Legal conscience and trust to police

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Trust to police

- Police is an important actor which is set to cement modern societies (Parsons, 1937; Foucault, 1975) through
  - legitimized social trust
  - legal enforcement power.
- However, policemen are only humans who may shirk, corrupt, and power abuse.
- If their 'imperfections' are too large, citizens will deny it of trust and participation, cooperation and control.
- This leads to *abstinence trap*: in the absence of control, police is even more likely to behave badly, confirming citizens' worst expectations.

Main arguments

- The *abstinence trap* (ловушка безучастности) is an equilibrium denial of public trust and cooperation with the police, which operates through two main channels:
    - endogenous adverse selection of police officers
    - unwillingness of citizens, esp. the most resourceful ones, to put pressure on the police in demand of high quality services.
- An *ultima causa* behind these motives is also twofold:
    1. poor moral and professional qualities of police officers
    2. reluctance of many citizens to comply with the law themselves (and hence, effective endorsement of lenience of the police).
- Common wisdom that '*toughness of the Russian laws is mitigated by their non-compulsory character*' is mutually endorsed by poor policemen and law-negligent citizens, resulting in weak Rule of Law.

Outline

- Formalization of the above arguments using a very simple game of incomplete information between police officers and citizens with outside option (private security provisions) with two sorts of equilibria:

  good equilibria: citizens report their problems to police, and police officers (PO) handle their requests to their best.

  bad equilibria: citizens abstain from filling their reports, using private means to solve their problems if they can, and leaving much of police activities at its own discretion, at the expense of public service.

- Illustrate predictions by means of a structural empirical model drawn on the results of an all-Moscow survey of police attitudes (1550 Moscovites conducted by Levada center in November-December 2011, using a quoted representative sample of all parts of the city.).

- Discuss extenstions and policy implications.

Real and believed attitudes to police
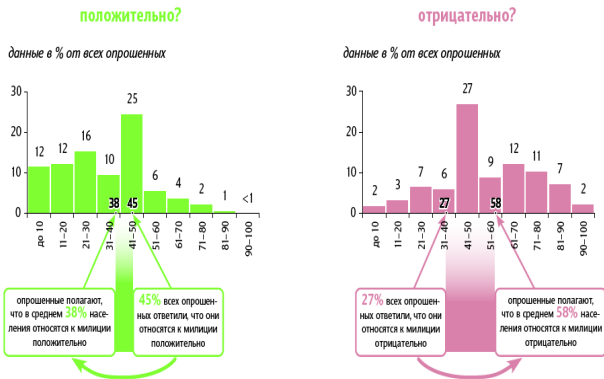
Рис.: FOM data, released 17/03/2011

Judgments about police

	N	mean	med	stdev
a criminal can always bribe the policemen to evade prosecution	1509	3.74	4	0.90
a person guilty of heavy crime must be imprisoned, even if he has been sentenced at the abuse of the law	1473	3.56	4	1.08
policemen ought to be judged by the discovery of crimes, even if they do that at the abuse of the law	1465	3.16	3	1.07
police equally treats people of different races and nationalities	1495	2.33	2	0.98
it is legitimate to make use of acquantances in the police to solve one's personal problems	1484	3.12	3	1.14
a person who is not guilty should not be afraid of police	1510	3.08	3	1.00

Таблица: ICSID 2011 survey, scale 1 (disagree) to 5 (agree)

Legal conscience

many people fail to comply with the law if they	N	mean	p50	sd
disagree with the legal norm	1482	3.19	3	0.96
observe other people not complying with the law	1509	3.51	4	0.95
perceive the probability of punishment as low	1512	3.72	4	0.90
find it highly beneficial for themselves	1498	3.91	4	0.86

many people	N	mean	med	stdev
believe that violation of the law, as a rule, cannot be justified	1475	3.33	3	0.91
comply with the law even if they disagree with it	1475	3.58	4	0.87

is breach of law justifiable?	$N = 1410$	%
No, never	430	30
Sometimes, if it is in the social interest and/or helps other people	897	64
Yes, inasmuch as it contradicts one's interests	83	6

Таблица: ICSID 2011 survey, scale 1 (disagree) to 5 (agree)

Reporting to police ($N = 1550$)

victims of crime 117 (7.5%) have been victims at least once over the last year, of whom

- 111 have called at the police, and 63 (54% of those who complained) have filed an official police report
- 11 were tried to file the report, but it has not been registered
- 43 respondents (68% of reporting) said that something has been done following their report, of whom
- of whom 35 (81%) did not report dissatisfaction (i.e. were either completely or partially satisfied, or were neither satisfied nor dissatisfied).

withnesses of crime 159 (10%) have ever withnessed at least one crime (according to their judgment) over the last year, of which

