



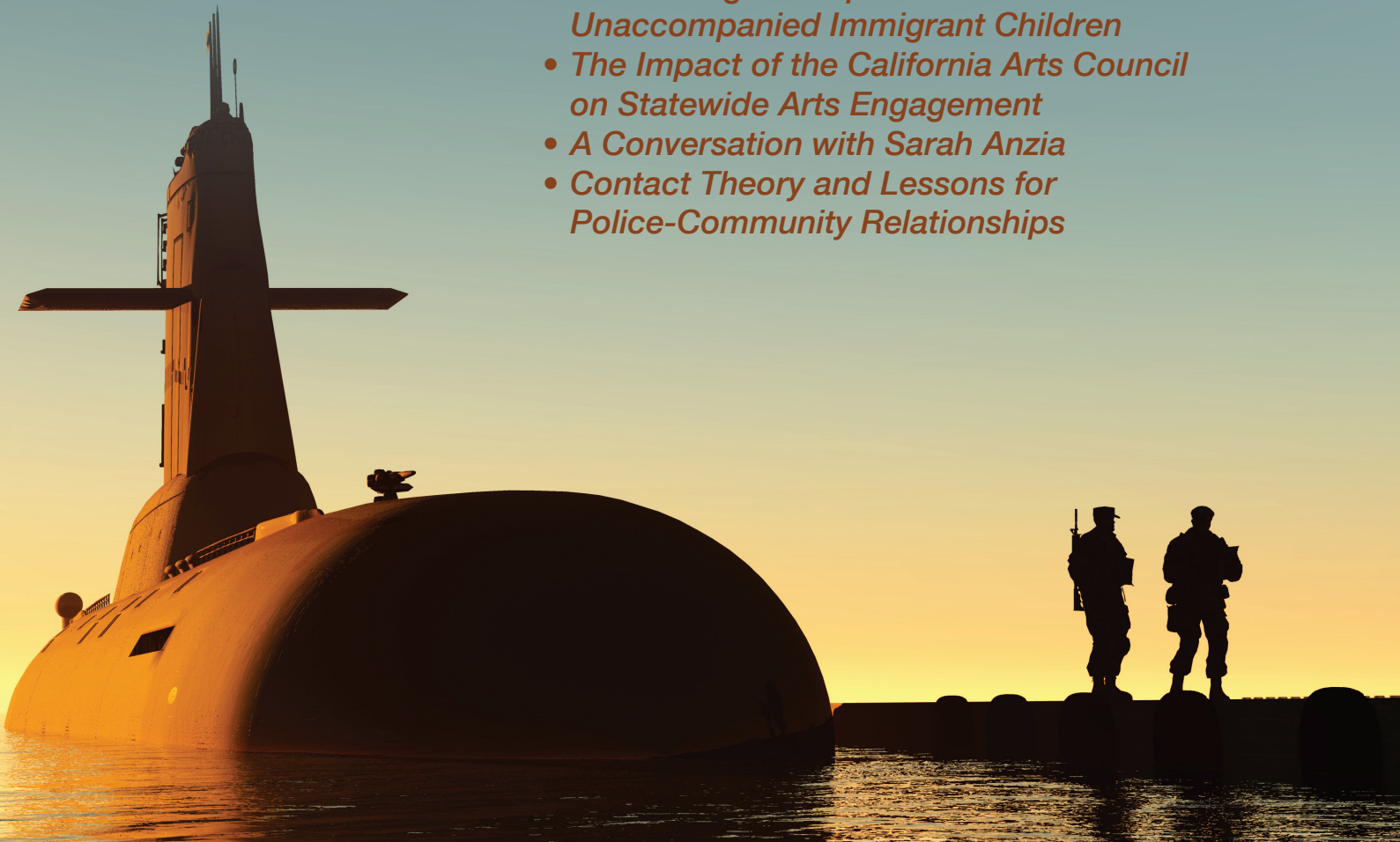
# PolicyMatters

The Journal of the Goldman School of Public Policy  
UNIVERSITY OF CALIFORNIA, BERKELEY

## Revisiting Nuclear Security Nuclear Weapons, Redux and a Conversation with Brad Roberts

*Also in this issue:*

- *Behind U.S. Landmine Policy*
- *Accounting for Gaps in Services to Unaccompanied Immigrant Children*
- *The Impact of the California Arts Council on Statewide Arts Engagement*
- *A Conversation with Sarah Anzia*
- *Contact Theory and Lessons for Police-Community Relationships*



# PolicyMatters Journal

The student-run journal of the  
Goldman School of Public Policy  
University of California, Berkeley



## EDITOR'S NOTE

We open this issue of *PolicyMatters Journal* with a trio of articles on security: a featured piece on the role of nuclear weapons in the twenty-first century, an op-ed on U.S. landmine policy, and an interview with Brad Roberts, Director of the Center for Global Security Research at Lawrence Livermore National Laboratory and former policy director of the Obama administration's Nuclear Posture Review and Ballistic Missile Defense Review. Each of these pieces explores national and international security from a different angle, but all convey a sense of quiet urgency and remind us that, wherever we are in the world, we depend on forward-thinking and measured policy makers to safely navigate today's myriad security questions and entanglements.

I chose this issue's cover image for both its gravitas and its hope: the questions at hand may be weighty, but we have a new day and new opportunities ahead. We trust that these articles will leave you more informed about the critical questions that our leaders—and we as policy makers—face.

This edition of *PolicyMatters Journal* represents a year-long goal of mine: for the first time (to my knowledge), we are mailing this issue to all Goldman School alumni. This undertaking would not have been possible without the financial and operational support of both the Board of the GSPP Alumni Association

and GSPP's administration. If you are opening a copy of *PolicyMatters Journal* for the first time, I encourage you to visit our website and social media accounts, all listed on the back of this issue, to discover what *PolicyMatters Journal* is all about.

I am very proud to bring you this issue of *PolicyMatters Journal* and feel honored to have served as Editor-in-Chief for 2015. I would like to extend my particular thanks to the faculty and staff who make the journal possible year after year: our Senior Assistant Dean Martha Chavez and our Faculty Advisory Board, Dean Henry Brady and Professors Hilary Hoynes, David Kirp, Amy Lerman, and Larry Rosenthal. And finally I would like to thank—and congratulate—the wonderful outgoing 2015 Executive Board: Sasha Feldstein, Paula Wilhelm, Brendan Rowan, Sarah Wilson, Joseph Broadus, Cristián Ugarte, Darian Woods, and Sari Ladin. I am extremely grateful for and humbled by their creativity, time, energy, critical eyes, and hard work. Without their dedication, this issue would not have been possible.

I hope you enjoy this edition of *PolicyMatters Journal*.

Linden Bairey

Editor-in-Chief

Master of Public Policy candidate, 2016

# NUCLEAR WEAPONS, REDUX

**Anthony Juarez and Thomas Hickey**

Edited by Lindsay Maple and Andrew Wilson

This article discusses two timely issues for U.S. nuclear policy: 1) credible and effective regional deterrence architectures, and 2) the increasing challenges to the global nuclear non-proliferation regime. Though often treated as separate issues, the goals of nuclear deterrence and non-proliferation are currently at odds in the most recent U.S. Nuclear Posture Review, which asserts that the United States cannot prudently disarm but also reaffirms its treaty-bound obligation to do so. The policy decisions made today will affect the direction of U.S. nuclear policy and shape U.S. and global security for decades to come.

## Introduction

In the 2010 Nuclear Posture Review (NPR), the Obama administration laid out an ambitious agenda to prevent the spread of nuclear weapons and to reduce the risk of their employment. The report recognizes two competing priorities: in order to prevent nuclear proliferation, the United States will have to lead by example and decrease its stockpile of nuclear weapons; however, it cannot prudently and unilaterally reduce its nuclear stockpile without making itself vulnerable to attack.

How can the United States convince other countries that nuclear weapons are unnecessary when it explicitly recognizes that its own nuclear weapons are essential to its security? The Obama administration has struggled to address this issue; subsequent administrations will, too. Two critical questions remain relevant:

1. What must be done to ensure deterrence works?
2. What must be done to prevent proliferation?

As this article will show, the tension between maintaining a credible nuclear deterrent and preventing nuclear proliferation is more salient than ever. There is no clear resolution: U.S. nuclear security policy is as often a victim of international disorder as it is a guarantor of order. Despite this inherent

tension, we propose a number of steps that the next president can take to strengthen deterrence and to prevent proliferation.

We begin by exploring recent geopolitical developments that make deterrence more important now than at any other point since the end of the Cold War. Next, we examine one key player in the global non-proliferation regime—the International Atomic Energy Agency (IAEA)—that is tasked with ensuring compliance with the Nuclear Non-Proliferation Treaty (NPT). Finally, we provide recommendations for a nuclear posture that deals effectively with this changed geopolitical stage, IAEA budget shortfalls, and the ever-present tension between deterrence and non-proliferation.

## Nuclear Deterrence in the Twenty-First Century

Global security is once again threatened by the use of nuclear weapons in interstate conflicts. Today's geopolitical rivalries among the United States and other regional powers operate under a nuclear shadow, an environment in which conventional (non-nuclear) conflict could inadvertently or accidentally escalate into nuclear war. Though often considered relics of the Cold War, nuclear weapons are common

and increasingly relevant today, despite attempts to limit their number and perceived utility.

The resurgence of nuclear weapons not only presents a renewed threat whose presence has not been felt since the end of the Cold War, but also highlights a gap in academic, military, and policy expertise—dubbed by a high-ranking member of the U.S. nuclear enterprise as “nuclear amnesia.” No nuclear weapon has been used in war since 1945; to maintain this status quo, the renewed threat and expertise gap must be addressed now. This section provides a brief summary of the genesis of the current U.S. administration’s nuclear policy and the revival of nuclear brinkmanship in Europe.

#### President Obama, the Prague Agenda, and Revisionist Regional Powers

Newly inaugurated with campaign promises fresh on his mind, President Obama outlined a vision for a world without nuclear weapons in a 2009 Prague speech.<sup>1</sup> He was not the first president dedicated to reducing nuclear weapons and their role in national security policy; every president since the end of the Cold War has reduced the nuclear arsenal. Shortly after his speech in Prague, his administration assembled a Pentagon team to pen the 2010 NPR—the third document in which a presidential administration outlined its nuclear policy and the first released to the public.<sup>2</sup>

Much to the dismay of nuclear abolitionists, the 2010 NPR strayed from Obama’s Prague agenda. It remained committed to realizing a world without nuclear weapons and to reducing their importance in U.S. strategy, but it pragmatically stated it would retain nuclear weapons as a credible deterrent so long as other nations possessed nuclear weapons—much different from the language the President had used a year earlier in Prague.<sup>3</sup>

Why this reversal? Arguably, the realities of the world became apparent during the construction of the NPR. Potential adversaries like Russia, China, Iran, and North Korea—often called revisionist powers for their desire to revise the established international order—were improving or developing nuclear capabilities in spite of American efforts to decrease the perceived utility of these weapons. Recent events highlighted the threat of America’s conventional military. These potential adversaries watched as the United States and its allies used precise military force in Kosovo,

Kuwait, Afghanistan, and Iraq, the last of which ended with the execution of Iraq’s deposed leader in a Baghdad base-ment. The United States justified these military campaigns for humanitarian, counterterror, or counter-proliferation reasons, but states like China, Russia, Iran, and North Korea saw them very differently: as an American use of military power to achieve political goals and regime changes. To put their views succinctly, we can look to Indian General K. Sundarji who, after the first Gulf War, said, “Never fight the Americans without nuclear weapons.”<sup>4</sup> These states view nuclear weapons as a trump card capable of deterring the conventionally superior American military.

Unfortunately, American policy makers were slow to grasp the implications of these perceptions. When the Cold War ended in 1991, there were high hopes for the democratization and liberalization of the post-Soviet sphere and other developing countries. In the words of Francis Fukuyama, liberalism had triumphed over communism and the final chapter in human history had begun.<sup>5</sup> After recent Russian military interventions in Georgia and Eastern Ukraine, it appears Fukuyama was wrong, but this conclusion could have been reached much earlier.

#### The Paradox of Escalating to “De-escalate” and Russian Military Doctrine

As early as 1999, publications in Russian military journals outlined strategies to counter the United States, a conventionally superior and nuclear-armed adversary. A Russian major general and two colonels published an article in the Russian General Staff’s military journal advocating the use of nuclear weapons to “de-escalate” a conventional conflict.<sup>6</sup> Nuclear de-escalation means the Russian military might use a nuclear weapon against an American or North Atlantic Treaty Organization (NATO) military target to stop hostilities on terms favorable to Russian interests.

This de-escalation concept was institutionalized in the Military Doctrine of the Russian Federation, which was adopted in 2000 and authorized the use of nuclear weapons when the vital interests of the Russian Federation were at risk.<sup>7</sup> This raised the question of how “vital interests” would be defined by the Russian regime and concerns regarding how low that threshold seemed. Fortunately, the language was scaled back to when the “very existence of Russia was at risk” in

subsequently approved versions in 2010 and 2014, but what constitutes the existence of Russia was left ambiguous. Was its territorial integrity or the maintenance of the regime regarded as its continued existence?

