavior that is prosecuted and to which a legal label, not necessarily descriptive of the conduct, is applied; (3) to examine the police response to problems rather than to individual incidents; (4) to subdivide problems when forms of behavior, traditionally grouped, are sufficiently distinctive to present different challenges and therefore warrant separate consideration; and (5) throughout the effort, to bear in mind that the ultimate objective in coming to grips with the problem is to attempt to increase the effectiveness of the community and the police in dealing with it. Because these goals are among the most

important distinguishing features of this endeavor, we devote this section to examining our experience in pursuing them.

1. Viewing Each Problem Comprehensively as a Community Problem

The natural tendency within a police agency is to accept the community's definition of what is expected of them and to measure police effectiveness based on this standard. In dealing with drinking-drivers, this leads to a preoccupation with making arrests; and in dealing with known sexual offenders, because the police feel a responsibility to prevent sexual assaults, it leads to a sense of frustration when a new assault is committed by an ex-offender.

Each behavioral problem for which the police have some responsibility obviously has roots and dimensions that go well beyond the province of the police. Rethink ing the police role in dealing with each problem requires seeing this role in a larger context.

The broader perspective that we adopted, viewing each problem as a problem for the entire Madison community, strongly influenced the form of our inquiries. As we noted earlier, in examining the problem of the drinking river, we consulted with physicians, nurses, driver education instructors, driver improvement personnel, prosecutors, judges, alcohol treatment personnel, insurance executives, tavern keepers, liquor licensing authorities, victims, and the survivors of victims. In studying the repeat sexual offender problem, we spent as much time in the Division of Corrections as we did in the Madison Police Department.

The results of these inquiries, in turn, heavily influenced our conclusions and recommendations. Past studies of the drinking-driver, conducted from outside police agencies, have recognized the importance of treatment and educational programs. But when focusing on the role of the police, studies (such as the large-scale ASAP studies conducted under the auspices of the National Highway Safety Administration in the 1970s)   have dwelled almost exclusively on the need for increasing levels of enforcement. We think it significant that our study of the drinking-driver in Madison, conducted from within the police department, did not result in recommendations for increased sanctions, in criticism of the court handling of drinking-driver cases, or in recommendations for increasing the number of arrests of drinking-drivers. The study led instead to recommendations for increasing contacts by the police (not necessarily resulting in arrest) with drinking-drivers; for monitoring drivers with an extensive record of drinking and driving; for improving the investigation of alcohol involvement in traffic accidents; for tightening control over the dispensing of intoxicating beverages in licensed premises; and for greater police involvement in educational preventive programs.

In retrospect, our recognition of the serious limitations on the value of enforcement, prosecution, treat- ment, and education precluded us from simply exhorting the community to invest more heavily in existing programs. Especially acute was the realization that a substantial increase in enforcement would nevertheless be miniscule when related to the total incidence of drinking and driving. We were precluded, too, from criticizing the prosecutor, the judges, the licensing authorities, or the treatment personnel, having established that they, like the police, operate under severe limitations and are performing quite well, given our new-found appreciation for the complexity of their responsibilities. These findings led us to rethink how the police could realize a maximum return on their investment of resources relating to the drinking-driver. This, in turn, led us to the modest, but we believe solidly grounded, realistic proposals for strengthening the Madison Police Department response.

Viewing the repeat sexual offender problem as a problem for the entire community had several important consequences. It led us, for example, to recognize the extent to which the entire

community, in addition to the person who is attacked, is victimized by sexual assault as a result of the fear that is generated. It revealed that other community services (such as those relating to the mentally ill, the developmentally disabled, the poor, and the socially isolated) often have contact with the offender, and sometimes even the victim, because both may suffer from multiple problems. From the outset, it focused attention on the role and responsibility of the Division of Corrections in supervising released offenders. And, as police officers engaged with correctional personnel in struggling with the problem at the end of the project, the broader perspective increased police awareness of the limitations on imprisonment and treatment and of the heavy responsibility that inevitably must be placed on the community to deal with the conditions (lack of housing, lack of employment opportunities, and lack of a supporting social network) that so seriously limit an ex-offender's potential for being successfully reintegrated into the community.

In viewing each problem as a community problem, our initial objective was primarily to ensure a comprehensive understanding of the problem as a basis for evaluating the police response. We found, however, that an important by-product was the effect on the police as they realized that they were not alone in trying to deal with the problem and that their limited capacity was more widely recognized than they previously thought to be the case. The sense of relief that was frequently expressed points to the potential that a more realistic assessment of problems has for creating a healthier atmosphere in a police agency.

The same feelings of having had to "go it alone" were expressed by probation and parole agents as they welcomed the interest of police officers at their first meeting to discuss proposals for a new cooperative relationship in the supervision of sexual offenders in the community. And similarly a group of 71 circuit court judges, presented with the results of our inquiry on the drinking-driver, expressed their appreciation--and relief--on having the opportunity to see how their role relates to the roles of others who seek to have some impact on the drinking-driver problem.

We concluded from this experience that, although instilling a sense of responsibility in the various agencies and individuals who deal with behavioral problems in the community is important, it can be dysfunctional if the agencies or persons are led to conclude that they, in isolation, are exclusively responsible for problems that by their nature are often intractable.

2. Focusing on Actual Behavior

So much dependence is placed on using the criminal justice system to control conduct that these efforts often affect adversely our ability to assess, analyze, and respond to the behavior we seek to control. Police, prosecutors, and judges, consumed as they are in processing criminal charges, frequently fall into the trap of equating the total number of prosecutions of a given offense to the total incidence of the proscribed behavior in the community; of taking statutes too literally, assuming a goal of 100 percent enforcement; and of attaching a significance to the truncated legal labels used in classifying conduct and in recording convictions that experience indicates can be misleading.

As we explained in sections B and C, we endeavored, in the two case studies, to concentrate on actual behavior both in assessing the magnitude of each problem and in the analysis of data on cases and individuals from police files. We believe that, as a consequence, we produced a more accurate picture of the two problems.   In the process, we acquired a fuller appreciation of the distorting effect that use of the criminal justice system has on the ability of the police, prosecutors, and judges to see clearly the total behavioral problems upon which their efforts are intended to impact.

Throughout the OWI study, for example, we encountered repeatedly the simplistic view that the number of arrests for OWI measured the incidence of intoxicated driving in the community. This error is often made throughout the country, as illustrated in an article that appeared on the front page of the Milwaukee Journal on July 15, 1982:

> *"Mandatory jail cuts drunken driving"*
> *Nashville Tenn. -UPI- Authorities say a new state law requiring 48 hours in Jail and a $250.00 fine for a fist drunken-driving offense has had an immediate impact - arrests for driving while intoxicated have dropped by more than one-third.*
>
> *Nashville police said the 37% plunge in DWI occurred during the first week of July as compared with the same time last year. The drop coincided with the first week of the state's new drunken-driving law, called by some the toughest in the United States.*

The dramatic increase in arrests in Madison since 1970 was interpreted by some as an indication that drinking and driving had greatly increased. We were repeatedly urged to use data on those individuals who were arrested to determine the characteristics of those who drink and drive, as if the arrests included all drinking-drivers or even reflected a cross-section of them. Prosecutors and judges seemed taken aback by discussions of the discretion exercised by the police in deciding whom to arrest for OWI, implying that they thought they were seeing all of the drivers the police could charge. In the study of the repeat sexual offender, we frequently encountered impressions about the sexual assault problem that were based on the belief that the reports on sexual assaults filed with the police included all of the sexual assaults that had occurred in the community.

We wish that we had had the resources to conduct a roadside survey of motorists to determine the number of drivers who were legally intoxicated at certain times of the day. The results of such a study would have strengthened our report. But more important, they would have dramatized the need to be mindful of the total volume of such behavior in the community as background for assessing and improving the current response. As a substitute, we used the average results of road surveys conducted elsewhere and decided that, given Madison's makeup, these were probably conservative estimates for Madison.

Our study of the repeat sexual offender suggests that the gap between actual behavior and that reported to the police is likely to be especially troublesome to the police in the next decade. The problem stems primarily from the use of the new statutory term "sexual assault" as the umbrella under which a wide variety of sexual offenses are now grouped. This is intended to upgrade the seriousness of such conduct and to emphasize its assaultive character. But what is viewed as a successful achievement by sponsors of the new statute has caused a headache for the police, since attitudes about reporting such conduct are likely to change over a long period of time. As we noted in our report, some of the more aggravated forms of sexual assault are probably reported close to 100 percent at the present time. But it is our guess that other forms of conduct that now fall under the sexual assault label may be reported at a rate more like 1 in 100 or more. This creates the potential for enormous increases in reporting and the possibility that the slightest percentage increase in certain types of sexual assaults can produce a dramatic rise in the total number of recorded sexual assaults. This, in turn, would have a tremendous influence on the community's perception of the problem, generating a high level of fear. (This potential prompted our suggestion, set forth in section F-d-2, that the police attempt to devise a system to classify sexual assaults, without downgrading the importance of any of them, so that the likely increases in reporting can be more clearly explained.)