- only 39 (25%) reported this to the police.
- of whom 26 people (66%) reported something has been done, and
- 19 of them (73%) were fully or partially satisfied with the reaction.
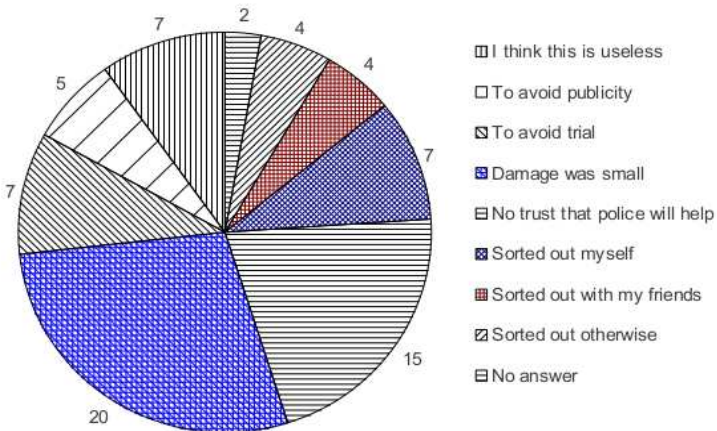
Why not reporting to the police?

Рис.: Distribution of reasons for not calling at the police

Setup

A citizen with wealth w faces a legal damage x (burglary, street offence, robbery etc.) which may be fully or partly offset by the intervention of the police. Citizens can be of two types:

allegiant: share μ, who report to the police and enforce its action by all means as requried by the Law

sceptical: share $1 - \mu$, who fill the report only if they believe police will help.

Police officers can be of two types:

honest: share λ, who always protect legal interests of the citizens to their best

infirm: share $1 - \lambda$, who do so only if private benefits exceed private costs, given the structure of incentives.

Types of players are common knowledge, but types of particular agents is unknown (incomplete information).

Payoffs

Allegiant citizens always report. Sceptical citizens either

- Fill the complaint (strategy ν), restoring their wealth to w if they face a honest policemen, or face Rejection, in which case their terminal wealth is $w - c < w$
- Abstain from filling the complaint, incurring private recovery costs (private detectives, guards etc.) with terminal wealth $w - s$.

Honest POs always Take the complaints, at private normalized cost of 1 and net benefits $r < 1$ (short of lump-sum salary and bonuses). Infirm POs filter the complaints in terms of their solvability, and either

- Take them, resulting in larger personal reward of $R > r$, and lower utility $w - b$ to citizens, or
- Reject them, in which case they face penalty $z > 0$, but only if the citizen is allegiant, and pledges to the PO's bosses

Game tree
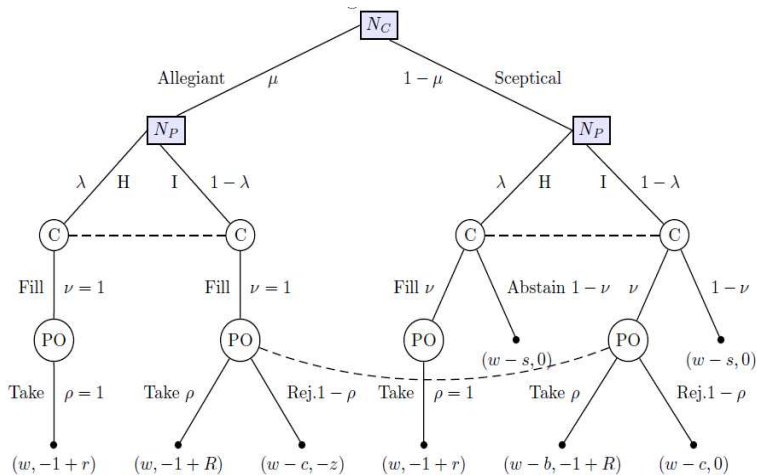
Equilibria for

For sceptical citizens and infirm officers, we have:

Good equilibria: If $\mu > \frac{1-R}{z}$, then $\lambda > \frac{b-s}{b}$ implies there is an
equilibrium with $\nu = 1$ and $\rho = 1$: sceptical citizens always
report, and infirm police officers take complaints. This is
the first-best, typical of modern developed countries.

Bad equilibria: If $\mu < \frac{1-R}{z}$, $\lambda < \frac{c-s}{c}$, then $\nu = 0$ and $\rho = 0$ with

- $c > s$: sceptical citizens never report, using private
  means to solve their problems if they can, and infirm
  police officers would reject their complaints. This is
  valid for normal and resourceful people; poor people
  have no private solutions.
- $c < s$: dominant strategy equilibrium, in which all
  sceptical citizens try to use private solutions,
  regardless of the share λ of good officers. Then
  citizens and police live in separate worlds, pretty
  much like in Russia (!).

Some implications

- Abstinence starts from the most resourcesul people, which decreases the likelihood that bad practices will be driven out of the police offices

- The greater are gains from private solutions (lower s), the more likely it is that resourceful people will prefer not to deal with the police at all $\Rightarrow$ good private security system harms police quality and welfare of the general public

- Social structure matters for the chances for moving from bad to good equilibiria: the more *resourceful* people are also *allegiant*, the greater is the likelihood of good equilibrium.