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In essence, the Russian doctrine is a sharp deviation from the way in which many Americans think about nuclear weapons: so destructive and abhorrent that no rational person would ever use them. Rational or not, the threat of limited nuclear war and the possibility of escalation to general nuclear war are a contemporary reality, given the tense relationship between the United States and Russia. Misunderstandings between the countries are compounded by mutual distrust and Russian paranoia, making the situation even more volatile.<sup>8</sup>

#### Creating a Credible NATO Deterrence Architecture

Given the tense relationship between the United States and Russia and the latter’s seeming willingness to escalate conflict, the United States faces a particularly difficult situation for establishing a deterrence architecture in Europe. As articulated in Article V of the NATO Charter, the United States and its NATO allies have mutual obligations to come to each other’s defense if any of the twenty-eight member-states are attacked. While this may seem a substantial disincentive to attack a NATO state, a wealth of Cold War literature on nuclear deterrence and historical experience suggest the problem is more complex.

Deterrence theory states that in order to successfully deter an adversary, three things must occur:

1. The adversary must receive a message threatening a specific punishment if a particular action is taken.

2. The adversary must understand that message.

3. The adversary must calculate that the cost of the punishment threatened outweighs the benefit of the action at issue.<sup>9</sup>

The success of deterrence is predicated on an adversary’s perception of one’s credibility and capability to carry out the threat, not one’s perception of one’s own credibility and capability.<sup>10</sup> It is here that the United States and its NATO allies are presented with significant policy problems. They must ask: If Russia were to use a limited-yield nuclear strike to persuade the United States to halt hostilities initiated to honor its Article V NATO responsibilities, how would the United States and its NATO allies respond? Would they risk the potential escalation to all-out nuclear war to defend Poland or Latvia by responding symmetrically to a Russian nuclear strike? Moreover, if the United States did choose to respond symmetrically to a Russian nuclear strike, would it have the ability to credibly respond in a proportional manner? If so, would that response be nuclear or conventional?

#### Nuclear Force Structure Implications

The Cold War fostered an environment of distrust between the United States and Russia, and the Russian Federation inherited thousands of nuclear warheads from the U.S.S.R. The New Strategic Arms Reduction Treaty (New START) between the United States and Russia limits the strategic (intercontinental-range) nuclear warheads of each country to 1,550 and delivery systems to 700, and the Intermediate-Range Nuclear Forces (INF) Treaty prohibits ground-launched nuclear weapons with ranges of 500–5,500 kilometers (though there is evidence that Russia is in non-compliance with the INF Treaty). However, there is no such limit on short-range weapons, which have ranges of less than 500 kilometers and are often referred to as tactical or non-strategic nuclear weapons.<sup>11</sup> The United States has reduced its non-strategic stockpile by 97 percent since the end of the Cold War (the exact numbers are classified), but Russia has made no such concurrent reductions and is estimated to have 2,720 non-strategic weapons in its arsenal.<sup>12</sup>

The shape and composition of the U.S. nuclear force—a triad of land- and submarine-based intercontinental missiles and air-delivered bombs and cruise missiles—were not designed

with the express purpose of deterring threats in today's complex and ambiguous security environment, though the force itself has been reduced since the end of the Cold War. The United States has few options to respond to a limited low-yield Russian nuclear attack, assuming it intends to respond symmetrically. The sole low-yield weapon in its arsenal is a gravity bomb that can only be delivered by aircraft and that has a questionable probability of success, given the difficulty of penetrating Russian integrated air defenses and the complexity of this type of operation.<sup>13</sup>

This fact, along with the fact that most U.S. nuclear warheads and delivery systems are reaching the end of their intended service lives—requiring costly replacement or life-extension programs—means the long-term future of U.S. nuclear security policy will be determined in the coming years. Pentagon strategists, planners, and policy makers will make key choices and develop the capabilities that will shape future global and national security.<sup>14</sup> The politics of nuclear weapons ensure that this will be a contentious political issue.

The difficulties of ensuring nuclear security are only one part of the complex realm of nuclear policy. In addition to preventing the use of nuclear weapons, attention must be given to halting the proliferation of nuclear material and to technologies that prevent nuclear weapons from being constructed. The next section assesses one aspect of ensuring nuclear non-proliferation: the IAEA's increasing portfolio of responsibilities and the stagnant budget it has to accomplish them.

## Nuclear Non-Proliferation

The 2010 NPR represented the first time that nuclear proliferation surmounted deterrence and force structure as the official top priority in U.S. nuclear security policy. Since the publication of the NPR, developments in Iran and the rest of the Middle East such as the rise of the Islamic State (also known as ISIS or ISIL) have made the international community acutely aware of the dangers posed by nuclear proliferation.

Confronting this daunting environment is the IAEA, the primary international organization tasked with verifying that states are not working to build nuclear weapons.

The Joint Comprehensive Plan of Action (the Iran Deal) mandates that the IAEA engage in resource-intensive inspections of Iranian nuclear facilities at a time of severe budget shortfalls. Whether or not the IAEA can effectively verify the Iran Deal will be predictive of its ability to contend with the non-proliferation challenges of the next fifty years.

*The IAEA is the world's lone multilateral nuclear watchdog, and its budget is roughly the same size as the San Diego Police Department's. Insufficient funding for the IAEA means that the Agency cannot possibly safeguard all of the world's nuclear facilities and materials.*

While there are many initiatives the United States can undertake in order to reduce the likelihood of nuclear proliferation, increasing funding for the IAEA is among the most important and easiest to achieve. The IAEA's success will depend on U.S. leadership in increasing IAEA budgetary resources in two of its key focus areas: nuclear verification and nuclear security.<sup>15</sup>

### Keeping Nuclear Energy Peaceful

The IAEA, established in 1957 by the United Nations, relies on verification to ensure that countries do not divert sensitive nuclear material from civilian to military purposes.<sup>16</sup> Verification is achieved through IAEA safeguards, a system of human inspections of nuclear fuel-cycle facilities. From a security standpoint, safeguards are necessary because the infrastructure required to produce fissile material for nuclear weapons is by and large interchangeable with that needed to produce nuclear energy.<sup>17</sup>

The IAEA is funded by mandatory assessed contributions and voluntary extra-budgetary contributions from its 164 member states.<sup>18,19</sup> Roughly 38 percent of its 2014 budgetary resources were directed toward nuclear verification, giving the IAEA about \$151 million to verify the peaceful nature of the world's nuclear energy facilities.<sup>20</sup>

Even as the nuclear industry is in relative decline—there were fifty fewer operating nuclear power plants in 2014

than in 2002—the amount of nuclear material coming under IAEA responsibility is growing.<sup>21,22</sup> In 2014, the 850 employees of the IAEA safeguards department conducted more than 2,700 field inspections of nuclear fuel-cycle facilities.<sup>23</sup> With sixty nuclear reactors under construction in thirteen countries, the agency will be stretched thin if its budget does not increase.<sup>24</sup>

Unfortunately, the IAEA's budget is not growing to keep pace with its expanding responsibilities. The Agency's Board of Governors, comprised of representatives from thirty-five member states, has kept the IAEA on a policy of zero budget growth for twenty-five years.<sup>25,26</sup> In a sharply-worded address to the Board in 2009, IAEA Director General Mohamed ElBaradei concluded, "I would be misleading world public opinion to create an impression that we are doing what we are supposed to do, when we know that we don't have the money to do it."<sup>27</sup>

#### A Changing Agency

In lieu of increased funding, the IAEA has sought to improve its efficiency by instituting the State-Level Concept (SLC), an approach to safeguards that considers all elements of a state's nuclear program to determine its proliferation risk, rather than focusing on specific facilities.<sup>28</sup> The SLC allows the IAEA to vary its resource allocations with six state-specific factors, including the Agency's experience in implementing safeguards in the state and the state's nuclear fuel cycle capabilities.<sup>29</sup> The worrisome Natanz enrichment facility in Iran, for example, will be under continuous IAEA inspection under the terms of Iran's new safeguards agreement with the Agency. This method is controversial, however, as many states—including Russia, Brazil, and South Africa—have called it a discriminatory policy that allows political concerns to drive the Agency to monitor some countries more closely than others.<sup>30</sup> Objections to the SLC have gone as far as questioning the rights of the IAEA to carry out its fundamental mission of verifying the peaceful nature of state nuclear programs. The SLC illustrates one of the IAEA's key dilemmas under zero growth: embracing novel approaches to stretch resources without eroding political support for the agency's work.

The IAEA is also pursuing new technologies to improve its efficiency. The agency has been able to reduce the frequency

of costly staff inspections of nuclear sites by using Unattended Monitoring Systems (UMS). UMS constantly monitor the flow of nuclear materials through a nuclear facility and then route that information to IAEA computer systems.<sup>31</sup> Likely to come online in the near future are a suite of similar, automated monitors developed in U.S. Department of Energy laboratories as part of the Next Generation Safeguards Initiative (NGSI).<sup>32</sup> Created in response to the IAEA's expanding responsibilities and flat budgets, NGSI develops new technologies and scientific talent that will aid the IAEA in creating a more efficient safeguards system over the next twenty-five years.<sup>33</sup>

*The global adoption of nuclear energy is incredibly difficult to forecast and depends on things like global climate change, the market for fossil fuels, and public reaction to Fukushima-type accidents.*

Given the concerns ElBaradei conveyed in his 2009 address, it is unlikely the SLC, UMS, and NGSI will be sufficient to meet the challenges of nuclear verification in the twenty-first century. The global adoption of nuclear energy is incredibly difficult to forecast and depends on things like global climate change, the market for fossil fuels, and public reaction to Fukushima-type accidents. A rapid upswing in demand for nuclear energy in emerging markets would leave the IAEA far short of the resources necessary to ensure that nuclear programs remain peaceful.

#### Preventing Nuclear Terrorism

The globalization of new technologies will also provide new tests for the IAEA. Modern communication devices diminish the barriers that once restricted knowledge on nuclear weapons production to the most capable states. The technical challenges associated with nuclear weapons production and uranium enrichment have lessened as well. Advances in laser isotope separation and seawater extraction provide new pathways to mining and enriching uranium without expensive and detectable facilities.<sup>34,35,36</sup> These trends have raised alarm that terrorist groups and non-state actors may be able to one day build and use nuclear devices.<sup>37</sup>

Given these new concerns, the IAEA spent roughly \$42.5 million on nuclear security in 2015.<sup>38</sup> While individual states bear the legal responsibility to take appropriate measures against the proliferation of weapons of mass destruction (per UN Security Council Resolution 1540), the IAEA plays an important capacity-building role in helping states fulfill their obligations.<sup>39</sup> The agency excels in information management and knowledge sharing, allowing states to evaluate and compare approaches to non-proliferation.<sup>40</sup>

One of the biggest challenges to non-proliferation over the next several decades will be additive manufacturing (otherwise known as 3D printing). Additive manufacturing can reduce the waste emissions, facility footprints, and energy costs of building military-grade explosive devices and enrichment machines. A mile-long uranium production line can now be replaced by a processing machine in a 400-square-foot room.<sup>41</sup> These techniques threaten to reduce technical barriers to nuclear devices by orders of magnitude. Protecting against clandestine proliferation in an additive manufacturing environment will require states to share best-practices and technological advances, putting the IAEA front and center.

The field of nuclear security offers a telling example of the deficits in the global non-proliferation regime, because disruptive technologies and increasingly capable non-state actors like the Islamic State are threats that cannot be guarded against without resource-intensive international initiatives. The IAEA does not have the organizational capacity to react to an evolved technological context on continued zero-growth budgets.

#### The United States Should Increase IAEA Funding

The IAEA is the world's lone multilateral nuclear watchdog, and its budget is roughly the same size as the San Diego Police Department's.<sup>42</sup> Insufficient funding for the IAEA means that the Agency cannot possibly safeguard all of the world's nuclear facilities and materials. In the short term, this translates into opportunities for exploitation by rogue states hoping to divert nuclear material to weapons production. In the long term, the result will be an international community much less confident in the IAEA's ability to prevent nuclear proliferation and terrorism.

The next president of the United States should take two actions to increase IAEA funding: push Congress to increase its voluntary funding of the Agency, and call for similar increases from other countries.

When President Obama came into office he announced plans to double voluntary U.S. contributions to the IAEA,<sup>43</sup> which would have required roughly \$85 million in new contributions. Instead, funding was increased by only \$30 million during the Obama administration.<sup>44,45</sup> Convincing Congress to increase contributions may prove just as hard over the next eight years as it has been during the past eight. The recently-inked Iran Deal could provide political leverage to a president looking for increases; however, it might bring additional scrutiny to State Department budgets, making increases more difficult. But increasing IAEA funding may be made easier if offsetting cuts can be found. State Department officials in the new administration should start by looking for acceptable tradeoffs within the roughly \$1 billion allocated to Nonproliferation, Anti-terrorism, Demining, and Related Programs (NADR), of which the IAEA contribution represents 10 percent of the fiscal year 2016 amount.<sup>46</sup>

*In a sharply-worded address to the Board in 2009, IAEA Director General Mohamed ElBaradei concluded, "I would be misleading world public opinion to create an impression that we are doing what we are supposed to do, when we know that we don't have the money to do it."*

The United States should also engage in a diplomatic effort to convince other IAEA member states to increase their voluntary contributions to the Agency. The next administration should lobby the other permanent members of the UN Security Council plus Germany (P5+1) to back their diplomatic success in the Iran Deal with commitments for increased funding. While convincing countries to increase contributions to international organizations is notoriously difficult, the Iran Deal presents a unique moment of leverage for the United States.



In the long term, these funding efforts will have to be supplemented by more difficult initiatives that aim to provide the IAEA with long-lasting budget growth and stability. One key will be convincing the Agency's Board of Governors to increase mandatory contributions from member states. This will be more difficult than convincing a few rich countries to increase their voluntary contributions, especially given the recent backlash against the State-Level Concept. However, when the political moment arrives in which the Board of Governors can feasibly increase mandatory contributions, the United States should lead a coalition in support of such increases.