It is understandable why police, prosecutors, and judges take so literally the statutory prohibitions that comprise the criminal law. They are required to be precise in their use of them. So they become

concerned about flaws in the law, proposed changes that might upset current practice, and prosecutions that are lost on a technicality. Such intense involvement often blinds them to the larger picture in which the criminal law is used for its symbolic value. From biblical days, formal proscriptions of behavior have been used to assert a community ideal, with no expectation of full or even partial enforcement. The practice continues to this day, as illustrated by our disorderly conduct statutes. It is a way to assert a community value and to provide a basis for prosecution in some cases, but with the full expectation that not all disorderly conduct will be prosecuted.

Recognizing some of the broader objectives of the criminal law enabled us to deal more forthrightly with some of the implications of this purposeful overreach. Thus, for example, we considered it of the utmost importance, in the interest of both fairness and effectiveness, that the discretion necessarily exercised by the police in making OWI arrests be structured through the development of defensible criteria. We found, however, that winning support for this perspective among police officers was difficult since so many of their needs (e.g., to appear neutral and objective) are more easily met by adhering to the view that the criminal law is intended to be applied literally.

In trying to obtain a clear picture of the OWI and RSO problems, we anticipated difficulties due to the overdependence placed on the use of legal labels in classifying conduct and in describing an individual's behavior. These difficulties quickly became apparent, causing us to be constantly on guard regarding the data with which we were working and sending us in search of other records that might more accurately describe actual behavior.

We described earlier, for example, how the listing of fatal and serious-injury accidents caused, in the judgment of the police, by the alcohol involvement of one of the drivers does not include those in which the driver immediately left the scene. Because proving alcohol involvement is so difficult after a lapse in time immediately following the accident, such cases--even though alcohol involvement may be strongly suspected-are handled and officially recorded as "hit and run." They nevertheless constitute a significant portion of the total number of fatal and serious-injury accidents-especially those involving "innocent victims." Likewise, as we noted, the listings of all reported sexual assaults in Madison do not include the most serious cases because they resulted in death, serious bodily injury, and abduction, and they were therefore categorized under these more serious offenses. In both instances, we included these cases in our effort to define more accurately the magnitude and nature of each of the two problems on which we focused.

In attempting to determine if persons charged with OWI or with sexual assault had a previous record of engaging in similar conduct, we had to depend on drivers' records and criminal histories--both of which list formal legal charges. Because of the variables that influence the choice of a charge, one is left to speculate how often "reckless driving" may mask driving while intoxicated and how often "battery" or "trespass" may hide a sexual assault. A Herculean effort is required to look behind each charge (locating the relevant police reports and, ideally, the notes of the prosecutor). And even with material descriptive of the behavior that led to the charge, one might be left guessing as to the reliability of the data, absent a trial. Because of the time required, such checks can be made in only a very limited number of cases.

Police are quite properly restricted in their use of detailed reports that record unverified allegations or support the bringing of criminal charges that are not prosecuted. But in pressing for a better understanding of the actual behavior to which the police must respond and in trying to get a better understanding of the individuals who engage in such behavior, we were not similarly limited. (Any publication reporting on the analysis of such data would not reveal the identity of alleged offenders.) Our reading of the police reports on sexual assaults, with appropriate concern for veracity, enabled us (despite the limitations cited in section C-1-c) to gain insights about the problem and about individual

offenders that we would never have acquired from statistical summaries or criminal history records. We were, moreover, impressed by the importance to effective police operations of reading these reports. Patterns of behavior of specific individuals emerged which, although not prosecutable (perhaps because of an uncooperative victim), strongly suggested that the alleged offender posed a serious threat to the community.

3. Examining the Police Response to Problems Rather Than to Incidents

An incident is the basic unit of police work. Much of the time of a police officer on patrol is devoted to the handling of incidents. And as a consequence, many of the decisions in a police department relating to organization, staffing, and the design of standard operating procedures are geared to dealing with incidents more efficiently.

In our efforts to shift the focus to the handling of specific problems (categories of behavior) rather than incidents, we acquired some new insights into the limiting effects of the incident-orientation; and we learned something about the value of summarizing all that a police agency knows and does regarding a specific behavioral problem.

As we set out to acquire knowledge about the two problems, we found (see section C-2-c) that officers would discuss in great detail their handling of a specific drinking-driver or their handling of a given incident of sexual assault. And we found that officers with special responsibilities, such as for investigating hit-and-run accidents, would have a vast amount of knowledge about their specialty. But no one person in the department had the responsibility to be fully informed on what the department as a whole was doing vis-a-vis the drinking-driver or the repeat sexual offender. An officer was often identified by fellow officers as the "expert" in the area. But, as we noted earlier, such a reputation was usually earned because of an above-average interest in the problem, rather than because of any formal responsibility that might have led to the officer's having possession of a verified body of knowledge about the problem or a commitment to initiate proposals and actions regarding the problem.

Consistent with their focus on incidents, officers generalized broadly from their own experience. They assumed a greater degree of uniformity in the nature of similar incidents and in the handling of incidents than exists. They attributed practices to other officers that we later found were not actually the practices of those officers. And as we noted in section C-2-b, a small number of especially noteworthy incidents affects the perception of the totality of similar incidents. This is understandable, since officers are not under any obligation to develop a comprehensive, balanced perspective of the behavioral problems they must handle.

Although the absence of any person with formally assigned responsibility for the problem of the drinking driver or the repeat sexual offender made studying these problems more difficult than might otherwise have been the case, it, quickly became apparent that this void would be more acutely felt in attempting to implement any recommendations emanating from the studies. Thus, for example, although at the outset there was almost unanimous agreement that the drinking-driver problem should be examined because of its seriousness, we attribute in large measure the slowness with which the department moved to consider the results of the study to the absence of any person who, because of his or her responsibility, could be expected to "carry the ball." Instead the problem continued to compete, along with numerous other problems, for the attention of the collective management of the department without benefit of a spokesperson or advocate.

In sharp contrast, a series of developments at the end of the study of the repeat sexual offender (discussed in section E) led to the designation of a lieutenant to follow through on the study who

quickly became recognized as responsible for the department's efforts to deal with the repeat sexual offender and who provided the driving force within the department to consider and implement needed changes.

Absent a tradition for focusing on behavioral problems, we feel we were reasonably successful in pulling together both a description of each of the two problems and an accurate picture of the police response to them. (See section B-6-a.)

4. Subdividing Problems

Strategies for dealing with behavioral problems rarely apply with equal effectiveness to all of the incidents that together constitute the problem. But how--and at what point--one begins to break apart a problem will vary, given the nature of the problem.

In our study of OWI, we were conscious, from the outset, of a distinction made by the police between those drinking-drivers who came to their attention as a result of an accident and those who came to their attention as a result of driving behavior. In fact, some officers made an arrest for OWI only when an accident occurred. They never made a proactive arrest. It follows that, for the larger goal of assessing and coming to grips with the total problem of the drinking-driver, it was necessary to downplay the distinction--to resist the tendency of some to focus exclusively on those who became involved in accidents.

But as we subsequently examined the handling of accidents in which alcohol involvement was suspected to be a contributing factor, we recognized that these cases did indeed present some challenges that warranted separate consideration. Contrary to the widely held view, we found that as much discretion was exercised in deciding whether to arrest in accident cases as in those in which an officer observed the driving behavior. Competing pressures on an officer at an accident scene (administering first aid, clearing the scene, acquiring witnesses, and recording the details of the accident) seriously restrict the capacity of the officer to pursue alcohol involvement. Tests that might be helpful in establishing the facts cannot be ordered without first acquiring probable cause to arrest for OWI, and the latter determination must be made on the basis of the evidence immediately available. And finally, if there has been a death or serious injury, the officer must, in contemplating a more serious charge, establish the degree to which the intoxicated state of the driver contributed to the accident. These compounding factors led us, therefore, consistent with our original approach, to separate accident cases as a sub-problem. And this, in turn, led us to a separate series of recommendations for improving the police response to accidents in which alcohol involvement is suspected.

Another subdivision of the OWI problem emerged as a result of our analysis of the data on impaired drivers who were involved in accidents that had caused serious injuries. We found that approximately one-third of such drivers in Madison in 1980 had extensive prior records of traffic violations and accidents leading to at least one license action. We concluded that these drivers constituted an especially dangerous subgroup and subsequently suggested that a program be developed for identifying them on a continuing basis and for policing their driving conduct.

In our examination of the RSO problem, the need to subdivide the problem became apparent at the earliest stages of the inquiry. Different types of sexual offenders and offenses require radically different types of police response. One of the factors police must be concerned about is the degree of fear generated by the offense. It appeared from our study that a disproportionately high percentage of the offenders who most contributed to community-wide fear were under supervision for a prior sexual

offense. This led us to attempt to fashion a program of increased collaboration between the police and corrections in the supervision of these individuals in the community. Thus, by subdividing the problem, we were able to develop a strategy more directly responsive to that portion of the repeat sexual offender problem of greatest concern to the community.