- Bribery is not necessary to obtain these results, but it aggravates the problem, and makes it more likely that society gets stacked in bad equilibria.
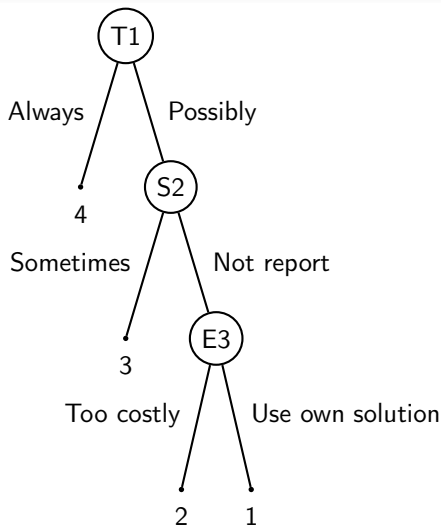
Why not reporting to the police?

Рис.: Decision tree

Empirical strategy

Identify levels of people reasoning from the survey questionnaire:
once you face a problem, you decide whether to are allegiant and
always report (node 4), or sceptical, in which case you may
sometimes report to the police (node 3), and sometimes not, eigher
because this is too costly (node 2), or because they prefer to seek
their own solution (node 1).
We evaluate the factors determining these decisions using nested
logit model for the choice of each of the 4 nodes:

$$\Pr(\delta_i = j | X) = \frac{\exp(u_{ij}/\lambda_k) \cdot \left(\sum_{j' \in B_k} \exp(u_{ij'}/\lambda_k) \right)^{\lambda_k - 1}}{\sum_{k'=1}^{K} \left(\sum_{j' \in B_{k'}} \exp(u_{ij'}/\lambda_{k'}) \right)^{\lambda_{k'}}}$$

Distribution of data

reporting \ att.law	Never breach	Possible in social inter.	Possible in own interests
none, some damage	3	17	2
none, small damage	2	17	0
reporting	18	51	3

Таблица: Construction of dependent variable

Node 4 are allegiant,
Node 3 are sceptical but report,
Node 2 are non-reporters for cost reasons, and
Node 1 are non-reporters because of other means to solve the
problem.

Estimation results : nlogit

Variable	Coefficient	(Std. Err.)
Equation 1 : allegiant		
const	0.234	(0.186)
Equation 1 : sceptical		
agrcrimeprisnolaw	0.259	(0.248)
Equation 2 : No report, cost		
agrcithelp	-8.550	(4.327)
Equation 2 : No report, small damage		
agrcithelp	-3.086	(1.602)
Equation 3 : constants		
Intercept	0.169	(0.352)
Intercept	-37.178	(21.342)
Intercept	-34.164	(21.136)
LR test for IIA		
Intercept	$\chi^2 = 7.13$	Pr < 0.0076

Estimated proportions of strategies

variable	mean	med	sd	min	max
no reporting, own solution	.165	.169	.056	.015	.293
no reporting, too costly	.174	.186	.056	.018	.294
reporting, strategic	.511	.522	.127	.217	.714
reporting, legacy	.149	.118	.109	.039	.707

Таблица: Predicted proportions of citizens' choices ($N = 102$)

Conclusion

"It is in ourselves and in ourselves only where we have to attack and destroy Ildabaoth"

Anatole France, *La revolte des anges*

Perception of police

	N	mean	med	stdev
strives to help citizens	1506	2.96	3	0.94
always acts in citizens' interests	1524	2.66	3	0.93
does not protect citizens' interests	1505	3.25	3	0.97
police will never ever protect citizens' interests	1446	2.78	3	0.99
is mostly concerned with state's interests, and only then cares about citizens	1504	2.45	2	1.11
should be controlled not only by the state but also by the citizens	1482	2.96	3	1.12

Таблица: Preceptions of police

Sources of information

source	share	source	share
NTV	0.68	lenta.ru	0.09
First Channel	0.56	livejournal.com	0.08
REN-TV	0.32	strana.ru	0.03
Rossia	0.47	gazeta.ru	0.05
Channel 5	0.17	Rossiyskaya gazeta	0.05
Radio Rossia	0.07	KP	0.09
Echo of Moscow	0.08	MK	0.11
Radio Mayak	0.05	Izvestia	0.03
Radio Shanson	0.03	Novaya Gazeta	0.01
Milice Wave	0.12	Shchit and Mech	0.01
Other	0.09		

Таблица: $N = 1550$, any number of responses

Worth of police services

indicator	N	mean	med	sd
found a lost child	809	46146	20000	86116
none, it's his duty (%)	*603*	*.38*		
helped to capture a felon	837	55083	30000	198330
none, it's his duty (%)	*579*	*.37*		
prevented burglary in my flat	559	34970	15000	91722
none, it's his duty (%)	*858*	*.55*		
closed down a drug den in my house	597	59604	30000	164178
none, it's his duty (%)	*853*	*.55*		
prevented a terrorist attack	1018	152566	50000	354486
none, it's his duty (%)	*354*	*.23*		
stopped a gang of robbers	516	49210	20000	108154
none, it's his duty (%)	*943*	*.60*		
calmed down a disturbing group of youth	295	26526	10000	51349
none, it's his duty (%)	*1179*	*.76*		

Таблица: Prime to beat cop with monthly salary of 30,000 RuR