Finally, the United States should continue to fund the Next Generation Safeguards Initiative, which is currently among its most effective unilateral efforts in support of the IAEA. The National Nuclear Security Administration (NNSA), a semiautonomous agency within the Department of Energy, requested just under \$53 million for NGSII and related efforts in fiscal year 2016.<sup>47</sup> This allocation allows not only for the technological development of safeguards, but also for maintaining qualified staff at the NNSA and the IAEA and reducing both technical and diplomatic barriers to implementation of the SLC.

The IAEA's budgetary woes represent a challenge for the next president, who will likely have to fight for budget increases of any kind. However, there are also opportunities for a president willing to bolster IAEA funding while taking simultaneous steps to improve other international non-proliferation efforts. A president who ensures that the IAEA is well-resourced will pave the way for a more peaceful nuclear future—one in which nuclear energy can reduce fossil fuel dependence without in turn increasing the risks of nuclear war.

## Conclusion

Considerable political and fiscal tension exists between U.S. deterrence and non-proliferation goals. Since the United States will not be disarming any time soon, it plans to modernize its nuclear weapons to ensure they remain safe, secure, and effective. Official estimates of the cost of modernization are in the neighborhood of \$300 billion; other sources estimate that it will cost up to \$1 trillion

over the next thirty years.<sup>48</sup> Some of the money that will fund modernization will likely come out of Department of Energy non-proliferation initiatives, diminishing the funds available for efforts like NGSII.<sup>49</sup>

Politically, nuclear arms modernization efforts will undoubtedly signal to many international observers that nuclear weapons will be central to U.S. security strategy for the coming decades. It will be difficult for the United States to convince other countries to engage in non-proliferation efforts while it maintains one of the world's largest stockpiles of nuclear weapons. The next administration will have to seize what opportunities are available to advance international non-proliferation efforts, with few, if any, opportunities to use its own disarmament as leverage.

When the next administration begins its NPR in 2017, both non-proliferation and deterrence will be central concerns. Some options, such as increasing funding for the IAEA and assuring the security of U.S. allies, are more clear and feasible than others. Other policy choices will be more difficult due to the inherent tension between the goals of deterrence and non-proliferation. The administration's success in reducing the risks of nuclear weapon employment in the twenty-first century will depend on its ability to pursue policies that effectively navigate this tension.

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# OPINION: BEHIND THE NEW U.S. LANDMINE POLICY

**Tulia Gattone**

Edited by Ian Perry, Minh Nguyen, and Sari Ladin

The United States was the first country to advocate for eliminating antipersonnel mines<sup>1</sup> and is a world leader in humanitarian mine action.<sup>2</sup> Paradoxically, however, the United States is not among the 162 states party to the Ottawa Convention,<sup>3</sup> which provides baseline goals for ending the suffering caused by antipersonnel mines. Over time, different U.S. administrations have expressed interest in aligning national landmine policy with the Ottawa Convention, but all revealed a common obstacle: continued U.S. support for the use of landmines to secure the Korean Demilitarized Zone (DMZ). It is difficult for both Seoul and Washington to justify the current need for landmines at the Korean border. Removing the Korean Peninsula exemption from U.S. landmine policy would validate decades of American international advocacy efforts against landmines and restore the status of the United States as a leader in humanitarian disarmament.

Landmines pose grave risks to both civilians and soldiers. The International Campaign to Ban Landmines reported in *Landmine Monitor 2014* that mines and explosive remnants of war caused 3,308 casualties in 2013 alone, 48 percent of whom were children.<sup>4</sup> In August 2015, United Press International reported that the explosion of a landmine critically injured two South Korean soldiers.<sup>5</sup> The soldiers were patrolling the DMZ when they activated an anti-personnel landmine,<sup>6</sup> and Seoul confirmed that the mine was not of North Korean origin.<sup>7</sup> Landmines at the DMZ present a constant threat to patrolling soldiers and those living close to the DMZ. Further, they serve as a daily reminder of war.

In the years following the conclusion of active fighting in the Korean War, many U.S. policy makers declared opposition to landmines but remained unwilling to push for the

removal of the Korean exemption. In a 1994 speech before the United Nations General Assembly, President Bill Clinton called for the “eventual” elimination of all landmines.<sup>8</sup> He argued for an exception to use these weapons as a protective buffer between the two Koreas.<sup>9</sup> The United States also believed the destruction of the Korean landmines would put the lives of American soldiers patrolling the border at risk.<sup>10</sup>

Just last year, however, the United States announced a policy change: it will not “produce or otherwise acquire any anti-personnel landmines in the future.”<sup>11</sup> Yet it still accepts landmines deployed at the Korean border. Military officials have repeatedly stated that the United States does not own any landmine fields and that no landmine currently in the DMZ is of U.S. origin.<sup>12</sup> Therefore, the removal of the landmines in the DMZ would be the responsibility of the Korean government, not the United States.

It is difficult to believe in an era of drones and nuclear weapons that landmines in the DMZ are the sole deterrent of a North Korean attack. Military leadership in the United States agrees that landmines are neither necessary nor sufficient for South Korean defense. Other justifications for the landmines also fall short. South Korea claims the landmines prevent large refugee flows from North Korea to the South. Despite the presence of the landmines, however, more than 28,000 North Koreans have moved to the South since 1998.<sup>13</sup> A recent drop in North Korean refugees is due to stricter border controls imposed by the North after Kim Jong-un came into power in 2011.<sup>14</sup>

There are diplomatic challenges to removing the Korean landmines, but none is great enough to prevent the United States from complying with the Ottawa Convention. The White House seems reluctant to risk its alliance with South

Korea by pressuring the country to remove the landmines. Thus, full compliance with the Ottawa Convention forces the United States to weigh its commitments to South Korea against the benefits of joining a convention supported by all of its NATO allies. Joining the convention would be worthwhile; it would further strengthen and support the United States as a leader in demining.

The new U.S. landmine policy brings the United States closer to ratifying the Ottawa Convention, but it must remove the Korean exception before it can fully commit to the Convention. The new policy is “a crucial step that makes official what has been *de facto* U.S. practice for a decade and a half,”<sup>15</sup> according to Senator Patrick Leahy, a leader in the campaign against anti-personnel mines. Full compliance and ratification will further strengthen America’s leading role in humanitarian mine action. This U.S. action will be an example to other nations, encouraging the Russian Federation and the People’s Republic of China to also ratify the Ottawa Convention.

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# A CONVERSATION WITH BRAD ROBERTS

Max Aaronson and Jason Tilipman

Edited by A.J. Herrmann and Tarunima Prabhakar

Brad Roberts is Director of the Center for Global Security Research at Lawrence Livermore National Laboratory. Prior to joining the Center, he served as policy director of the Obama administration's Nuclear Posture Review and Ballistic Missile Defense Review. He was recently a consulting professor and the William Perry Fellow at the Center for International Security and Cooperation at Stanford University, where he authored the book *The Case for U.S. Nuclear Weapons in the 21<sup>st</sup> Century*, released last month. Goldman students Jason Tilipman and Max Aaronson sat down with him to discuss his latest book, his new role at the Center, and U.S. security and nuclear policy.

**PMJ:** We wanted to start by discussing your new book, *The Case for U.S. Nuclear Weapons in the 21<sup>st</sup> Century*, released in November 2015. Could you give us a brief introduction to the topic?

**Brad Roberts:** We've inherited certain ways of thinking about nuclear weapons from the Cold War. We have a debate about nuclear weapons policy in the United States where, like so many of our other public policy debates, the middle has fallen away and we have two extremes. One group thinks these are Cold War relics and there is no reason not to get rid of them; another group thinks they play continuing roles, as in the Cold War. I spent four years in government in the Obama administration's Department of Defense and could see vividly that there was so much political interest in the disarmament agenda and no real understanding of the role of deterrence, nuclear and otherwise, in our defense strategy today.

The book is the result and, roughly speaking, provides a look from the end of the Cold War to today to assess our progress in moving away from the Cold War in our policy and posture. Then it says that to make radically deeper cuts in the number and role of nuclear weapons in U.S. strategy, we would have to create certain conditions, and the Obama administration was dedicated to trying to create those

conditions. The book then moves through a series of chapters reviewing the experience of the administration in trying to work with Russia and China and others. It concludes that the conditions don't exist now to safely eliminate U.S. nuclear weapons, which only sort of half answers the question of why we have them. Half of the answer is because other people have them, but that doesn't really tell you how many you need, what kind, where, etc. So there is a set of arguments about the roles of nuclear weapons in deterring adversaries, assuring allies, and the last bit of the book looks forward to the future policy reviews that coming administrations will do and looks for lessons about where we are next on policy.

**PMJ:** What do you think our nuclear strategy will be when we have a change in administration? How do you think our nuclear strategy will adapt given a change in political climate?

**Brad Roberts:** The short answer is not very much, and more in appearance than in reality. If you look back over the years since the end of the Cold War, each new president and national security team has come in ambitious to make big changes in American nuclear strategy and posture, but the harsh realities of the world we live in have gotten in the way of doing more than has already been done. You will

undoubtedly hear changes of rhetoric; every new president needs to put his or her new stamp on things.

In the lead-up to the Obama administration, Congress created a commission to advise themselves on what the next administration's nuclear review should say. Congress observed, essentially, that "we hear you in the nuclear community fighting over nuclear policy all the time; you can't seem to agree about anything." We have one camp that is all about disarmament and another that is all about deterrence—is there any middle? The commission, called the Strategic Posture Commission, is bipartisan and co-chaired by two former Secretaries of Defense. It concluded that there is a basis for agreement: our nuclear strategies should combine political efforts to reduce nuclear threats through arms control and non-proliferation, proper threat reduction activities. We would combine those with military measures to deter nuclear attack—that is, unless you are our ally.

*The world feels less secure to most Americans and Europeans and East Asians than it did eight years ago. It is easy for us to pile the blame at the doorstep of the current White House. But that is kind of a whitewash of the complexity of the problems we face and the intellectual exhaustion with which our nation seems to be thinking about them.*

This commission observed that there is a constant rebalancing between these different policy toolkits, but so long as you keep both in the strategy it will be politically sustainable and make a positive impact on the world. So as a first-order question, a new administration will ask, "Is that still the right way to think about this?" While it would be tempting for some to say, particularly in light of Mr. Putin's diplomacy today, that arms control is dead, people will look at North Korea or Iran and argue that non-proliferation is dying. They will conclude that we should get rid of these political measures to try to reduce the nuclear threat and just rely on deterrence. That is not really politically viable. It is not clear that Russia is out of the arms control business; it remains

compliant with the main nuclear arms control treaty, which doesn't expire until 2021. So it is really only in 2021 that we will have to decide. I think a new administration will come in, revisit these basic questions, and consider some big departures—and then we'll end up doing what every administration has done since the end of the Cold War, which is combine these two measures in an effort to continue to put pressure on proliferators but maintain nuclear deterrence so long as nuclear weapons remain.

**PMJ: One thing that's been on everyone's mind is the Iran Deal. I wanted to ask about your thoughts on the deal and, as a secondary question now that it has passed, what kind of effect can it have on how people think about nuclear weapons?**

**Brad Roberts:** I think it is both the best deal that was possible and a deal that is in the interest of the United States and the international community. It is important to remember that this was a deal with both Iran and the Security Council. Are there aspects of the deal that I wish were different? Absolutely. I think everyone would say they wish things were different. But you don't get to dictate the outcome in a negotiation; you have to bargain. In terms of what we were looking for—stronger political commitments from Iran to not proceed down the pathway of nuclear armament, and stronger verification of its capabilities in this area—we very much got what we wanted.

The open question, of course, is what will happen when the deal expires. We can make a positive case and a negative case. The alternative to having those two cases was having a problem immediately today. We can work to create the positive case by effectively enforcing the deal and ensuring that Iran remains compliant with it. We ensure that we do everything we're supposed to be doing to uphold the agreement and to increase the odds that when the terms of the deal begin to lapse, ten to fifteen years from now, Iran will continue to choose the pathway of nuclear latency as opposed to nuclear weapons. But we also need to hedge against the possibility that it won't, and ensure that we have a deterrence and defense posture capable of protecting ourselves and our allies in the region and in Europe. If we have that defense and deterrence posture, it will be an additional incentive for Iran not to break the agreement.

**PMJ:** We spoke a bit about the changing tide between having a credible deterrent and heading towards non-proliferation. How do you see these two interacting to create one policy?

**Brad Roberts:** There will always be tension. Public policy very rarely is about finding the ideal solution out there: you are juggling decision-making in the context of imperfect information, under the pressure of time, and always when there are political differences about what should have priority as the problem to be solved. These are classic public policy problems. I can't say which problem is more important, proliferation or deterrence of Russia and North Korea, possibly China. I just know they are both important. And yes, there are inconsistencies in our policy. We say that others shouldn't have nuclear weapons while we have them, which is a core inconsistency. This is the nature of the political bargain that the international community was willing and able to strike when the Nuclear Non-Proliferation Treaty was created in 1969. I see these goals being in continued tension in the years ahead.

There is a tendency of those who favor deterrence to jettison the non-proliferation agenda and to say it's not working, and just look at North Korea for your proof. Recall that John F. Kennedy predicted in the 1960s that within twenty-five years there would be as many as thirty nuclear arms states. But we have roughly the same number of nuclear states today that we had in the Cold War: there have been a couple of new entrants and a couple of dropouts in the nuclear club. I think it is too early and wrong to say that non-proliferation isn't working and we can afford to step back from that, and similarly I think it is wrong to say that we can put all our eggs in the non-proliferation and disarmament basket. We have learned, as the Obama administration did, that our willingness to reduce the role and number of nuclear weapons today is not matched by any other country that has nuclear weapons. So long as we want to play a role in the world as a provider of security to others, as a balancer to major powers, and as a projector of conventional power in order to provide stability to other regions, we have to be able to stand up to the threats of nuclear arms states. I don't see us as able to abandon either of these two main policy pillars, and we just have to accept the fact that there is some tension between them.