5. Maintaining the Focus on Effectiveness

In support of the primary objective of the problem oriented concept, we had vowed, at the outset of the two studies, to keep our eyes on the ball--to seek, in working on a problem, to focus our efforts on improving the capacity of the police and the community to be more effective in dealing with the problem. We wanted to guard against becoming immersed in procedures and programs that achieved some secondary objective, but did not necessarily impact on the problem. Although we believe we were reasonably successful in this regard, achieving the objective was not easy.

The pull toward traditional responses is sometimes overwhelming, even though there may be little if any proof that they work. As previously noted, tremendous efforts have been invested in attempting to achieve, as the ultimate objective in responding to the OWI problem, an increase in the number of arrests and convictions, even though there is no clear evidence that more arrests and convictions reduce either the incidence of drinking and driving or the number of alcohol-caused accidents resulting in serious injuries or deaths. With Madison already arresting and convicting drivers at a relatively high rate, we chose not to place increased emphasis on the use of the criminal justice system. This decision was somewhat radical when viewed against the background of all the work done on the OWI problem throughout the nation. It challenged what has become dogma. But we found that we were much more firmly convinced at the end of the study, than at the outset, of the folly of concentrating public control efforts on a process that, at its best, can reach but a miniscule percentage of the total offender population.

Although the alternative proposals for strengthening the department's response to the drinking-driver problem are, we believe, more likely to be effective, our capacity to sell the proposals has been limited because their value remains to be tested. This did not undercut our own belief that they should be tried, since they are all supplementary to what the department is currently doing; whatever value existing commitments may have would not be lost. But the implementation will require substantial investment of time and resources, and the absence of demonstrated proof of the value of the proposals makes it more difficult to convince members of the department to make the investment.

In contrast, the proposals for police involvement in the supervision of sex offenders on probation or parole, although equally novel and untested, were quickly endorsed by the police. We attribute this to the easily recognizable ways in which the proposals will aid the police in their functioning, whether or not they reduce the incidence of sexual assault; and to the tremendous pressures on the police to "do something" about the repeat sexual offender problem.

There are a few sure-fire methods of stopping drinking-drivers and preventing accidents caused by such drivers. In the proposed program for increasing police interventions, we argued that it is unquestionably effective when the police stop an intoxicated driver and prevent that driver from continuing to drive in his or her intoxicated state. The accomplishment may be very minimal, but if the person is separated from his or her car, the death, injury, or property damage the individual might have caused in the next block or the next mile will have been avoided. We thought it significant, and a reflection on how wedded people are to arrest, that police officers were so resistant to increasing the number of such actions, even though doing so would not reduce the current level of arrests.

In contrast with this type of resistance to novel proposals is what appears to be the magnetic attraction of proposals for legislative change or new administrative procedures--both of which are frequently credited with much greater potential for increasing effectiveness than experience indicates is warranted. We consciously sought, through out the two studies, to avoid placing emphasis on either statutory change or a revision of administrative procedures, and the questions we had about the effectiveness of such changes often influenced our choice of alternatives to current responses. Thus, for example, the temptation existed to advocate legislation creating greater liability for those who dispense intoxicating beverages. On a policy level, we found ourselves agreeing with the dissenting Judges in the most recent case to come before the Wisconsin Supreme Court in which the court was asked to consider the liability, for the subsequent behavior of their customers, of those who sell liquor. The court came within one vote of reversing previous holdings that free owners from such liability. But we have serious doubts if so-called "dram shop" liability will have any impact on the incidence of drinking and driving. So we chose instead to recommend using information acquired from arrested drinking-drivers as a basis for selectively checking licensed premises from which a seemingly disproportionate number of drivers originate their intoxicated trips. With such information, police can initiate their own investigation to establish if intoxicated patrons are being served additional beverages. If they are, adequate basis already exists for taking legal action against the operator of the premises.

The central proposal emanating from our study of the repeat sexual offender called for collaboration between the police and corrections in monitoring a selected group of offenders who, after consultation and careful review of their past record, were judged to warrant such monitoring by the police. The proposal assumed that the relatively small size of the targeted case load and the newly established working relationship between the police and corrections would together make it possible to take full note of the distinctive characteristics of each new case placed under supervision. Pushing for such individualized consideration led us closer, we believe, to being effective in preventing further criminal involvement on the part of the person under supervision.

We acknowledged in the report that achieving this objective would require some administrative changes. We found, however, in implementing the recommendations, that we constantly had to resist the tendency of both the police and corrections to become preoccupied with the administrative changes. And we had to caution against the tendency to design procedural changes that would apply uniformly to all cases. If this tendency was not corrected, the momentum generated would have resulted in further investment in administrative procedures not by themselves guaranteed to increase effectiveness. And the potential for greater effectiveness that might result from more individualized treatment would have been lost.

These reflections on our efforts to focus on effectiveness led us to conclude that the lack of direct concern with effectiveness is not simply a matter of neglect that can be corrected by exhorting the police to alter their objectives and priorities. The tendency of the police to be preoccupied with achieving secondary objectives (and to convert efforts to deal more directly with substantive concerns so that they too take the form of dealing with secondary matters) is deeply ingrained not only in police agencies, but in all bureaucracies. We knew at the outset that it would be difficult to introduce a concern for substantive matters.. We have a better appreciation now for just how extraordinarily difficult it is to carry out this commitment and to maintain it over a period of time. But we also realize--especially as a result of our work on the repeat sexual offender--that it is possible to do so.

Internalizing the Process

In the problem-oriented approach to improving police service, one of the major objectives is to build into the day-to-day operations and administration of a police agency a commitment to systematic

inquiry regarding substantive problems. Such a commitment might take various forms. Ideally, it would include an effort by an agency to conduct its own inquiries. Police departments serving cities of medium and large size might establish specially staffed research units for this purpose. But, since we are fully aware of the difficulty that can be anticipated in developing such a capacity, we can visualize situations in which substantial progress could be realized even though the agency depends on outside help to conduct the actual research. The agency's commitment, where this was done, would be reflected in its initiative in arranging for such studies, in its contribution to the effort, and in its use of the products--especially in the extent to which research results are subsequently used in guiding police officers in their decision-making.

One of the major goals of this experiment was to explore what is involved in attempting to develop these various forms of commitment. Given the lack of experience in conducting actual inquiries, we acknowledged in the proposal for this project that it would be premature to make such explorations by simply asking a police agency to undertake a study of a substantive problem and for us to observe from the sidelines. The police need a great deal of help in getting under way. So, retaining our university base, we chose instead to make the explorations by placing ourselves in the position of researchers working within the agency. The arrangement was very open and relaxed. We did not subject ourselves to all of the constraints that would have prevailed if a department were doing the work on its own, but kept in mind these limitations in, for example, the choice of research methods we employed. The objective was to learn as much as we could from a collaborative effort in which we did most of the work, recognizing that the unique nature of the project would answer some of our questions, but would certainly not constitute a test of the capacity of a police agency to undertake such an effort on its own.

1. Relationship with the MPD

The basic arrangements for the project were outlined in general terms in section A of this volume. We elaborate on some of these arrangements that bear most directly on the questions we address here.

The project benefited in many ways from the long, well-established prior relationship between the researchers and the MPD. We started out with mutual trust and respect. A host of problems, familiar to anyone who has entered a police agency for research purposes, were simply not present. We profited from unusually candid responses to questions, referrals to others who could be helpful, and special arrangements that officers made to facilitate our work. Those in administrative positions who were asked for records or specific pieces of information cooperated fully. All of our communications with officers down to the lowest rank were direct, and personnel did not require that we clear appointments with superiors. We moved about MPD offices freely and enjoyed continued, unquestioned access to all relevant files and personnel.

Our small staff brought to the project an unusual blend of experience and training: extensive knowledge of the nature and intricacies of police functioning; knowledge regarding the substantive problems; familiarity with data sources; prior experience in conducting research within criminal justice agencies; skills in research methods; personal contacts with many individuals in the community whose cooperation and time were required in exploration of the full dimension of each problem; and the resources (e.g., computer center and library) of a large university.

The openness of the MPD and the strengths of the researchers are significant in two respects. They made for an atypical situation, thereby limiting our ability to generalize from this experience. On the more positive side, the unusually favorable conditions afforded us an opportunity to make our explorations in an ideal environment that contained the maximum potential for addressing substantive problems. We knew that we would not be encumbered by petty matters.

2. Degree of Engagement by the MPD

Although we had a limited commitment in this project to internalizing the inquiry process itself, we were, for the reasons set forth earlier, interested in the extent to which the MPD personnel engaged in the process and their reaction to it. Would they find a different perspective on their work helpful? Would it encourage their taking a similar perspective regarding other aspects of their work? If problems were defined more specifically for the department, could members design and implement operational programs to address the problems in a more effective manner? These questions relate to the capacity of a police agency to engage; to understand the process, participate in it, and make-use of whatever results are produced. We think of them as distinct from the question of whether a police agency could itself undertake all aspects of an inquiry.