**PMJ:** Is there a point when you could say that non-proliferation doesn't work anymore? You mentioned that it is too early to say that it doesn't work. So is there a point when we could say that?

**Brad Roberts:** Well, the most direct indicator would be a formal collapse of the Nuclear Non-Proliferation Treaty. The indirect indicator is a hollowing out of the treaty even if all appearances remain. The worrisome indicator present today is rising political disagreement within the treaty. Arms control treaties generally have a provision where every five years, the parties to the treaty come together and assess how implementation of the treaty is going. They define agendas of cooperative activity to improve implementation of the treaty. The NPT just had one of these this year and it failed to produce a final report, which by and large they fail to do historically. The failure to produce a report isn't itself a very significant indicator, but the process of spending a month in New York talking about how the treaty is being implemented and the concerns that states have is telling. Every five years this is highlighted as a rising concern of many countries: that the treaty is an unfair bargain that was rooted in the Cold War and doesn't belong in today's world. You can't tell the degree to which this is bargaining to try and get more progress out of the nuclear weapons states or more nuclear trade in the commercial sector. You can't tell whether it's that or something more real.

There are not many states that have shown a desire to watch the NPT collapse and live in a world in which many states are hustling to get nuclear weapons. You do see some states hedging against the possibility that that day might come. They are developing the commercial and industrial capacity to work with nuclear materials and technologies, and developing the scientific basis within their own intellectual communities so that if in the future the whole thing comes clamoring down, they have some means to rapidly safeguard their own interests independently.

**PMJ:** Where do you envision the Center for Global Security Research fitting within the broader U.S. security regime?

**Brad Roberts:** We are here to help build a bridge between the policy and the technical communities. The policy world is called upon to make a great many policy decisions that have significant technical components, but it often has a



difficult time gaining the technical expertise in order to make a sound decision. There is a certain input function from the laboratory. There is an output function from Washington, which is to say national policy gets made and the technical communities are expected to implement it, often without an understanding of how their technical skill sets may assist in accomplishing some policy objective. So we are trying to strengthen the connection between these two worlds.

*There is still so much looking backwards at the Cold War and debating the Cold War and debating nuclear weapons through the experience of the Cold War. I am trying to shift the focus to the world we live in today.*

This Center has done excellent work on non-proliferation and arms control treaty verification and on cooperative threat reduction activities in partnership with Russia and other former Soviet states to enhance their abilities to safely control nuclear materials and technologies in their territories. We are continuing that work in the Center, but I'm also trying to build an additional body of work on deterrence and assurance from our allies. Russia, China, and North Korea all have written extensively about their strategies to deter and defeat a conventionally superior nuclear-armed major power and its allies. They have been focused on this problem, generally speaking, since the mid-1990s. We and the international security community have been focused on a different problem since 9/11: counterterrorism and counterinsurgency. And there is something of a conventional mismatch here. They have developed strategies to deter and defeat us and our allies, and with their confidence in their strategies they become more assertive in their interests in their respective regions. Mr. Putin's behavior certainly fits this model—so does Kim Jong-un's, so does President Xi's. It is important for us as a nation to have a clear understanding of what their strategies are and to have credible countering strategies, so that we and our allies are not the victims of aggression or coercion under nuclear threats.

The United States has approximately forty allies in three regions and many of them feel as secure as they have ever felt. But some on the front lines feel less secure than ever. Those are the Central European and Baltic countries, and our allies in Northeast Asia. All of these countries feel the pressure of nuclear-backed coercion and fear the possibility of conflict that might possibly involve nuclear employment or other threats to their vital interests by their regional neighbors. My research agenda here is to understand the strategies of Russia, China, and North Korea and to stimulate thinking about what our strategies should be in response. To enhance thinking about extended deterrents in this new environment, which is how we protect our allies. To think about their assurance: what they require to be safe and secure. To build stronger partnerships to do this work with academic institutions, other research institutions in Washington and elsewhere, and also international partners. We have in the nuclear business an old and dying analytic agenda inherited from the Cold War. There is still so much looking backwards at the Cold War and debating the Cold War and debating nuclear weapons through the experience of the Cold War. I am trying to shift the focus to the world we live in today, and to create new insights with new analytic work and to inform our broader national discussion.

**PMJ: Why do you think there is such a focus on looking backwards towards the Cold War as opposed to focusing on the problems of today? It sounds like we as a public need to be discussing what is currently going on rather than looking back at the past, but there seems to be a disconnect. What do you think is driving that?**

**Brad Roberts:** In part it's the fact that the people who stayed in the nuclear debate already had pre-existing strong views. The people who didn't stay are the people who found new problems to go work on because the world changed. Now some of them are coming back to the topic. So that is part of the explanation. Part of the explanation is that the world we've moved into is still very difficult to understand. It's a lot more complex than the world we moved out of. Any Cold War person would tell us that that was not a simple world. But in retrospect it was a much simpler world than the one we live in now. That was a bipolar world; this is a multipolar world. That was a world where military competition was defined by two simple domains: conventional force

balances and nuclear weapons. Now the military balance is complicated by competition in the new domains of cyber and space, missile defense, long-range strike systems that are not nuclear-armed.

Moreover, I think we Americans have held onto an optimistic view of the world a little longer than we should have. We were appropriately hopeful at the end of Cold War. What a dramatic thing to happen, for that whole confrontation to collapse without a shot being fired! It renewed our optimism as a body politic that things in the world can turn out okay, can turn out well for our national interests, for others, and for stability. And when the Cold War was ending there was a dramatic rise of democracy and free-market capitalism in many other countries. You had Francis Fukuyama writing a parable for the end of ideological conflict about how to organize human political communities in *The End of History and the Last Man*. We've lingered in that optimistic moment, and 9/11 was a shock to that moment. It's an overstatement, but Mr. Putin's invasion of Crimea and declaration of war against the European order—the European security order and the international security order more generally—were also shocks to the system. China's assertiveness in the South China Sea is something of a shock. This is a great deal of complexity that we as a nation face without a lot of intellectual capital, because this is not the set of problems people have been thinking about.

*I think it is too early and wrong to say that non-proliferation isn't working and we can afford to step back from that, and similarly I think it is wrong to say that we can put all our eggs in the non-proliferation and disarmament basket.*

We confront these challenges at a time of declining national resources. The federal government is nearly broke. The kinds of institutions that were created in the 1940s and 1950s to think about the world we were moving into are not being created today. On the contrary, most of those institutions have gone away. To a certain extent, the remaining ones are funded by government sources and that money is drying up. So we've painted ourselves into a little bit of corner on this.

**PMJ:** Given the geopolitical challenge that you've described, how much should we be looking towards our allies for a greater level of reliance? For example, I read that Jeremy Corbyn, the new Labour Leader in the United Kingdom, has said publically that he would be against a specific nuclear deterrent were he to come into office. What kind of challenges would that cause, given the United Kingdom's strategic partnership with the United States? How much should we rely on our allies to move in the same direction, compared to our own internal security regime?

**Brad Roberts:** That's a good question, and I think different presidential administrations would give you different answers. The George W. Bush administration argued that in order to lead, the United States should exercise its power to its full potential. We would be successful and others would want to join us in our success. That's sort of an odd vision of leadership, in my view. The Obama administration tried to offer a corrective to that worldview, one that was multi-lateral rather than unilateral, and argued that we would get a lot more accomplished in the world if we worked in close partnership with our allies and other willing actors to advance interests of various kinds, regionally and globally. Now, you could argue that both leadership theories haven't worked out very well. The world feels less secure to most Americans and Europeans and East Asians I know than it did eight years ago. It is easy for us to pile the blame at the doorstep of the current White House.

But that is kind of a whitewash, in my view, of the complexity of the problems we face and the intellectual exhaustion with which our nation seems to be thinking about them. For the worried allies I was referring to, those that feel themselves to be on the front lines, those in Northern and Central Europe and East Asia—they are eager to share the burden with us substantially. Japan is our most important missile defense partner; we are working with South Korea to develop non-nuclear ballistic missile systems that will reinforce the deterrents against North Korea; our Northern European allies are taking quick steps to bolster defense of the Baltic states and they are working in partnership with us to deploy ballistic missiles in Europe to provide protection against Iranian or other ballistic missiles from the Middle East. There is an active agenda with some of these allies to share the burden.

You referred to Mr. Corbyn's remarks. He said explicitly that there was no circumstance in which he would authorize the employment of British nuclear weapons. A morally satisfying argument, I'm sure, particularly for his political constituency in his country. The problem with political messages today is communicating strategic messages to different audiences. We tend to think about tailoring messages from policy makers to target audiences. Mr. Corbyn's remarks are an example of a message delivered to his constituency, a message that he is carrying forward the agenda that the people in his party want to see advanced. In that regard, this is fully understandable. But it is heard by all sorts of other people. It is heard by all kinds of constituencies, just like all statements made by the White House are consumed by many, many different listeners. The message to Britain's NATO allies is that the long-standing British commitment to offer nuclear weapons in their defense would not be upheld under his leadership. This is not a reassuring message. We can only speculate the way in which this message was heard by Mr. Putin. But Mr. Putin has said quite clearly that he is skeptical that NATO has the political resolve to do what the treaty says it will do: to treat an attack on one as an attack on all. Mr. Putin has said that he believes that NATO is a paper tiger that can be made to back down if confronted. We don't want him to test this proposition. We don't want him to find out how much of a miscalculation that would be. We don't want war in Central Europe. Mr. Corbyn's remarks would logically be consumed by Mr. Putin as a signal of weakness and lack of resolve.

**PMJ: How do you envision your leadership at the Center for Global Security Research progressing? Do you see a change of direction in any way? How do you see the Center growing over the coming years?**

**Brad Roberts:** I've set out five main thrust areas around which I want to develop the intellectual work of this research center. These are five topics to organize research, analysis, and workshops here, conferences in Washington, and publications.

First: Russia, European security, and deterrents, and how we fit those together. What is Russia's strategy towards NATO, and what should NATO's strategy be to counter that? Second: China, Northeast Asian security, and deterrents, and a

similar set of questions. Third: new regional challenges and challengers. North Korea, Iran, and South Asia each present new kinds of challenges for U.S. nuclear strategy and U.S. security strategy more generally. South Asia, for example, is not a place where we have to be concerned with the performance of our deterrence strategies. But we certainly want to convince India and Pakistan to not engage in an arms race. It is definitely not in their interests to precipitate crises and the sharing of nuclear technologies, materials, expertise, and weapons with anyone else. That would be very dangerous.

The fourth thrust area is the future of competitive strategies in the twenty-first century, and the fifth is the future of cooperative strategies in the twenty-first century. The question here is how competition and cooperation fit today's world. We no longer have a long-term competitive relationship with Russia. It is adversarial, but not competitive as it was in the Cold War. But we need to balance the sources of cooperation and competition because others are certainly competing with us, particularly in a laboratory setting. There are potentially new areas of technology competition that have military dimensions, and we want to understand what those competitions might look like and how to safeguard our interests if they unfold. So those are the five thrust areas I envision, which will build on the solid foundation of intellectual work on non-proliferation, threat reduction, and arms control that was already here.

**PMJ: Thank you very much for your time today.**

**Brad Roberts:** It was a pleasure, and thank you.

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# SHARING SANCTUARY: ACCOUNTING FOR GAPS IN SERVICES TO UNACCOMPANIED IMMIGRANT CHILDREN IN THE SAN FRANCISCO BAY AREA

Alejandra Barrio

Edited by Linden Bairey and Darian Woods

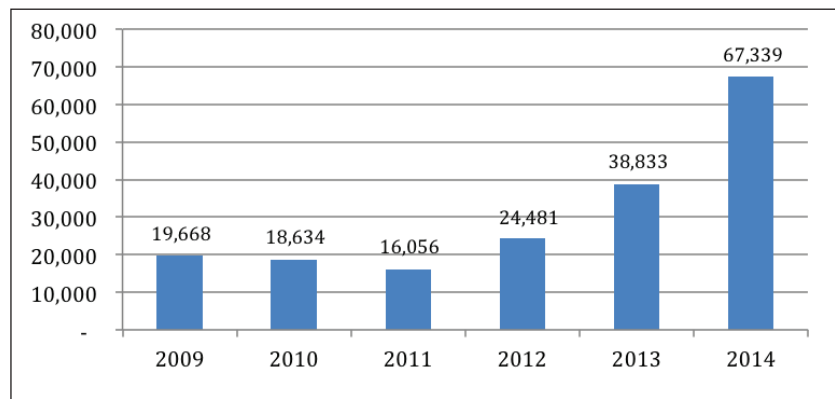
The number of unaccompanied immigrant children arriving at the United States-Mexico border from Central American countries spiked in 2014. The resettlement of these children to the San Francisco Bay Area has posed new challenges for the legal and social service providers who work to assist them. These challenges, coupled with persistent gaps in services, have serious implications for the unaccompanied children who have settled in the region. Though the San Francisco Bay Area has championed their needs, this article makes the case for greater local emphasis on legal representation and on the needs of host families for these children.