In our OWI study, the role of the department was almost entirely passive. Several officers came forward, in the data collection stage, to offer us the benefits of their experience and some suggestions. A group of three officers, with the encouragement of their superiors, planned and carried out a special crackdown on drinking drivers during the Christmas party season. They requested and made use of some of our data, but their program was independent of our efforts. The most significant engagement took place in our interviews of officers at the operating level. By the time these were conducted, we had already formulated some tentative proposals regarding new responses to the problem. By eliciting the opinion of these officers to some of these proposals, we felt not only that we had learned a great deal about their feasibility, but that we had, in a small degree, successfully engaged the officers in thinking at the more abstract problem level.

Our first formal effort to engage the department did not take place until the OWI report was in tentative draft form. Arrangements were made for a full-day meeting at which we were to present the results of our findings to the entire command staff of the department and representatives of the department's officers' council as well - a group numbering twenty-two. The novelty of taking an entire day away from operations and devoting it exclusively to looking in some depth at a substantive problem seemed attractive, both to the chief and to us, as a way in which to underscore the importance of the endeavor. We subsequently agreed, however, that the decision to hold the meeting was an error; that it did not succeed in its primary objective, which was to engage police personnel in ways that would lead to serious consideration of the proposals contained in the study. But we learned from the experience.

- Too many people were involved and, of those present, too many had no interest in the topic, with the result that they felt they were being held captive, restrained from carrying out their regular duties.

- The meeting was much too long, even for those who were interested.

- Too much time was consumed by us in presenting data that we thought would be interesting to the officers; not enough time was allowed for discussion.

- The commitment of the administration to the importance of the endeavor, reflected in the initial calling of the meeting, was not followed up in the form of participation by top administrators.

- Individuals who had been willing to discuss frankly the current police response were unwilling to do so in a meeting with various ranks present.

- What participation we did get was very uneven in the contribution it made to advancing the purpose of the meeting (comments ranged from those that reflected a high degree of sophistication in dealing with the problem to those that were simplistic).

Copies of the OWI study were made available to all who attended the meeting, and a department notice announced the availability of the report to all others. Only one member of the department accepted our invitation to comment in writing on the report. Several others responded verbally to our request for feedback. The comments we received were favorable and quite general and often included references to the report as comprehensive and thorough. We reached several conclusions from these reactions:

- The report's length and detail resulted in its being viewed by most officers as awesome and somewhat intimidating although considerable effort was invested in addressing it to police personnel.

- The absence of any one person with specific responsibility for the OWI problem made itself felt. Our audience was diffuse. Those with the greatest interest in the problem have no formal responsibility for it.

- OWI is simply not the high priority problem that some identified it to be.

- Police are uncomfortable and feel somewhat put upon being pressed to concern themselves in depth with a problem, such as OWI, for which they feel others have a more formal responsibility, such as prosecutors, judges, defense counsel, and treatment personnel.

- Although we viewed the study as a collaborative effort and tapped police knowledge and records in some unique ways, most officers viewed the study as conducted by "outsiders." This reflected our failure to involve a greater number in conducting the study.

The chief remains strongly committed to taking steps to deal more effectively with OWI. He has informally expressed his support for the proposals outlined in the report, but understandably wants the detailed reactions of his staff before any decisions are made. He therefore appointed a task force in March 1982 to study the report and to make recommendations to the command staff. The task force, consisting of three officers with special interest in OWI and headed by a lieutenant, began its work in June. It is now meeting weekly. We have offered our assistance to the group and will monitor its efforts.

Based on our experience in the OWI study we sought, at the beginning of the RSO study, to identify much more specifically the individuals and their immediate superiors who had the most direct responsibility for the sexual assault problem. This was a group of six, including the chief. We met with the group at the outset of the study to obtain their help in defining the problem and in determining ways in which it should be explored; had frequent contact with the two lieutenants who directly supervised investigative personnel throughout the data collection phase of the RSO study; and met with the group again to share our early findings and to elicit reactions to tentative proposals for dealing more effectively with the problem. The written memorandum summarizing our study was addressed exclusively to the six-member group.

Thus, although the MPD was not directly involved in the gathering and analysis of data, key members of the department were kept well informed about our progress throughout the study. A meeting was scheduled for March 10 for a discussion of the memorandum. Because of the community-wide concern about the sexual assault problem, we had anticipated that the MPD would move more rapidly in its consideration of the RSO report than it did in its consideration of the OWI

report. Other factors contributed to this judgment, including the more manageable size of the problem and the more easily implemented recommendations. We believe that some of the things we did to increase the likelihood of engaging the MPD also contributed to the positive prospects for implementation:

- the continuing contact we maintained with the small group of individuals with a special responsibility for the problem and

- the brevity of our memorandum, stripped of much-of the supporting material.

But the possibility of getting even the roughest assessment of the effect of these changes was eliminated on March 1 when a ten-year-old girl was abducted, sexually assaulted, and strangled. The alleged perpetrator was among the 81 persons whose record we had reviewed as part of the RSO study. He had been convicted in 1981 of a brutal sexual assault of a woman with whom he had maintained a spousal relationship. The victim was unwilling to participate in a full prosecution of the 1981 case, and the alleged perpetrator was therefore convicted of only fourth degree sexual assault and was placed on probation. While on probation, he allegedly assaulted the ten-year-old girl (a stranger) in the same brutal manner as he had attacked his earlier victim, but this time resulting in the victim's death. For all of the reasons we discussed in our memorandum, this case aroused an extraordinarily high level of fear, anxiety, and frustration in the community. The police, along with the prosecutor, the courts, and the probation and parole agents, were placed under tremendous pressure.

Clearly, those present at the March 10 meeting had gone over the RSO memorandum in detail. They recognized the sexual assaults that generated community-wide fear as a distinct subclass of sexual assaults. They welcomed the documentation of repeat sexual offender involvement in such cases as pinpointing a fact that those present had long assumed to be true, but that was not previously supported by data. The descriptions of weaknesses in the current police response were not contested. The meeting moved immediately to a consideration of what would be involved in implementing the proposals--in making the personnel commitment that was required of the police and in expediting the process for obtaining the approval of the Division of Corrections for those changes that involved the division. By March 19, 1982, contacts between the police chief, the administrator of the Division of Corrections, and the Dane County sheriff (an agency not directly involved up to this time) had progressed to the point that they decided to hold a press conference to announce that they had a tentative program for tighter collaboration in the supervision of repeat sexual offenders on supervision in the community.

At the press conference, the chief used the data from the RSO study to describe the dimensions of the problem and to outline a tentative program for dealing with it. Given the sequence of events, the press conference was clearly reactive to the recent sexual assault murder case. But it was also clear that the MPD had identified such cases as a serious problem prior to the most recent incident and had been working on improving their response. The press conference was also unique in that it presented three agencies within the criminal justice system cooperating to deal more effectively with a problem of community-wide concern. In an effort to maximize police engagement in this aspect of the project, we chose to remain in the background throughout these proceedings.

The rapid sequence of developments afforded us the opportunity to experience both the benefits and the problems produced when an incident in the community suddenly makes the results of an inquiry into a substantive problem a matter of great interest and creates a receptive atmosphere for implementing appropriate changes in the police response. The benefits are obvious. The most difficult problem was to restrain top officials from going too far in committing themselves to a program to which personnel at

the operating level had not yet had an opportunity to react; and to ensure that top personnel were sufficiently familiar with the detailed findings to enable them to discuss intelligently with the press, public officials, and citizen groups the findings and the proposed program.

At our suggestion, a joint task force of operating level personnel (from the MPD, the sheriff's department, and the Division of Corrections) was appointed to work out the details of the proposed programs and to take steps to implement them. The chief designated the lieutenant in charge of the investigation of crimes against persons as the chair and included in the membership of the group a highly regarded veteran detective who was designated to fill the recommended position of liaison officer between the MPD and the Division of Corrections.

We guided these developments, introduced the police to the representatives of the Division of Corrections, and facilitated the meetings and follow-up that have taken place. The police representatives have taken their responsibility very seriously. They have demonstrated familiarity with all aspects of our study; have used the meetings with corrections personnel to educate themselves further regarding the problem; and are now about as well informed regarding this substantive aspect of their business as they could be. Together the group has already made considerable progress in establishing the kind of personal relationships that will serve as a basis for dealing more effectively with ex-sex offenders under supervision in the community. They are continuing to work methodically on implementing the detailed recommendations in the RSO study, newly aware, we believe, of the complexities of the problem. We have reduced our direct involvement in the effort to a minimum, but with an eye to ensuring that the momentum of the project does not slow down.

3. Factors Inherent in the Nature of Policing that Surfaced with Greater Clarity as Impediments to Self-Inquiry

Our modest efforts to engage police personnel in a concern regarding OWI and RSO enabled us to see more clearly some of the most serious impediments in the working environment of a police agency likely to be encountered in a more ambitious effort to engage police personnel in a concern about substantive matters.

a. Competition for the Attention and Sustained Interest of the Command Staff.