## Arrival of Unaccompanied Immigrant Children in California and the Bay Area

Unaccompanied immigrant children (UCs)<sup>1</sup> have been arriving at the United States-Mexico border for decades to pursue reunification with family in the United States. In 2014, their numbers spiked to unprecedented heights, and the total number of UCs increased by almost 30,000—three times higher than in 2009 (see figure 1).<sup>2</sup> While the greatest share of UCs apprehended along the

border have historically been from Mexico, by 2014 the number of Central American children surpassed the number of Mexican children. Moreover, since federal legislation mandates that children from Mexico be sent back immediately after being apprehended, the current domestic issue almost exclusively concerns children from Central America.<sup>3</sup>

*Figure 1.*  
**Unaccompanied immigrant children apprehended at the U.S.-Mexico border, fiscal year 2009 to fiscal year 2014. 2015 figures still being recorded (26,276 as of August 2015).**



Source: U.S. Customs and Border Protection, statistics page<sup>4</sup>

The unaccompanied status of these children creates a unique responsibility for the U.S. government to oversee their care while they remain in the United States. Once apprehended along the border, UCs are relocated within the United States by the federal Office of Refugee Resettlement (ORR) and released to an approved “sponsor”—a parent, legal guardian, family member, or trusted family friend—through a process known as reunification.<sup>5</sup> Though the greatest number of these children arrive at the Texas border,<sup>6</sup> California and the San Francisco Bay Area counties (the Bay Area) are noteworthy destinations for sponsor reunification. ORR data signal that among U.S. states, California has received the largest number of UCs released to sponsors in 2015,<sup>7</sup> and the Bay Area is the second largest region of settlement for UCs in California after Los Angeles.<sup>8</sup> UCs have settled throughout the Bay Area, but urban counties such as Alameda, San Francisco, and San Mateo have received the largest share (see figure 2).

unclear, giving rise to gaps between federal and local policy that come at a great cost to UCs and local governments alike.

Constraints on the Federal Courts

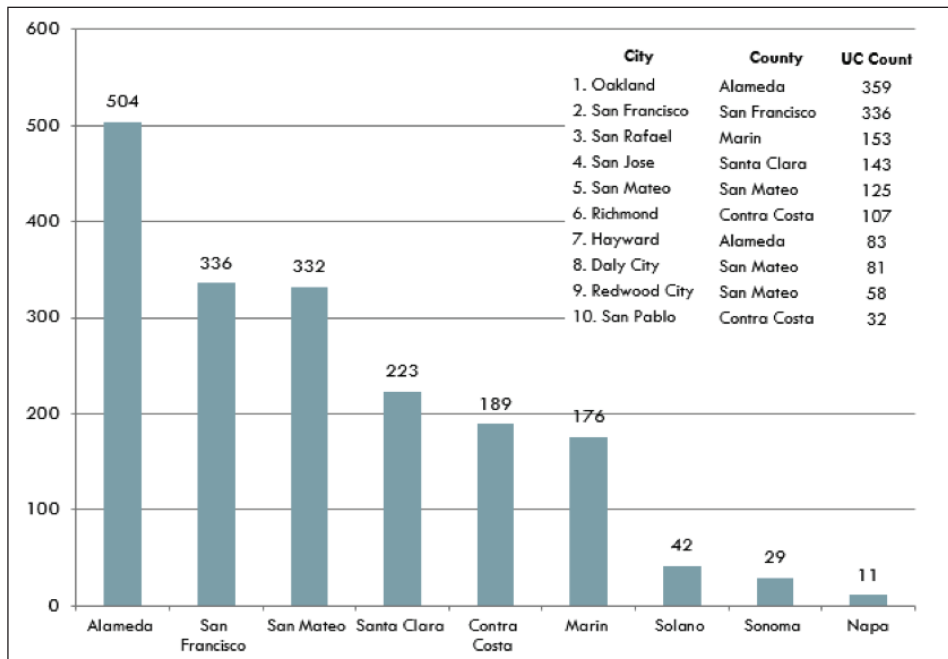
The disconnect between federal and local policy is apparent in immigration courts. In 2014, the San Francisco Immigration Court experienced a staggering 816 percent increase in UC caseload relative to 2013 (see figure 3).<sup>11</sup> This growth was partly due to the Court’s role as the chief immigration court for all UC cases in Northern California, coupled with the rise in settlement of UCs in rural areas. The Bar Association of San Francisco estimates that nearly one in five UCs appearing in immigration court live in the Central Valley,<sup>12</sup> and ORR counts at least 700 UCs residing in rural locations surrounding the Bay Area.<sup>13</sup> Due to these changes, legal service providers in the Bay Area received cases from UCs outside the Bay Area in addition to their local caseloads.

Figure 2. UCs released to sponsors by county and city between January 2014 and May 2015

**Summary of UC arrivals since “the surge” of 2014\*<sup>10</sup>**

- ◆ 51,705 UCs arrived from Central America to the United States-Mexico border.
- ◆ 5,831 UCs were relocated to California by the ORR.
- ◆ 1,842 UCs were recorded in the Bay Area by the ORR.

\*as of August 2015



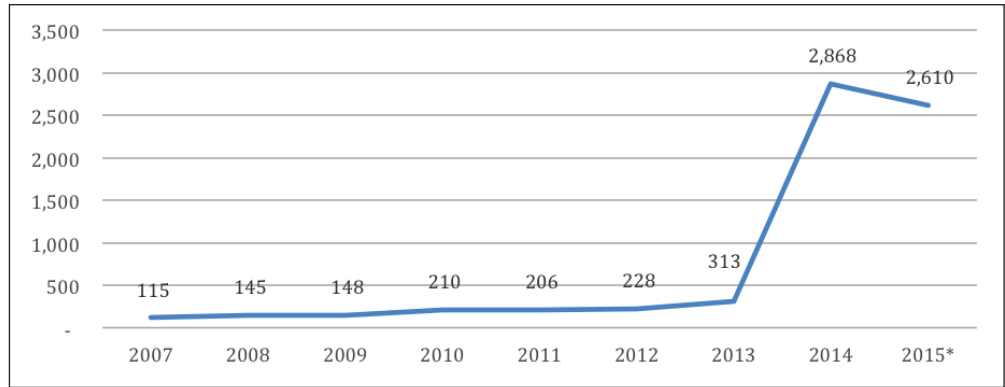
Source: ORR data on UCs released to sponsors by zip code<sup>9</sup>

Gaps in Services for Unaccompanied Immigrant Children in the Bay Area

While the federal government plays a critical role in determining legal and geographic outcomes for these children once they are in the United States, local cities and governments are also key players in shaping UCs’ transitions to their new homes. Yet the proper role of local counties is

With the rise in UCs, the San Francisco Immigration Court—which is repeatedly cited as under-staffed and under-funded—experienced a large backlog of UC cases.<sup>15</sup> In response to these constraints, the Department of Justice established immigration court dockets (also known as “surge dockets” or “rocket dockets”) requiring judges to expedite the adjudication process for UCs who arrived in

**Figure 3. Number of juvenile cases filed in the San Francisco Immigration Court, fiscal year 2007 to fiscal year 2015**



\*2015 figures still being recorded, partial total shown  
 Caseload numbers obtained from Syracuse University’s Transactional Records Access Clearinghouse Immigration Project, as of August 2015<sup>14</sup>

2014. These dockets reduced the time that UCs are given to appear before an immigration judge from the typical four to six months to only twenty-one days. Unlike U.S. citizens, UCs do not have a right to government-funded legal counsel, and immediately after 2014, the number of UCs lacking legal representation sharply increased (see figure 4).<sup>16</sup>

**Figure 4. UCs lacking legal representation in the San Francisco Immigration Court**

Year	Not Represented (number of children)	Not Represented (percent of total)
2011	86	29%
2012	129	27%
2013	253	29%
2014	1,020	29%
2015*	1,586	51%

\*2015 figures still being recorded, partial total shown  
 Caseload numbers obtained from Syracuse University’s Transactional Records Access Clearinghouse Immigration Project, as of August 2015<sup>17</sup>

**Regionalism in Social Service Provision**

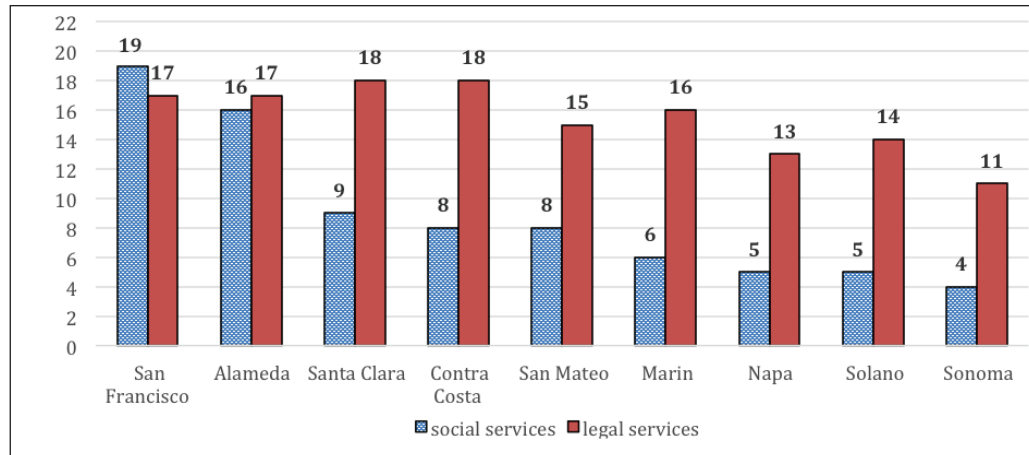
Legal and social service organizations supporting UCs are not evenly located throughout the Bay Area. Out of 113 organizations identified from a running tally of service providers, 80 percent are located in Alameda, San Francisco, and Santa Clara Counties (San Francisco alone houses 40 percent of these organizations). Despite their urban locations, legal service providers offer their services almost evenly across the Bay Area (see figure 5 on next page). However, social service providers indicated that they limit

their services to their respective geographic areas, signaling gaps in social services in less urban counties. (For purposes of this discussion, the term *social services* broadly encompasses any direct public services that unaccompanied immigrant children receive, insofar as they are *not* legal services. This includes services provided by school districts, county health departments, mental health/counseling professionals, and faith-based shelters, among others.<sup>18</sup>)

Differences in legal and social service provision reflect the funding priorities of Bay Area philanthropists and local governments. For instance, the state of California, along with San Francisco and Alameda Counties, has dedicated funds to boost legal representation for UCs in the region, giving rise to the Bar Association of San Francisco’s “Attorney of the Day” program, which provides *pro bono* counsel to UCs facing the rocket docket. These funds have had positive spillover effects throughout Northern California, accounting for the relatively even distribution in figure 5. Legal service providers have also used the funds to form UC-specific coalitions, such as the San Francisco Immigrant Legal Defense Collaborative.<sup>19</sup>

On the other hand, social service providers have been slower to mobilize than their legal counterparts, and their collaborations have been loose and informal. By a large margin, social service providers listed overly restrictive funding as the greatest challenge to providing services to UCs. One exception are schools: funding has been devoted to create positions in Oakland Unified and San Francisco Unified school districts exclusively for services for UCs.

**Figure 5. Number of respondents offering services in various Bay Area counties**



Source: Association of Bay Area Governments legal and social service survey to Bay Area immigrant-serving organizations<sup>20</sup>

Count of organizations represented: 31 legal service providers; 29 social service providers

Still, professionals expressed concern that other administrators are uninformed about programs and services for which UCs are eligible, such as legally-mandated McKinney-Vento homeless assistance, which applies to a large portion of UCs facing trouble with sponsors.

Beyond funding, social service providers face structural challenges that complicate their ability to mobilize in support of UCs. A lack of awareness around UC issues is heightened by staff turnover and impacts the ability of some UCs to stay in the Bay Area. For instance, most counties require social workers to identify immigrant youth who may be eligible for Special Immigrant Juvenile Status (SIJS)—an important precursor to permanent legal status—yet many child welfare offices are staffed by new social workers unfamiliar with SIJS. Moreover, the nature and frequency of services offered by social service providers are different: social services are heterogeneous and providers work with a vast clientele, whereas legal services are fairly uniform and tailored to idiosyncratic legal cases. Accordingly, social service providers reported offering services to a greater *count* of UCs, whereas legal service providers reported spending a greater number of *hours on average* serving UCs.<sup>21</sup>

## Concluding Remarks and Recommendations

The experiences of these unaccompanied children are akin to those of immigrants who receive temporary protected

status (TPS) or refugee status: both populations are offered temporary support in the United States until they return to their home countries. UCs, however, are not eligible for refugee status or TPS, and this fact greatly limits the services available to them. It is unlikely that the federal government will offer these forms of legal relief to UCs in the near future; indeed, the expedited dockets were fashioned by the Obama administration with deterrence as a key principle.<sup>22</sup>

Nevertheless, it is important that local cities and counties still account for the presence of these children while they await their court hearings. Relative to other parts of the country, the Bay Area has made a noteworthy effort to build a supportive infrastructure for UCs, especially with regard to funding for legal services. Still, 37.3 percent of all UC cases in the San Francisco Immigration Court lack legal representation, and data from immigration courts show that on average, only 15 percent of UCs without an attorney are allowed to remain in the United States, compared to 73 percent of their legally represented counterparts.<sup>23</sup> Legal and social service organizations express further concerns about the lack of culturally-sensitive services, lack of adequate training to serve these specific populations, mobility issues, a distrust of services on behalf of UCs, a lack of cross-agency coordination, and political issues.

The multifaceted needs of UCs—including (but not limited to) legal needs, language needs, cultural adaptation, mental and physical health needs, housing needs, and outstanding

debt—require a comprehensive, holistic response from all UC-serving organizations. Areas where public policy likely has the greatest impact on these needs are a UC’s legal hearing and reunification with sponsors or foster care. As previously discussed, funding for legal services has had positive spillover effects throughout Northern California. On the other hand, lack of support for, and oversight of, the reunification process has failed to mitigate ensuing problems with sponsors, and these challenges adversely affect almost every aspect of services to UCs. Both literature on UCs and professionals in the Bay Area highlight that reunifications with sponsors—many of whom are undocumented and in poverty—often exacerbate the profound trauma that these children carry with them, and a lack of buy-in from sponsors creates huge barriers to attending school and accessing social services. Finally, professionals express concern that the “rocket docket” policy has expedited reunification and reduced sponsor vetting, thereby increasing the likelihood of problems with sponsors.

To account for these challenges, the Bay Area should continue to focus on legal representation and work to boost its supportive services for sponsors. Given the influence of the sponsor experience on UC relationships with other social service providers, research could be done to determine the extent to which investing in a strong sponsor program could reduce costs in other areas, such as schooling. One standout program is an alternative sponsor program run by the Bill Wilson Center in Santa Clara, which invites local members of the community to host UCs as volunteer sponsors through an exchange-program model.<sup>24, 25</sup> These innovative efforts, along with others throughout the region, have provided crucial short-term support for unaccompanied immigrant children. Nevertheless, there is significant need for ongoing funding support for services. Focusing on legal services and sponsor support will help ensure that, in time, UCs can transition into contributing students and residents of the Bay Area.

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*The findings of this article are based on research undertaken with the Association of Bay Area Governments in the summer of 2015. Research methods incorporate interviews with twenty-six key immigration professionals in the Bay Area, two surveys with results from sixty-one legal and social service providers, and extensive research on over seventy secondary sources.*

#### Endnotes

- [1] The Homeland Security Act defines an “unaccompanied alien child” as a child who has no lawful immigration status, is under 18 years of age, and has no parent or legal guardian in the country available to provide care and physical custody.
- [2] These numbers are subject to change depending on the period. “Southwest Border Unaccompanied Alien Children Apprehensions,” U.S. Customs and Border Protection, accessed June 2015, <http://www.cbp.gov/newsroom/stats/southwest-border-unaccompanied-children>.
- [3] For more information on UCs on a country-by-country basis, see Pamela Goldberg, Leslie Velez, Nicole Boehner, Susan Schmidt, and Aryah Somers, *Children on the Run: Unaccompanied Children Leaving Central America and Mexico and the Need for International Protection* (United Nations High Commissioner for Refugees, 2014), [www.unhcrwashington.org/sites/default/files/1\\_UAC\\_Children%20on%20the%20Run\\_Full%20Report.pdf](http://www.unhcrwashington.org/sites/default/files/1_UAC_Children%20on%20the%20Run_Full%20Report.pdf).
- [4] “Southwest Border Unaccompanied Alien Children Apprehensions,” U.S. Customs and Border Protection, accessed June 2015, <http://www.cbp.gov/newsroom/stats/southwest-border-unaccompanied-children>.
- [5] For further details on UC’s movement within the U.S. immigration system, see “The Flow of Unaccompanied Children through the Immigration System: A Resource for Practitioners, Policy Makers, and Researchers,” *The Vera Institute*, <http://www.vera.org/pubs/flow-unaccompanied-children-through-immigration-system-resource-practitioners-policy-makers-and>.
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- [8] Lee Romney, “Oakland churches offer aid, sanctuary to Central American immigrants,” *The Los Angeles Times*, December 30, 2014, accessed July 2015, [www.latimes.com/local/california/la-me-bay-area-sanctuary-20141231-story.html#page=1](http://www.latimes.com/local/california/la-me-bay-area-sanctuary-20141231-story.html#page=1).
- [9] As of August 2015. Data obtained from ORR release records by zip code, recorded in the period between January 2014 and May 2015. For more information, see “Unaccompanied Children Released to Sponsors by State,” Office of Refugee Resettlement, [www.acf.hhs.gov/programs/orr/programs/ucs/state-by-state-uc-placed-sponsors](http://www.acf.hhs.gov/programs/orr/programs/ucs/state-by-state-uc-placed-sponsors).
- [10] *Ibid.*



[11] “Juvenile Immigration Court Deportation Proceedings,” Syracuse University’s Transactional Records Access Clearinghouse Immigration Project, Accessed November 2015, [www.trac.syr.edu/phptools/immigration/juvenile/](http://www.trac.syr.edu/phptools/immigration/juvenile/).

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[13] *Ibid.*

[14] “Juvenile Immigration Court Deportation Proceedings,” Syracuse University’s Transactional Records Access Clearinghouse Immigration Project, Accessed November 2015, [www.trac.syr.edu/phptools/immigration/juvenile/](http://www.trac.syr.edu/phptools/immigration/juvenile/).

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[16] Data as of November 2015. “Juvenile Immigration Court Deportation Proceedings,” Syracuse University’s Transactional Records Access Clearinghouse Immigration Project, Accessed November 2015, [www.trac.syr.edu/phptools/immigration/juvenile/](http://www.trac.syr.edu/phptools/immigration/juvenile/).

[17] *Ibid.*

[18] The full range of service providers under consideration are detailed in the full report from the Association of Bay Area Governments, available at: <http://abag.ca.gov/planning/minors.html>.

[19] Adina Hemley Bronstein, “The San Francisco Immigrant Legal Defense Collaborative: Bay Area Public Interest Attorney’s Collective Response to Crisis,” *The Bar Association of San Francisco Blog*, May 7, 2015, accessed July 2015, <http://blog.sfbar.org/2015/05/07/the-san-francisco-immigrant-legal-defense-collaborative-bay-area-public-interest-attorneys-collective-response-to-crisis/>.

[20] Internal survey conducted by ABAG to local legal and social service providers. For more information on the project, see: <http://abag.ca.gov/planning/minors.html>.

[21] *Ibid.*

[22] “Letter from the President – Efforts to Address the Humanitarian Situation in the Rio Grande Valley Areas of Our Nation’s Southwest Border,” The White House Office of the Press Secretary, June 30, 2014, <https://www.whitehouse.gov/the-press-office/2014/06/30/letter-president-efforts-address-humanitarian-situation-rio-grande-valle>.

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# BRIDGING THE GAP: THE IMPACT OF THE CALIFORNIA ARTS COUNCIL ON STATEWIDE ARTS ENGAGEMENT

Chelsea Samuel

Edited by Taylor Myers, Gita Devaney, and Sarah Steele Wilson

The California Arts Council is the state-level agency dedicated to advancing and promoting the arts in California. One of its grant programs, the Local Impact grant, exists to support publicly accessible events in the state's rural communities. However, an analysis of Local Impact grant recipients shows that the majority of grants go to organizations in urban areas, particularly the San Francisco Bay Area. This paper lays out potential policy solutions to improve the distribution of Local Impact grants and examines the logic of the program—as it currently is, and as it could be.

## Introduction

California's population is becoming more diverse, yet the proportion of the population that attends arts events is becoming whiter, richer, and more educated. This schism between the Californians who attend arts events and those who do not has serious implications, not only for the nonprofits that provide these events but also for the Californians who want to attend and, for various reasons, do not.

The California Arts Council's (CAC) Local Impact grants<sup>1</sup> are intended for small organizations with annual budgets of less than \$1 million that serve underserved communities. These grants have the potential to bridge the gap between well-funded, well-attended arts events supported by rich, white, educated patrons in urban areas and a new potential audience of minority residents or those in the state's rural and inland areas. However, without important structural amendments the program may not achieve its intended goals, as organizations that currently receive grants are primarily in California's urban areas.

This article explores whether the California Arts Council's Local Impact grants effectively fulfill their mission, as

well as ways the Arts Council, as the state-funded agency supporting arts in California, can more efficiently and equitably support arts organizations for all Californians.

## A Portrait of Arts Supporters and Would-Be Supporters

As part of the Census Bureau's Current Population Survey, the National Endowment for the Arts' Survey for the Public Participation in the Arts (SPPA) has been measuring arts participation in the United States since the early 1980s. The SPPA measures how many people have attended a "benchmark" arts event in the last twelve months, with "benchmark" defined as a visit to an art museum or attendance at a performance of ballet, musical or nonmusical theater, jazz, classical music, or opera. The SPPA also measures other ways of engaging with art, such as creating arts and crafts, reading, or engaging with art through electronic devices or on radio or television.<sup>2</sup>

In 2012, the last year for which data is available, Californians reported higher levels of arts engagement than the national

average. However, 2012 also marked a ten-year decline in arts engagement throughout the state, after decades of growth or consistent attendance.<sup>3</sup> Since 2002, arts engagement in the state has dropped by ten percentage points. In 2012, the General Social Survey analyzed who did not attend these benchmark events, particularly those who reported wanting to attend a benchmark event and did not, for various reasons.

The difference between these groups is stark. Nationally, those who attended events were more likely than the average population to be white and to have college degrees and annual incomes of \$75,000 or more. Notably, those who said they wanted to go to an event but did not were more likely to identify as working class, and were more likely to report their race as black or Hispanic.

These findings have serious implications in California, where the Hispanic and white populations currently each comprise about 38–39 percent of the state’s population according to the most recent census data (2014).<sup>5</sup> Information from these studies is important in understanding not just who attends these events, but also who *wants* to attend.

	Californians at benchmark events	Californians, overall
<b>Incomes exceeding \$75,000</b>	49%	41%
<b>College graduates</b>	41%	31%
<b>Non-Hispanic white</b>	55%	43%

Demographic data from the 2012 SPPA.

Source: “A Closer Look at Arts Engagement in California,” The James Irvine Foundation.<sup>4</sup>

Without such information, the nonprofits that provide arts programming and the government entities that fund them are likely to continue to engage the same increasingly homogeneous groups. As California’s population grows more diverse and the gap widens between demographic groups that attend arts events and those that do not, the proportion of those who attend and support arts events will grow smaller. If current fundraising trends continue, this will present challenges to organizations providing benchmark events, as the pool of potential patrons and donors shrinks in proportion to the general population. Whether and how these organizations decide to diversify their audiences and funding sources is not the focus of this article, as organizations of this type are unlikely to be eligible for

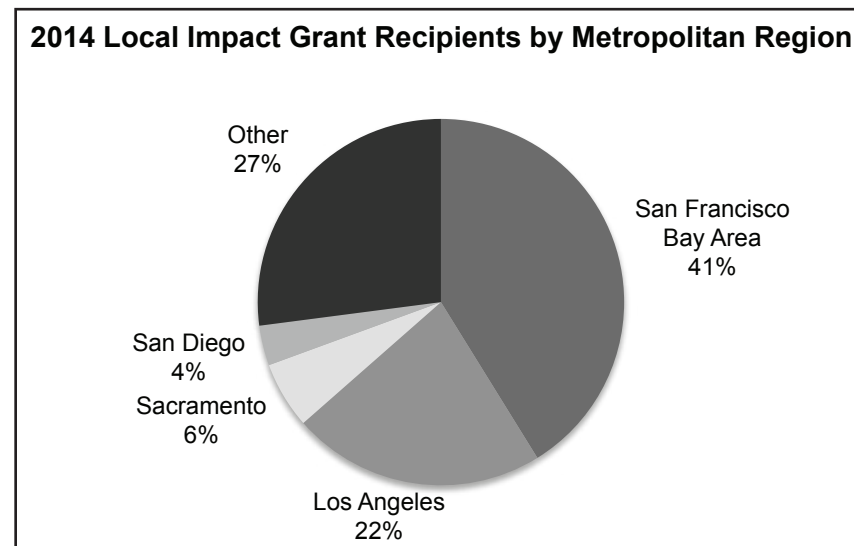
Local Impact grants. However, the success of Local Impact grants may still have a positive impact on such organizations, as the grants will likely increase engagement among under-represented populations who may then grow to become supporters of these organizations. A California with a thriving arts community across the state is good for artists and patrons alike. Likewise, many of the organizations funded by the Arts Council’s Local Impact grants seek to provide the types of programming that target these prospective audience members.

### Defining Local Impact Grants

The California Arts Council is the state agency dedicated to “advancing California through the arts and creativity.”<sup>6</sup> To fulfill this mission, the Arts Council receives funding from the California State General Fund and the National Endowment for the Arts, fees from California’s Arts Plate license plate program, and donations from “Keep Arts in Schools,” a voluntary contribution fund on California tax returns. In 2014–2015, the CAC’s operating budget was about \$10 million<sup>7</sup> and was used to fund ten grant programs, including the Local Impact grants. The agency’s budget is at an all-time high this year due to a one-time \$5 million increase in its General Fund allocation, the first increase to the Arts Council’s budget since funding was slashed by 94 percent in 2003.<sup>8</sup>

The Local Impact grant program is one of several programs dedicated to “fostering accessible arts initiatives that reflect contributions from all of California’s diverse populations,” as mandated by the CAC’s mission statement. In particular, the grants go to small organizations with annual budgets of less than \$1 million that serve underserved communities. The Arts Council defines underserved as “inner city, low income, or rural communities, historically underserved ethnic and cultural communities, people with disabilities, etc.” and defines rural by considering “population density, population size, demographics, economic data or cultural identity.”<sup>9</sup> In order to receive a grant, a program must have a public component that engages the entire community, and all members of an underserved community must have access to program events.