The difficulty of administering a police agency in the 1980s is overwhelming. Those in charge are caught up in a myriad of conflicting pressures brought on by budget cutbacks, union demands, racial tensions, stress among employees, and what appears to be an increasing work load that results in part from cutbacks in the services rendered by other agencies. Moreover, in every police agency, the tendency is for the latest major case or the latest problem (e.g., a wave of house burglaries) to preoccupy administrators.

We found it awkward and at times almost impossible to engage administrators, either individually or as a group, whose immediate agenda was filled with such concerns. It is understandable that an administrator planning a city council budget presentation that evening or making a tough disciplinary decision would have difficulty concentrating on much less immediate research issues. And the same problem was experienced closer to the operating level. During our meetings with detective supervisors, they received emergency calls (the regular calls were held) regarding, for example, a crisis in the presentation of evidence in a critical court case, the failure of detectives to respond to a sexual assault that was reported during the meeting, and the complaint of a father that police had acted improperly in releasing his son who was now enroute from jail to the airport. Admittedly, administrators in a large

jurisdiction would not become involved in such matters, but we suspect these concerns would simply be replaced by the larger emergencies that arise in a larger community.

We developed great understanding and sympathy for officers who endlessly deal with crises. Any one of the numerous interruptions we observed would distract many of our academic associates for much longer periods of time. Individuals must be unusual to be able to shut off concern about the immediate, intrinsically interesting events happening around them. And even if they can do so, they operate in an environment in which priorities are heavily influenced by the priorities of others. If the primary concern on the chief's agenda is the resolution of a dispute with the union, a subordinate's schedule may be interrupted if his or her involvement is required.

One must add to this all of the sub-rosa agenda items that seem to preoccupy officers of all ranks in a police agency. At various times during our studies, department personnel were preoccupied with "hot" internal issues: Will the chief return from his extended leave of absence or resign from the department? Who will be promoted to captain? What will be the new lineup of assignments in the annual transfer of top administrators? We know similar matters preoccupy employees in all organizations, and we have no basis for making comparisons. But we can report that it was our impression that some of these matters were all-consuming at times.

We gave some thought to setting aside periods of time and perhaps a meeting area away from the police department to enable police to more easily engage in a reflective process that is so strikingly different from their daily routine. We believe this would help in several respects, but it does tend to reinforce the notion that systematic analysis of substantive problems is separate from the tasks normally involved in the running of a police agency.

b. Discomfort in Assuming a Proactive Role in Addressing Substantive Problems.

By any objective measure, the police play a central role in efforts to control a problem, such as the drinking driver. Yet our experience confirmed that the police tend to preclude themselves from taking a leadership role in suggesting how best to deal with the problem.

- They depreciate the value of their experience and their insights in dealing with the problem.

- They feel inexperienced in addressing public policy questions, so they fear that their comments may seem uninformed or naive.

- They underestimate the value that the community would place on carefully documented information in their possession and carefully formulated suggestions.

The literature on policing paints a picture of the police as buffeted about by conflicting pressures and as having been relegated--without adequate resources-, authority, and solutions--to handling society's ills and "dirty work." In an extension of this image, some see the police as having been conditioned over the years to carrying out their work in an unquestioning, mindless fashion. Although one might argue about the accuracy of this portrayal, it is consistent with and supported by the repeated evidence we had of the great reluctance of officers to take a leadership role in exploring substantive problems.

None of the officers with whom we were in contact expressed any misgivings about providing university researchers with information and insights about the problems they handled. Their uneasiness became apparent only when they were pressed into investing time and energy in discussions in which the objective was to arrive at some conclusions or some recommendations that would be identified as

those of the police. Although this was not articulated, we felt at times we were being asked, "Why are we the ones to do this--why not the lawyers, the legislators, and the politicians?" Legislators, in particular, are seen as operating in a world apart from the police, hopelessly unaware of the world in which the police must function.

This attitude was manifested often in the OWI study, especially in our meeting with command personnel and in our meetings with individual officers. It was punctuated by cynical comments about defense counsel, prosecutors, judges, and legislators, who are viewed as profiting from the handling of OWI cases or as duplicitous in their actions regarding drinking and driving. We understand fully how the police, over a period of years, develop such attitudes: drivers whom they know were intoxicated are acquitted; defense counsel manipulate the criminal justice system to the advantage of their clients; and prosecutors, judges, and legislators themselves drink and drive and try to avoid prosecution.

In response to the suggestion that the police take a more proactive role in addressing substantive problems, we have heard it said that citizens do not look to the police for guidance in matters of public policy affecting the behavior that the police must control. But our belief that such leadership, responsibly exercised, would be welcomed was confirmed in our experience with the RSO study. The announcement by the chief of police that the MPD had taken the initiative in developing a program for addressing the RSO problem was heralded in editorials in the press and on television. As the Wisconsin State Journal stated in an editorial on March 31, 1982, "Congratulations to law-enforcement officials for their new program to more closely supervise violent sex-offenders on probation and parole in Dane County."

c. Uneasiness in Opening Up Police Practices to Full View.

It is well established that the nature of the police function is such that police are pressed into adopting practices that have an aura of impropriety or illegality about them. The police, for example, improvise their response to many incidents; take various shortcuts; or may not arrest even if there is a basis for arrest. The practice is usually not illegal or even improper, but it may be at odds with the public's expectation of what the police should do.

For reasons set forth in volume I, one of the primary goals in attempting to capture the current police response to the OWI and RSO problems was to identify such practices, to examine them, and possibly even to incorporate them in a reworked plan for dealing with the problems. The latter actually occurred in the OWI study in which the informal procedures MPD officers use as an alternative to arresting drinking-drivers were incorporated into the proposed field contact program.

We found that MPD officers were candid in their description of police practices. They seemed, at times, to welcome the opportunity to share with us accounts of the way in which they used their ingenuity and resourcefulness to achieve common-sense solutions for the endless variety of troublesome situations they confront. By the end of the OWI study, we had accumulated a long list of ways in which the police handle drinking-drivers without arresting them. But we found that the same officers were extremely sensitive to any formal acknowledgment of these practices--as appeared, for example, in our report. Recording such practices was seen as increasing the likelihood of public criticism, as detracting somewhat from the deterrent value associated with a policy of full enforcement, and as unnecessarily exposing limitations on the capacity of the police to deal with the problem.

The best example of the dilemma was in our treatment of the police criteria for making an arrest. Officers repeatedly told us that they did not intend to arrest a driver with a BAC under .13 even though .10 was prima facie evidence that a driver was under the influence. The practice reflects the

policies of both the district attorney and the city attorney that treat cases with a BAC of less than .13 with much greater flexibility than those cases with a BAC of .13 or higher. Moreover, our analysis of a sample of 192 cases in which citations were issued indicated that only 15, or 9 percent, of the drivers had a BAC of less than .13--and this included cases in which there was additional cause for arrest because the driver had been involved in an accident. Yet, despite these findings, several officers took strong exception to the statement in the OWI report that the .13 level had become an informal threshold for a "good" proactive arrest.

This experience left us wondering how one can hold up a mirror-like reflection of police practices to officers without their being overly concerned that others also have the opportunity to look in the mirror. We recognize the risk involved. One answer may lie in the overwhelmingly favorable reaction that candor sometimes produces, but we acknowledge that this is likely to occur only when there is widespread acceptance of the explanation for the police practice (e.g., police can more freely discuss practices regarding marijuana enforcement now that there is more widespread acceptance of the impossibility of full enforcement).

4. The Feasibility of Self-Inquiry

When it was initially proposed that the capacity to conduct systematic inquiry be built into a police agency, we envisaged the development of a new dimension in exist ing planning and research activities that would be concerned with substantive problems. And we assumed that, in departments of sufficient size, such research would be conducted by a small, permanent staff assigned to a separate unit. With the experience of this project behind us, we have tried to make some judgments about the feasibility of a department undertaking such studies on its own. Specifically, we ask: Would needed staff and training be available? And would an internal unit have the independence required to carry out the task?

a. Staffing.

A threshold consideration here is the dollar cost. In today's financial climate, we believe it would be impossible--except perhaps in the largest agencies--to reserve a portion of the personnel budget for such a new endeavor. Even if substantial support exists for the concept, it would require an especially audacious administrator to propose hiring researchers or assigning police officers to a research unit at a time when officers are being laid off and when remaining officers are being pressured to pick up their work load. Such a decision in a small agency would be highly visible. It would subject the administrator to the simplistic charge of sacrificing immediate crime-fighting capacity for the somewhat questionable benefit to be derived from still another group of desk-bound employees.

But we assume that the current financial crisis is not a permanent situation. Resources, demands, and needs will doubtless be reshuffled. The situation in policing several years hence is uncertain. In the larger time frame, changes in policing have always occurred slowly. A proposal with some promise, therefore, ought not to be rejected outright simply because conditions prevailing at the moment are not conducive to its being implemented. Other factors have a greater bearing on its feasibility.