With a 2013–2014 Arts Council budget of \$1.345 million, 112 organizations received Local Impact grants, previously called “Creating Places of Vitality” grants. Although grantees can request up to \$12,000 in funding, most awards fell between \$9,000–10,000, with only four under \$9,000. However, while the grant program’s mission and guidelines include rural communities in its target constituency, these communities and organizations are underrepresented in the cohort of award recipients. Currently, more than 40 percent of grants go to organizations in San Francisco and Alameda Counties, and nearly 75 percent go to the state’s four most populous metropolitan areas.



Source: The California Arts Council

While many of the grants go to organizations with missions to serve marginalized communities and fund programming that bridges the gap to under-engaged audiences, the grants are not necessarily distributed equitably or efficiently.

Grants to organizations in San Francisco and Los Angeles tend to go to more focused organizations with small, specific audiences. Many audiences and artists in these cities may indeed be underserved by typical benchmark events: for example, a dance company comprised of people with disabilities or an arts program on Los Angeles’s Skid Row. However, the grants that go to rural areas are more likely to go to organizations that serve larger general populations and engage the entirety of the small communities, like the Fresno Youth Orchestra or Mariposa Arts Council in the heart of California’s Central Valley.

## Equitability and Local Impact Grants

Forty-one percent of grants awarded in 2014 went to programs in the Bay Area, but over half of those went to organizations in San Francisco alone, representing nearly 26 percent of all Local Impact grants awarded statewide and more than the 22 percent awarded to the entirety of Los Angeles County. It is clear the Local Impact grants are not being dispersed equitably throughout the state, nor do they seem to be going to communities disengaged with the arts. As a county, San Francisco is home to far fewer black and Hispanic residents than the rest of the state, and 52 percent of San Franciscans have college degrees, exceeding both the

state proportion of college graduates and the proportion of college graduates in the arts-going community. Likewise, with a median household income of \$75,604, San Francisco’s demographics are nearly identical to those of benchmark arts event attendees.<sup>10</sup>

Los Angeles, on the other hand, is one of the state’s most diverse counties and its population looks more like that of *potential* arts audience members. Forty-eight percent of residents identify as non-white Hispanic, 29 percent have college degrees, and the median household income is \$55,909.<sup>11</sup>

Likewise, the list of individual organizations that receive funding reflects the disparities between the two counties. Based on a review of each organization’s mission statements, many grantee organizations in San Francisco serve women and LGBT members of the audience, while those in Los Angeles focus on low-income or Spanish-language residents.

By understanding the differences between those who attend arts events and those who do not, the California Arts Council can more effectively award grants to those organizations that are targeting underserved audiences. It is important to note that many of the organizations that receive Local Impact grants may not put on events that count as “benchmark” events for the purposes of the SPPA. However, by building an audience among underserved Californians, the

events these organizations do produce will bolster community support for its arts organizations and build demand throughout the state.

The California Arts Council may also want to consider increasing its outreach in order to ensure that rural communities across the state are aware of its grant programs. By proactively seeking out eligible organizations, the CAC will make strides in reducing the inequities of its current grants programs. Likewise, the Arts Council should consider why so many organizations from the San Francisco Bay Area receive grants. When it comes to equitable distribution of grant funds, those awarding grants should not just consider who applied, but who *should* have applied.

Finally, it is important to consider how this funding impacts day-to-day operations at the organizations that receive the grants and whether the funding fills vital needs for grantees. Some San Francisco grantees, for example, may be better served by different grant programs or may not need the grants at all.

## Efficiency in the California Arts Council's Grant Programs

The California Arts Council funds ten different grant programs that focus mostly on two areas: children and underserved communities. Of these ten programs, six focus on engaging underserved communities, including specialized grants providing access and programming for veterans and people with disabilities. Of those six grants aimed at underserved populations, three overlap with the mission of the Local Impact grants.

Along with the Local Impact grant program, the State-Local Partners, Statewide Networks, Creative California Communities, Accessibility, and Veterans Initiative in the Arts grant programs all target underserved communities typically marginalized by the flagship arts organizations that present the benchmark events measured in the SPPA. Having six different grant programs focused on the same group of people does not efficiently allocate the Arts Council's limited funds. The Statewide Networks program, which focuses on "culturally-specific" and "multicultural ... organizational networks which are rooted in and reflective of

underserved ethnic and cultural communities" is especially similar to the Local Impact program, so much so that the Arts Council stipulates organizations may only receive one grant or the other.

*The arts community in California is at a crossroads, and the divide between those who attend arts events and those who do not is widening. That growing gulf between rich, white, educated Californians and their poorer minority neighbors should not swallow arts engagement whole.*

In a state agency with a small a budget, it is unclear whether each of these grant programs is worth the effort required to administer it, particularly when programs are not demonstrably different from each other. Both the California Arts Council and the organizations that would most benefit from these programs may be better served by consolidating two or more of the grant programs—specifically the Local Impact and Statewide Networks grant programs—and reinvesting the money in larger grants for fewer organizations. Any savings on the personnel ledger could be dedicated to outreach to ensure organizations serving underserved communities in California's rural areas know about the grants and have access to applications, further enhancing the Art Council's ability to carry out its mission by "increasing access to the arts for Californians who live or work in areas where the arts are scarce, nonexistent, or vulnerable."<sup>12</sup>

## Arts Funding Across the Country

California is a unique state in every way. It is the most populous, one of the largest, and one of the most diverse, with Hispanic and Asian populations double the national averages and more foreign-born and non-English speaking residents than the national average.<sup>13</sup> Politically, the state leans far to the left<sup>14</sup> of similarly large and diverse states like Texas and Florida, which makes it difficult to compare California's arts funding strategies to those of other states.

Considering what other states do differently, however, can provide an interesting counterpoint to explore whether the California Arts Council's emphasis on bridging the gap between traditional arts organizations and those focused on underserved populations is the appropriate way to increase arts engagement in the state.

Florida, which is demographically similar to California, has a grant program that focuses more on funding and supporting artists themselves, rather than supporting institutions that present artists' works or those that build and maintain audiences to engage with these works. The Florida Council on Arts and Culture, like the California Arts Council, saw a significant increase in the funding it received in 2014–2015, and its budget ballooned nearly 400 percent, for a total budget of \$43.3 million.<sup>15</sup> Georgia's Council for the Arts and the Illinois Arts Council Agency also pursued similar, artist-centric strategies.<sup>16</sup> However, Georgia granted only \$1 million in 2014, which is less than what the CAC's Local Impact grant program alone doled out.<sup>17</sup>

*The Arts Council should consider why so many organizations from the San Francisco Bay Area receive grants. When it comes to equitable distribution of grant programs, those awarding grants should not just consider who applied, but who **should** have applied.*

Texas, another state with a large rural population and similar demographics to California's, also has a grant program specifically designed to engage rural residents in the arts. However, instead of bolstering homegrown arts organizations, Texas brings the arts to rural communities, a strategy that may not build sustainable demand in audiences in those parts of the state.<sup>18</sup>

The grant structure for the Pennsylvania Council on the Arts could be another model for California. The agency not only provides grants for educational and consulting programs, as California does, but also makes grants to individuals who practice folk and traditional art from diverse

cultures and ethnicities. Organizations are also eligible to apply for grants specifically targeted to minority populations, such as the Preserving Diverse Cultures grant.<sup>19</sup> This strategy of supporting underserved communities in specific but distinct ways could inform changes the California Arts Council might consider.

## The Logic of the California Arts Council's Local Impact Grants

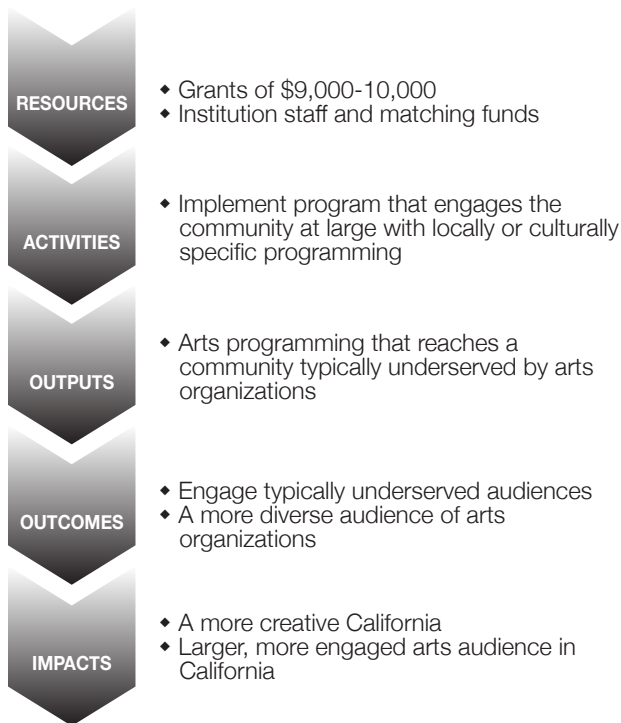
Program evaluation is an expensive proposition, particularly in arts organizations where the program impacts are often intangible and difficult to quantify. In the absence of funding or willpower to conduct formal program evaluation of the Local Impact grants, one way to measure the outcomes and impacts of the program is to use logic models, a qualitative evaluation tool. Logic models are a series of "if this, then that" statements that measure the outputs and outcomes of a program's inputs, all with the end goal of having a desired impact.<sup>20</sup> A key value of logic models is that they explicitly delineate decisions and examine logical shortcomings and advantages.

For the California Arts Council's Local Impact grants, one outcome might be to develop institutional capacity and a larger, more engaged audience for arts organizations whose target audiences are primarily underserved communities. This may lead to an overall desired impact of a more creative, artistically engaged California. Starting with that assumed impact, two logic models are presented on the following page: one for the Local Impact grant program as it is, and one for the program as it could be.

Logic Model 1: The Status Quo

**Assumptions:**

- ◆ Grants of \$9,000-10,000 are adequate to achieve stated outcomes and impacts.
- ◆ One-time grants will adequately build capacity, both at institutions and within the small communities served by those institutions.
- ◆ The grants, as currently awarded, are addressing gaps in statewide arts engagement.
- ◆ Organizations applying for grants are a representative sample of organizations eligible for grants.
- ◆ Organizations in urban areas are comparable to those in rural counties.



Logic Model 2: An Improved Model

**Assumptions:**

- ◆ Grants must be at least \$10,000 to achieve stated outcomes and impacts.
- ◆ One-time grants will adequately build capacity, both at institutions and within the small communities served by the institutions.
- ◆ Outreach to rural organizations is vital in order to address gaps in statewide arts engagement.
- ◆ More diversity in arts audiences will lead to more diversity in arts support.
- ◆ Organizations in urban areas are comparable to those in rural counties.



**Bridging the Attendance Gap in California**

The arts community in California is at a crossroads, and the divide between those who attend arts events and those who do not is widening. That growing gulf between rich, white, educated Californians and their poorer minority neighbors should not swallow arts engagement whole. Government agencies such as the California Arts Council should understand the divide and create strategic, targeted grant

programs that build institutional capacity in organizations that serve diverse or rural communities.

Similarly, the National Endowment for the Arts and the Survey of Public Participation in the Arts should expand their views of what constitutes an arts event. Many of the programs funded by the Local Impact grants inarguably build demand among engaged audiences, but may fall short

of the traditional “benchmark” event described by SPPA. By expanding the definition of “arts engagement,” more people will be included in SPPA’s measure of arts audiences, which will reflect an ongoing shift toward incorporating art into everyday life.

The arts, in all forms, connect us with each other and with ourselves and should be accessible to everyone. The California Arts Council, as the state agency tasked with supporting an artistic and creative state, should work to achieve this goal. Programs like the Local Impact grants can build sustainable engagement—and build audiences that will continue to support arts organizations that create programming that reflects their cultures—while challenging Californians to expand their views and understandings of the world. However, CAC grants will have this impact only if grant makers understand who is missing from the traditional arts audience and why those people are not currently attending events, even when they express interest in doing so.

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# A CONVERSATION WITH SARAH ANZIA

Max Aaronson and Jason Tilipman

Edited by A.J. Herrmann, Tarunima Prabhakar, and Paula Wilhelm

Sarah Anzia is an award-winning political scientist who studies American politics with a focus on state and local government, elections, interest groups, political parties, and public policy. Prior to joining the faculty at the Goldman School, she obtained her Ph.D. in political science from Stanford University and her Master of Public Policy from the Harris School at the University of Chicago. Some of her most recent work explores political interest groups at the local level and the reasons behind their levels of activity. Goldman students Jason Tilipman and Max Aaronson recently sat down with her to discuss this research and her latest working paper, *City Policies, City Interests: An Alternative Theory of Interest Group Systems*.

**PMJ: How did you first become interested in this project and interest group systems?**

**Sarah Anzia:** Why don't I tell you how it started? One project stems from another. I was writing a chapter of the book that recently came out [*Timing and Turnout: How Off-Cycle Elections Favor Organized Groups*] and a lot of the empirical work in the book focuses on school districts, school board politics, and teacher unions. I didn't want a book on election timing to be about school districts and education politics, so I wanted to have a chapter about city politics. It turns out that most city elections in the United States are held at times other than national Election Day. I thought, "Great, let's do a study of city politics and city election timing."

The whole argument in the book is that off-cycle election timing not only lowers turnout by an incredible amount but it also, in doing so, enhances the influence of interest groups, because when interest groups have a stake in election outcomes they are more likely to turn out. Every mobilized voter has a greater stake in the outcome. The argument is about how off-cycle elections enhance the influence of interest groups. I wanted to look at this at a city level, so I started doing a lot of reading for suggestions about any kind of broad study that looked at interest group activity in

a large number of cities, which has been done with school board politics. For the book I had to make some assumptions and develop expectations about which interest groups would be active—and which ones wouldn't—in city politics. But in the end it was based on no data whatsoever. I had to make guesses, and so I tucked it away and thought this topic would be an interesting thing to study. I'm shocked we don't have any systematic knowledge about which interest groups are active where.