Among these is the need for appropriately trained personnel. We sought, in the OWI and RSO studies, to limit ourselves to basic, inexpensive research techniques, knowing that the average police agency does not have the talent or resources to mount a more sophisticated, ambitious effort. We also wanted to keep our inquiry at a level from which we could generate reports that were understandable to police administrators. We used elementary statistical procedures, small samples, and anecdotal evidence. But we now realize that, in order to limit ourselves in this fashion and still obtain useful,

valid data, we had to depend on a level of technical expertise far beyond the level that is apparent on reading the OWI and RSO reports. For example, our willingness to "live with" small samples is based on a combination of sophisticated, methodological rationales involving the concept of convergent validity and notions regarding the underlying stability of relationships we were trying to capture. Our formulation of proposals was heavily influenced by our extensive knowledge of the operations and limitations of the criminal justice system, the capacity of the police to deal with crime, the dynamics of police organizations, the nature of the police subculture, and the two problems we examined. Thus, to "keep things simple," we continuously fell back on a level of technical expertise and substantive knowledge well beyond that to be found in a police agency. We knew, at the outset of the project, that we brought an unusual blend of experience and knowledge to the effort. What we learned was that we had to depend much more heavily on this experience and knowledge than we had anticipated--not only to get the Job done, but especially because we wanted to do it using rudimentary techniques and because we wanted to be able to communicate the results to police personnel in a clear, uncomplicated manner. Our experience forces us to conclude that a similar effort would be extremely difficult to staff within a police agency. Individuals with strong substantive and methodological backgrounds are not commonly found among police personnel.

Past experience underscores our concern about appropriate staffing. A number of promising programs that have been promoted in policing have never realized the potential held out for them because they have been staffed by individuals who have lacked both the required expertise and a full awareness of the concept upon which the proposed programs have been based. Thus, for example, several hundred police agencies now have police legal advisors, but very few of these agencies have come close to realizing the benefits held out when the concept of the police legal advisor was first promoted.

b. Independence.

Our experience (based outside, but working in close collaboration with, the MPD) raised new questions for us about the importance of the independence we enjoyed. How important was it to the success of our efforts? To what extent would a similar inquiry, conducted totally from within a police agency, be adversely affected by its lack of independence?

Much of our original thinking regarding the desirability of internalizing the inquiry process was influenced by the desire to take full advantage of knowledge about problems and the police response to these problems that we felt was more readily available to "insiders." That we were able to gain full access to such knowledge from outside the department is not, by itself, significant, since our relationship with the department was so unique. We were operating under atypical conditions. More important is our newfound awareness that an insider's perspective about both the nature of the problems that police handle and their response to them is often inaccurate. As we reported in section C, we found that we were constantly challenging police descriptions of their operating procedures and policies and especially of the outcome of their efforts because we so often discovered they were in error. We wonder if it would be possible for an internal research unit to remain sufficiently detached from operating personnel to enable it to conduct probes with enough depth and tenacity to establish the facts. At this point, we doubt that it would be possible for such a unit to do so.

The need to critique the current police response to a substantive problem is at the very core of the problem oriented concept. Although expounding the virtues of critical self-evaluation is easy, engaging in such criticism while continuing to live within the organization is obviously more difficult. A unit with the sole function to carry out such evaluations would be in both a powerful and a precarious position. It would, in this respect, take on many of the characteristics of units devoted to investigating wrongdoing on the part of police officers. Like such units, its personnel would run the risk over time of becoming pariahs--disliked and rejected by others in the organization. The problem would be especially

acute for career police officers assigned to the unit whose self-interest in promotion within the larger organization would place them in conflict with the requirement that they be both objective and critical. However it is staffed, we envisage that an internal unit would have difficulty remaining objective and would have even greater difficulty maintaining a reputation for objectivity.

We identified several other factors that have some bearing on the location of the research effort. The day-to-day functions of a research endeavor have an outward appearance that could make it difficult for an internal unit to operate with the degree of informality and flexibility upon which its success heavily depends. A large amount of the work seems to be clerical, the antithesis of "real" police work. In the working environment of a police agency, interviews and brainstorming sessions may be viewed as wasteful bull sessions. An afternoon spent on library research may be equated to an afternoon off. This is not to say that researchers cannot adjust to some aspects of the more structured environment of a police agency. Some researchers might even produce a higher quality product by doing so. But one ought not to underestimate the adjustments required on both sides.

The risk arises that an adequately staffed internal research unit would be continuously pressed into performing other, unrelated tasks. The members of such a unit would be identified as having skills that are scarce in a police agency (e.g., the ability to write reports and use computers) and knowledge about various aspects of the department (e.g., information systems, procedures, policies). In addition, staff probably would become deeply involved in implementing programs emanating from their work.

In both the OWI and RSO studies, we were able to obtain data that an internal research unit would have had trouble acquiring. For example, we elicited frank responses from offenders, defense counsel, prosecutors, and judges--not only about each of the problems, but about the police response to these problems as well. These individuals would not, in our opinion, have spoken as freely to members of the MPD. Similarly, we were always granted access to records on offenders that we requested from units such as the Division of Corrections, the district attorney's office, and the Department of Transportation, once we assured the responsible officials that the information was to be used for research purposes that offenders would not be identified, and that the information would not be placed in police intelligence files. With similar assurances, a police department employee might be provided equal access, but we suspect it would be more troublesome to work out the arrangements.

Finally, some consideration should be given to the unique role we found ourselves playing as intermediary between some of these outside agencies and the police. The importance of this role became obvious to us in the earliest stages of the RSO study when we realized that the potential for improving the community's response to the RSO problem was so heavily dependent on the relationship between the MPD and the probation and parole agents working in Dane County. Both the police and corrections agents confided in us as a third party. They spoke to us about mutual problems; about how they viewed their respective jobs relating to sexual offenders; and about how they viewed each other's agency. As a consequence, we were able to identify much common ground between the two agencies and numerous opportunities for cooperation that had the potential for increasing the effectiveness of both agencies in dealing with the RSO problem. This proved valuable in researching the problem and developing our recommendations. Since, for the reasons set forth earlier, a commitment was made to implement the recommendations soon after they were presented, we were able to capitalize on the relationships we had established. We proceeded to bring together the two agencies, along with the sheriff's department, in a series of three meetings, which have subsequently led to a whole new set of relationships and substantial progress in implementing the newly recommended programs. We feel that, if the MPD had itself reached out to the Division of Corrections, some of these same gains might have been realized, but we doubt that as much could have been gained in so short a time.

5. Alternatives to Self-Inquiry

None of the above considerations (whether the advantages of an external effort or the anticipated disadvantages of an internal unit) necessarily rule out the possibility of establishing and maintaining a problem-oriented research unit within a police agency capable of producing a quality product. Some of them do obviously constitute formidable obstacles that would have to be overcome. Our initial commitment to the importance of conducting inquiries within a police agency stemmed, in part, from our rejection of the "outside consultant model" which has a reputation, with ample justification, for superficiality and non-engagement. Rather than fall back on that model, we think it important to press hard for development of some forms of self-inquiry and to attempt to devise some inside-outside hybrid models that will support the internal effort.

This leads to the obvious question. Can the needs we have identified be met by a collaborative arrangement between university personnel and a police agency, similar to the arrangement we had with the MPD? A local university is the logical place to look for individuals with some of the qualifications we have described as essential: substantive and methodological expertise, a degree of independence, and familiarity with the local scene. We are cognizant that, over the years, numerous calls have been made for cooperative efforts between police agencies and universities, and a number of such efforts have been undertaken (but mostly with regard to other than substantive problems).

Among the most successful have been the well-known work of Morton Bard in which he, in collaboration with the New York City Police Department, made the first significant explorations of the police role relating to domestic violence [see M. Bard, Training Police as Specialists in Family Crisis Intervention (1970)] and the work of Hans Toch and his colleagues, in collaboration with the Oakland, California, Police Department, in which police officers were engaged in the collection and analysis of data on police-citizen violence and were involved in acting on the results of the research [see H. Toch, J. Grant, and R. Galvin, Agents of Change (1975)]. Toch emerged from his painstaking efforts with great optimism about the feasibility of involving a police agency in a serious research endeavor. He contends, as we have, that fact gathering and evaluation lie at the heart of good police work, but that the process is dependent for its value on the involvement of rank-and file officers who are provided with appropriate technical assistance. He argues his points persuasively. See Toch, Mobilizing Police Expertise, 452 Annals 53 (1980).

Successful as the work of Bard and Toch has been, our overall sense is that, in most collaborative efforts between academics and the police, both parties have usually been disappointed. The disappointment stems partly from expectations that were set too high and partly from having given too little attention to resolving the conflicting expectations of each of the two parties. The police administrator is likely to be interested solely in the contribution the effort makes to solving police department problems and facilitating his work. The academic, on the other hand, is much more likely to be interested in describing some social phenomenon, in thinking through theoretical implications, and in reporting to a national audience. Marriages between a university and a police department tend to start out with the belief either that such differences do not exist or that they can be simultaneously satisfied. We believe not only that expectations differ, but that they are very difficult to satisfy concurrently.

Our own work serves as an example. In both the OWI and the RSO studies, we made every effort to suppress academic needs in order to fulfill the needs of the practitioners. The studies in which we invested most of our time were designed and conducted in ways that limit their "marketability" as academic products. We were able to afford the luxury of conducting them solely with the practitioner's needs in mind because we saw the two studies as part of a much larger effort. Conducting the studies constituted a way to collect data for our larger, continuing study of the need

to address substantive problems within a police agency. Moreover, we were not under any immediate pressures to meet academic needs (i.e., publication requirements, tenure, etc.) and we were convinced that, whatever the academic payoff (as traditionally measured), the potential that the studies had for contributing to the quality of life in the community was overriding. One cannot expect to find an adequate number of academics--like Bard or Toch--with a similar combination of interests, needs, and commitment.

Although this presents a pessimistic outlook of the potential for police-university collaboration in the short run, we hold out the possibility that changes in current attitudes both within the police field and in academia may alter the situation. We have dwelled on the problems in conducting research within a police agency, but the police field as a whole is now much more open to systematic inquiry, relatively speaking, than in the recent past. This growing openness could reduce some of the conflict in needs described above. At the same time, we are more convinced today than when we initiated this project that academics stand to gain from this kind of experience. Having conducted a number of more traditional academic studies, we come away from the OWI and RSO studies feeling much more personally satisfied about what we have learned. And since the opportunity for increased learning is what the academic endeavor is all about, we are inspired to explore ways in which others might similarly benefit. Not only does this require freeing university personnel from some of the limitations under which they traditionally function; more important, it requires a clearer demonstration of how participation in such an experience can be translated into a product that has value in the academic enterprise. (Our present plans are to make this exploration the subject of one of the several monographs we hope to publish in following up on this project.)

General Conclusions

When we set out to write this volume, we considered several different ways in which to organize material that was intended to both report and reflect on the two case studies. No single plan met all of our needs. The organization that we settled on was chosen because it enabled us to highlight our experience in working through the most experimental aspects of the inquiry process: i.e., designing an appropriate form of inquiry; using various data sources; adopting a broad, fresh perspective in researching each problem; and internalizing the process within a police agency. In retrospect, the plan worked well for us.

In this final section, we go beyond what we have done by attempting to draw together some conclusions of a more general nature regarding the value and potential of the exercise. In doing so, we make no pretense of being objective--given the nature of the project. For brevity, the conclusions and supporting observations are presented in outline form.

1. The studies furnished to the police information not previously available to them descriptive of two behavioral problems for which they are responsible. The descriptions were unique in their comprehensiveness, preciseness, and local character. As such, the descriptions provided a solid basis for subsequently evaluating the current police response to the problems and for thinking through ways in which the police might be more effective in dealing with them.

      a. The comprehensive character of the two studies was achieved primarily by having adopted the broad perspective that guided the two inquiries. Viewing each problem as a community problem, for example, resulted in gathering data on the work of numerous other agencies dealing with the two problems explored. Those aspects of the problem of concern to the police were therefore more sharply defined and emerged with greater clarity, while the police acquired a better sense of how their efforts relate to the work of these other agencies. The police learned

in great detail, for example, the consequences of their work in arresting drinking-drivers. Another important guideline that contributed to the comprehensive character of the studies was the commitment to focusing on the total incidence of behavior of concern to the police rather than exclusively on those behavioral incidents processed by the police department. The picture that evolved (e.g., in focusing on all drinking-drivers in the community rather than only on those arrested) provided a much more realistic basis for assessing the capabilities of and limitations on the police.

b. Accuracy in defining each problem was achieved primarily through the extensive data collection effort. Guesses on the costs and incidence of drinking and driving and of repeat attacks by previously convicted sexual offenders were replaced by facts derived from the analysis of available data. Limitations on the data and on the resources available for their collection and analysis prevented us from being as precise as we would have liked to be. But the fullest use of data in the files of the police and related agencies and some small dependence on data acquired in other jurisdictions enabled us to describe both the drinking-driver problem and the repeat sexual assault problem much more precisely. And the cross-checking of data from multiple sources made us highly confident in the validity of these descriptions. In the OWI study, this meant, for example, a more exact accounting of fatalities and serious injuries due to alcohol involvement, a determination of the culpability of the victims in such accidents, a clearer picture of the time at which such accidents occurred, and a detailed analysis of the characteristics of those who were arrested for OWI. Although less precise, it meant too a much more realistic estimate of the total volume of drinking-driving in the community. In the RSO study, the data collection effort drew attention to the relatively small percentage of total sexual offenders who were repeaters, but the extraordinarily high percentage of offenders in serious fear-producing assaults who are under supervision for a prior offense. The study, by analyzing the present case load of probation and parole agents, also ended speculation on the number of different types of offenders under supervision in the community and whether they had migrated into the community.

c. Because the descriptions were local, their value and especially their acceptance to police personnel were much greater. Police, for example, have commonly used the national information that alcohol involvement contributes to approximately fifty percent of all accidents. It was far more effective to have the specific figures available for their community and to cite well-known cases to illustrate various aspects of the problem that are recognizable to those using the data. Moreover, local inquiry produced results that appear to differ significantly from more generalized reports based on multiple studies elsewhere. We sense that the extraordinarily low percentage of victims in accidents involving drinking and driving who were neither the intoxicated driver nor a passenger in the vehicle of an intoxicated driver is a local phenomenon of great significance in understanding the local problem. And in the RSO study, the high percentage of parolees who have relocated in Madison from other communities creates a peculiarly local problem for both the police and correctional agents in this community.

2. The effort to acquire an accurate picture of the manner in which the police currently respond to the two problems yielded excellent results. Although police practices were determined to be quite varied, often informal, and sometimes at odds with the expectations of both administrators and the public, the descriptions that were put together were nevertheless acknowledged--with a few exceptions--to be a fair, accurate portrayal of the current police response.

a. As was true in defining each problem, guesses were replaced with facts as data acquired from various sources were used to piece together a description of what the police do in responding to the OWI and RSO problems. In the OWI study, for example, specific data on individual and departmental arrest rates provided a more realistic picture of the priority presently given to

OWI enforcement. Documentation of informal alternatives to arrest brought these practices into the open for scrutiny and discussion. In the RSO study, description of the uneven, spotty, catch-as-catch-can character of the relationship between police officers and corrections agents made the police acutely aware that adequate attention had not been given to structuring a more comprehensive response to the problem of ex-sexual offenders free in the community, given the frequency with which a subgroup among them commits new offenses. The study revealed that the police lacked knowledge about high-risk parolees in the community; about record systems that would inform them of probationers and parolees under supervision; and about the conditions to which probationers and parolees are required to adhere.

b. Among the current responses identified were some that seemed unusually effective, but that had not received formal endorsement because they were thought to be of questionable legality or propriety. Several of these responses, in modified form, were subsequently included in the proposals for increasing police effectiveness. Although officers felt free to discuss their current responses candidly with us, some had reservations about the desirability of acknowledging them openly in a public forum, which accounts for whatever exceptions officers took to the portrayal of police practices that was presented to them.

c. The in-depth follow-up of what happens to OWI arrests-achieved by tracking a month's sample of cases through the courts--documented numerous ways in which the criminal justice system, despite rigid legal requirements, accommodates itself to the needs of some offenders and to the needs of those (prosecutors, defense counsel, and judges) who operate within the system. Most important, the inquiry raised questions about the ultimate effect of criminal sanctions, licensing sanctions, and coerced driver education programs on the driver who repeatedly drinks and drives. These findings led to skepticism about the value in pressing for further refinements in the system and cautioned against having the police look to the criminal justice system as the primary way in which to combat the drinking-driver problem.

3. Analysis of each problem and of the current police response led to proposals for augmenting current police efforts that differed significantly, in their form and in the priority attached to them, from commonly advocated proposals. The proposals were, in our judgment, more realistic and were also somewhat novel.

a. The OWI study early drew our attention to several basic facts that heavily influenced the proposals that were subsequently developed. We found that the number of drinking-drivers was vastly disproportionate to the capacity of the police, under the best of circumstances, to deal with them; that the MPD was already arresting a relatively large number of persons for OWI; and that the capacity of the criminal justice system to handle more OWI cases and to do so effectively was severely limited. As a consequence, we did not join the present trend, which is to call for more enforcement by the police and for more severe sanctions against OWI offenders. We concluded that the MPD had the greatest potential for improving its effectiveness in dealing with the OWI problem by (1) increasing dramatically the number of contacts with drivers suspected of being intoxicated; (2) improving the ability of the police to determine the extent to which alcohol is a contributing factor in traffic accidents; (3) monitoring those drivers whose behavior poses a continuing and possibly increasing danger to themselves and to the community; (4) increasing control over the dispensing of intoxicating beverages to those who subsequently drive; and (5) intensifying the police role in educating the community regarding the drinking-driver problem. We saw, for example, the contact program as much more directly responsive to a realistic assessment of the magnitude of the problem. And we saw the monitoring program as more directly responsive to the threat posed by drivers who had already been identified as high risks.

b. The RSO study revealed that significant changes had occurred in the nature of probation and parole, in supervisory practices, and in the number and type of offenders under supervision in the Madison community. But little serious thought had been given to the implications of such changes for the police and their responsibility to prevent sexual assaults and to identify those who commit them. As a consequence, in our search for more effective ways for the police to respond to the problem, we paid little attention to the currently popular series of programs for improving the capacity of the police to deal with sexual assault. Instead we moved directly to fashioning a new program that would bring the police and corrections into close collaboration in the supervision of previously convicted, high-risk sexual offenders. The program is novel in that it extends the roles of both the police and the probation and parole agents into areas from which they have previously shied away (the police into supervision and the corrections agents into investigations), but it does so to increase the capacity of each of the agencies to fulfill their traditional responsibilities more effectively and to jointly improve the community's response to the problem.

c. In citing, as a positive result of our form of inquiry, the proposal of some novel responses that appear to have the potential for improving police effectiveness, it is important to note that the benefit is limited to simply identifying such programs. Not having implemented them, there is no evidence that they will indeed produce the results held out for them.

4. The explorations produced some unanticipated side benefits.

a. The police and some of the other agencies with which we worked were stimulated to correct a variety of weaknesses in their operations unrelated to the problems explored. The collection of data for the kind of research in which we were engaged, which required looking into police operations from a somewhat different perspective, led to the identification, for example, of patterns of errors in record keeping, misunderstandings among operating personnel, and lapses in the implementation of administrative procedures and policies. Administrators were alerted to these breakdowns in record keeping. They appreciated having them called to their attention and immediately took corrective action.

b. Basic information, fed back into the police department, enables officers to correct their own perspectives regarding the problems studied. The OWI study, for example, produced hard data on the use of arrest, the rate of conviction, the form of court dispositions, and sentencing practices that challenged many of the assumptions that police officers have made regarding the use of the criminal justice system in dealing with drinking-drivers. The RSO study similarly qualified and gave greater specificity to the claims police have made about the prior criminal record of sexual offenders. Some of this feedback may have immediate implications for police operations. It should affect, for example, police officers who previously did not arrest drinking-drivers primarily because they believed an arrest inevitably led to long court trials, to acquittals, or to acceptance of pleas to a reduced charge.

c. Other agencies in the criminal justice system and in the community-wide network for dealing with the two problems explored were stimulated to reflect on the impact of their efforts. The results of the two case studies were fed back to all of the officials who contributed to them and were also presented at two statewide conferences of judges. The favorable reactions we received from these individuals outside a police department indicated to us that the perspective we had adopted had afforded them some unique insights as well. Although our focus has been on improving police operations, this experience alerted us to the

probability that problem-oriented inquiries hold equal value for those concerned primarily with the operations of the courts, the prosecutor's office, corrections, and related agencies.

d. Asking hard questions as part of a substantive inquiry led to the identification of still other hard questions of great importance in determining the effectiveness and fairness of police operations, but which--to our knowledge--have not been adequately addressed. We believe that factors inherent in the nature of a substantive inquiry (e.g., questioning the basis on which data are compiled) resulted in the questions surfacing as clearly as they did. Here are some of them:

(1) How well equipped are we to assess blame in accidents in which more than one party is intoxicated? In multi-vehicle and vehicle-pedestrian accidents, the probability is high at certain hours that all of the drivers or both the driver[s] and the pedestrian will be intoxicated. Can the responsibility for the accident and the determination of intoxicated driving be adequately separated? The availability of test results may depend on whether one or more of the parties in the accident died, was unconscious, was seriously injured, or refused the test. To what extent does the availability of a test result influence the determination of who caused the accident? Do problems of fairness arise when test results are available or required for some parties, but not others?

(2) Increased reporting of sexual assaults has created the impression that sexual assaults have increased. Reports on the number of such assaults and descriptions in the media of individual assaults may generate fear out of proportion to the actual incidence of sexual assaults in the community. It is hypothesized that citizen fear will be increased if, based on news accounts, citizens visualize themselves as subject to the same type of attack. Our impression, however, after reading police reports, is that the more information conveyed about sexual assaults, the more likely it is that citizens will disassociate themselves from the type of circumstances that led to the sexual assault and will therefore feel less fearful. If one of the primary functions of police is to deal with the level of fear in the community, and if fear is so directly influenced by accounts of reported offenses, what might the police do to limit the "victim constituency" and thereby prevent the amount of fear from becoming disproportionate to the number of incidents that generate fear?

(3) What is the propriety of police engaging in surveillance in those limited cases in which the public interest might be served? The problems posed by the oft-repeating drinking driver and the repeat sexual offender raise this difficult question. Legislatures currently provide little guidance to the police on when they can conduct surveillance. The very term has a negative connotation, suggesting a kind of "big brother" society that many of us view as an anathema under our system of government. But legislatures concluded years ago that, for example, electronic surveillance was justified under very limited and controlled circumstances. Like those acute situations that are deemed to warrant electronic surveillance, other acute situations--involving repeat, hard-to-detect offenders who commit serious offenses-- appear to warrant some less intrusive form of surveillance. Is surveillance justified in such cases? What criteria should be employed in deciding if it is? What forms of surveillance are appropriate? And how should their use be controlled?

5. Whether the police can, in the immediate future, under take similar inquiries entirely on their own is questionable.

a. A variety of factors inherent in the nature of a police organization (e.g., pressures in dealing with an endless series of crises, action orientation, shortage of resources) would make it difficult to sustain an internal effort committed to researching substantive problems.

b. The need for independence (e.g., to challenge police ' expertise, to question current practices, and to gain access to some sources) emerged as a much more important factor in determining the quality of an inquiry than we had assumed it would be.

c. A police agency would find it difficult to employ or to find among its employees individuals with the substantive knowledge and the methodological skills that are required. We set out to conduct our studies using rudimentary methods that would be within the capacity of a police agency, but found that the judgments in using shortcuts themselves required a fairly high level of technical expertise and substantive knowledge.

d. Acknowledging these limitations on the potential for building into a police agency a continuing research capacity should not blind us to the capacity, demonstrated in other studies, of police officers, when provided with appropriate technical assistance, to collect and analyze data and to contribute, based on such analysis, to improving the police response to a given problem. Working to develop this capacity of individual police officers may be the most effective way, in the long run, for a police agency to overcome current difficulties and succeed in making its own inquiries. Such involvement of rank and-file officers would also increase the likelihood that proposed changes in police policies based on research findings would be implemented.

6. Provided with the results of systematic inquiry, police administrators can make effective use of them in the consideration of various proposals for improving their response to substantive problems and in implementation of such proposals. They can also make effective use of research results as a basis for exerting community leadership in support of a new police response, a change in legislation, or a change in the policies of other administrative agencies.

a. The experience with the RSO study demonstrated that police administrators equipped with carefully developed data on a substantive problem and with carefully formulated proposals for more effectively dealing with the problem can command immediate respect for their grasp of the problem and for their proposals. In the RSO study, this propelled the MPD into a position of leadership among other criminal justice agencies and in the community. It led to offers from these agencies and from the community of assistance and support.

b. Evidence that a police agency has examined a problem objectively and comprehensively opens doors for working on the problem that might otherwise be closed. Recognition, in a report generated from within the MPD, of the complexity of the task of the Division of Corrections in supervising sexual offenders contributed, we are sure, to the high level of cooperation that the MPD subsequently received from the division in working on the implementation of the report's recommendations. The MPD was credited with an informed, sophisticated, balanced approach to the problem, free of the simplistic attitudes commonly attributed to the police. The new level of understanding also enabled the agencies to deal with subsequent crises more maturely. Thus, for example, the sheriff, confronting problems created by an overcrowded jail, showed unusual understanding, when he pressed for a reduction in the number of probationers and parolees placed in his custody, for the dilemma faced by the Division of Corrections.

c. Absent a tradition for police assuming a leadership role in addressing behavioral problems in the community, the police, in the immediate future, probably will be motivated to do so only if a crisis arises and they view their playing such a role as responsive to the crisis. We base this conclusion in part on the sharp contrast in the use made by the MPD of the OWI reports and the RSO reports, though we acknowledge that other factors also account for the difference.

7. The two case studies provided a wide range of concrete examples to support earlier claims of the potential value-both to the community and to the police institution--in adopting a problem-oriented approach when working for improvement in policing. Recognizing the difficulties that the studies surfaced in getting police agencies to conduct routinely, on their own, the kinds of inquiries that are so basic to the overall approach, we believe the examples, taken together, provide new incentive to press hard for alternative ways in which to meet the need for systematic inquiry into substantive problems.