**PMJ: Would you mind summarizing the research questions and findings from your work on city politics to date?**

**Sarah Anzia:** This paper is really a first step in a bigger project. It's not the sort of paper where I convincingly nail the effect of a certain policy on certain outcomes, or the effect of interest group activity on a particular policy outcome. It's more of a paper that describes the lay of the land. If we consider municipal government in the United States, what interest groups are active, under what conditions?

At the same time, it's not a purely empirical endeavor; there is a theoretical part of the paper. Even if we don't have any data on interest group activity in city elections, how do we begin to think about the issue? There are probably existing

theories we can use to develop expectations. There is literature on urban politics and also on interest group systems, but it's focused on the state and national levels—mostly the state level—and does not consider local politics. The more I read, the more I realized that we cannot use these theories to develop expectations about what interest groups are active in *city* politics. So the theory of the paper is very simple. In order to predict which interest groups you're going to find at the city level, you have to think about what the city is actually in charge of, what policies the city makes. When you think about what government actually does you're going to be led in the direction of the interest groups you should expect to be active—and whether *any* interest groups are going to be active.

*So according to my argument, the reason that pro-choice and pro-life groups are not active in city politics is that cities, with some exceptions, are not making decisions that affect the issues that those groups care about.*

There are two parts to the empirical analysis in the paper. The first looks at whether interest groups are even active in a city. In the United States there is dramatic variation in the size and the scope of what cities do. You have some very small places that don't do very much, and you have very big cities like New York, Chicago, and Los Angeles that do a lot and serve a lot of people. The first part of the paper just explains how much interest group activity you're going to see overall. The empirical findings suggest that in these very small cities with very few functions, you are not going to get formally organized interest groups that are active in politics. The larger the city, the more organizations you have that are going to participate. You can say a lot about the overall amount of interest group activity in a city just by thinking about its size and scope.

I think the more exciting part is looking at which interest groups are active. Once we know where to expect interest groups, we can start thinking about what policies a city makes, and that will lead us to the types of interest groups that are going to be active. On average, the interest groups

that you find in a typical city are the ones that have a large, direct economic interest in the things that cities do, like land use decisions. You see a lot of developers, contractors, and businesses that profit from the city's decisions on land use. Then you see a lot of interest groups that have large stakes in public safety. This is the category of interest groups that I think we don't hear as much about. Police unions and unions of firefighters are extremely active in city politics, and their activity increases with city size. Urban politics literature suggests that developers and growth-oriented businesses should be active—but no one has written about public safety unions. They are very active, and in many places they are just as active as the developers, contractors, and businesses that profit from land use decisions.

**PMJ:** You mentioned earlier that this is a new area of research—nobody has done anything with city-level interest groups. Why do you think that's the case?

**Sarah Anzia:** There are two reasons. First, if you go back to the 1960s, political scientists did study city politics and they did study interest groups, but they focused on New York and other big cities. Since the 1970s, the first reason that there's been very little focus on municipal government and interest groups is that people realized it was easier to study individual voters. You get into this fuzzy territory where you think about groups, and groups are made up of individuals. So when do you turn looking at individuals into looking at groups? There are all these theories about when individuals join groups and when they don't. It became much easier to develop theories of individual behavior, and that's where political science went. It became about individual officials and individual voters. Groups are hard to understand, especially given that their components are individuals. I think that political science just went off in that direction and didn't look back.

The second reason is data availability. I think that this is connected to the first reason, but it's the more important reason. There are no data on groups, and especially as political science became much more quantitative, we tended to go where the data are. If you're studying voting, you can get all kinds of data on individual voter behaviors. You can do an experiment where you send people mailers and see how that affects the likelihood that they are going to turn out in

an election. We have data from huge surveys about participation in elections. Even the interest group literature goes where the data are—you can get data on campaign contributions and you can download the databases of lobbying organizations. None of these data exist at the local level, and I think that is the main reason why nobody has done this research.

For example, sometimes when things happen in local governments—such as Ferguson and Baltimore—we end up having this national conversation about the role of police, but we can't really say much about local government and the role of police there because we haven't studied it. It's incredibly important. The lack of data should not prevent us from even asking certain questions. I think that ambitious scholars who are looking for—and needing—quantitative data have shied away from this topic for that reason.

**PMJ: Your paper goes into detail about interest group participation as a function of city size. What have you found to be the most salient differences between interest group participation at the local level compared to the state and federal levels, and why do you think there is such a difference?**

**Sarah Anzia:** The bigger you get the more interest groups you're going to have, and there are a lot of reasons for that. One is that there are more interests: there is more social division in society that gives rise to different interest groups. Also, as you scale up from local to state and national, you get governments that can do more. They serve more people, the stakes are higher, and you're going to get more people fighting for what government has to offer. Going from a city with 500 people to a city with 100,000 people, the stakes are greater in the larger city even if they perform exactly the same functions. And most likely the city with more people is also performing more functions, so there are more people who are interested in the outcomes. That is the primary explanation. Also, as you get bigger cities, the likelihood of the population disagreeing about what the government should do is greater, just because with greater size comes greater heterogeneity of preferences. We've all been to small towns where everybody agrees on what the city should do.

**PMJ: Have you found any synergies between interest groups at the local level and those permeating the state and federal levels? With a larger city size have you found a greater influence in that sense?**

**Sarah Anzia:** The way I've been thinking about this so far is fairly limited. To simplify, we can think of a city as an isolated entity with a local political economy, and from there you can deduce which interest groups will be active in that environment. The truth is it's not that simple. This can work in a couple of different ways. One way is that there are oftentimes interest groups that are organized on a national level and their interests in some way are national, such as the Sierra Club. That is a national organization. It's not as though the Sierra Club is interested in what is happening in Berkeley per se, but it can achieve its agenda by going from locality to locality and fighting for what it wants. As a group, you can fight it out through the EPA and through national politics, or you can be strategic and pick localities where you think you can have a big impact.

*I want to understand interest group influence. Not just activity, but influence—that is what keeps me up at night worrying. You can do a pretty good job at predicting what the interest group environment is going to look like using these variables. Let's move to how do they have influence, and when, and on what.*

So there are these connections between national and local activity. Another example is conservative groups in school board politics. You hear these stories about the Koch brothers funding organizations in order to get involved in things like school board politics. In a way, there is a limit to thinking about interest group activity strictly at the local level. You might think, what do people want here in this city?—and that will lead to predictions. You may not expect the Sierra Club to be very active in a particular city. But maybe it is, and in fact environmental groups are fairly active, because they have these national goals that they're trying to achieve locally.

**PMJ: You mentioned in your paper that one of the things that determines the activity level of interest groups at the municipal level is the availability of alternatives. I'm curious: exactly what could interest groups do as an alternative to being active?**

**Sarah Anzia:** Leave! Or threaten to leave. Here's the thing: think about a national corporation that is free to move to the south or free to move to China, or what have you. Now, that corporation's success in a particular area might depend heavily on what that area's city council decides. But the company may not necessarily need to be very vocal or very active in local politics. Its representatives don't have to show up at the city council meetings or schedule meetings with city council members or give money in local elections, because if the company doesn't get what it wants it can pull out fairly easily and go somewhere else, and the city council members know that.

So to say that interest groups are not politically active if they have alternatives—or that they are *less* politically active if they have alternatives—does not mean that they are not powerful, and that is the distinction I want to draw. I'm not saying that because they can leave, they don't have power. It's just that city council members in this scenario are not going to say that this company is very active in city politics.

*As political science became much more quantitative, we tended to go where the data are. None of these data exist at the local level, and I think that is the main reason why nobody has done this research. But the lack of data should not prevent us from even asking certain questions.*

A counterexample of this is Chevron in Richmond, California. Chevron, a multinational corporation, is very active in Richmond politics. In fact, the company gave over \$3 million in independent expenditures in the last Richmond city election. Why is it different? Chevron has a huge refinery in Richmond; it can't just leave and move next door to Pinole or wherever. So it is, in some ways, locked in. It would be very expensive for Chevron to leave, and that increases its activity there.

Now, I think that this is mostly relevant for certain types of businesses. Some local businesses are dependent on local clientele and local conditions, and cannot just pick up and leave very easily. You would expect them to be more active in a particular city. Then there are other types of groups that truly have no exit options. The police officers' union in Berkeley cannot just leave and go to Albany if it does not get what it wants; it is locked in. The only way for it to achieve its policy goals is to engage in "politics"—broadly construed—in Berkeley. Some groups are not like businesses that may have these alternatives to political activity.

**PMJ: Some of your methodology asks city officials which interest groups are the most active in their particular constituencies. Have you ever wondered whether some of the responses may be biased, and how have you dealt with that?**

**Sarah Anzia:** Yes, this is one of critiques I have gotten when talking about this paper. People say these are just the perceptions of elected officials, which may not reflect reality. My first response is okay, before we had this data, we had nothing and we knew nothing. At least now we have perceptions, and these perceptions are of people who are presumably interacting with interest groups on a day-to-day, week-to-week, month-to-month basis. So at least we're thinking that we are advancing knowledge.

Furthermore, I could be and am focused on getting better measures of what interest groups do—measures that do not depend on responses to a survey. For example—and this is difficult—I am collecting data on which interest groups endorse candidates and make campaign contributions in local elections. It turns out there is money in local elections and there are interest groups giving money in local elections, and there seem to be quite a few strategies there. Certain groups are giving money, certain groups are endorsing. These are not often the same. I think there may be a paper about that.

But, to answer your questions: now that we know this, we can do a better job of getting more objective measures of activity. Are their responses biased in some way? I think there are different ways to think about that. In some ways, this may be a measure of success or access: if a group is actually in the office of a city council member that means they

have already succeeded to some extent. Because the council member is interacting with them and not some other group, maybe this is biasing in the direction of groups that are more successful in reaching city council members and mayors. That is one possibility. The other possibility I considered was that I would see liberal city council members reporting high numbers of interest groups. In general, liberal city council members and mayors report that there are more interest groups active than conservative city council members and mayors do.

Now, it turns out that most of that appears to be related to the fact that liberal city council members are from more liberal cities, and liberal cities tend to have more interest groups. So comparing cities to other cities can be misleading. Once you look *within* cities, there aren't differences between liberal and conservative city council members in what they are actually saying. So that limits the conclusions that I can draw from this specific area, as I don't have much data about between-city differences. But it makes me feel better, as at least liberal and conservative city council members from the same city are not saying entirely different things. Yes, these are just perceptions, but now that we know this we can find better measures.

**PMJ: You found that interest groups that focus on controversial topics like abortion tend to be rather inactive—which seems a little counterintuitive. Why do you think that's the case?**

**Sarah Anzia:** It has nothing to do with how controversial an issue is generally. The critical question is, does the city actually make decisions on that issue? This is why I think the abortion issue and pro-life or pro-choice group activity is so interesting. Because of course pro-choice and pro-life groups are very active in state and national politics. One of the points I want to make in this paper is that local politics—and the issues in local politics—are different. And if the issues are different, then the groups are going to be different. So according to my argument, the reason that pro-choice and pro-life groups are not active in city politics is that cities, with some exceptions, are not making decisions that affect the issues that those groups care about. There are exceptions to this, of course. The city may have some relationship with Planned Parenthood, in which case you may

see pro-choice and pro-life groups getting involved. But on average, cities don't make decisions that affect the things that those groups care about.

That is also why—and I don't have evidence but I think it is true—you see that firefighter unions are very active in city politics and less so at the state and national level. They are present there, but that is not where their core interests are decided. When you think about groups like firefighter unions as interested in policy, you need to think about which policies are interesting to firefighters. The things that they care about the most are decided by cities. The cities hire and fire and pay them. States don't have much effect on the lives of firefighters. National government does not really affect firefighters that much. For abortion groups it is the opposite. National and state politics are where their issues are decided, not in the cities.

**PMJ: At the end of the paper you state that there is further work to be done, particularly in environmental policy. Could you talk about some of the future work you are looking to do in this space?**

**Sarah Anzia:** You've caught me at a bit of a critical juncture. This past month I've presented this work a few times. I finished my last talk this last week, and I wanted to wait until that was done to reassess where I am and how I want the work to proceed. One possibility is that I have a lot more analysis to do with the data I have. I really care about this topic because I want to understand interest group influence. Not just activity, but influence—that is what keeps me up at night worrying. You can do a pretty good job at predicting what the interest group environment is going to look like using these variables. Let's move to how do they have influence, and when, and on what.

Right now, what I am thinking is that I will have two or three sections within this work. I'm not sure how it will all turn out, but that is the fun of it! One will focus on elections and electoral politics, and how interest groups affect elections. This may be another survey combined with campaign finance and endorsement data. Then I want to do two additional subject areas. One of the interesting findings from this first project is that even though you see a variety of interest groups active in city politics overall, they are not active on the same things. They are active on the things they

care about. If you talk about a land use decision or developer issue you won't see firefighters there, as that's not what they care about. You are going to see developers and environmentalists and neighborhood associations who really care about land use. One of the interesting findings from this project is the importance of thinking about influence in particular areas. So I am going to do these focused studies on land use and economic development and public safety.

I am also thinking of either collecting or purchasing existing data sets on certain outcomes in those areas. For example, you might think about rules around how police do their jobs. Do they have to wear body cameras, and what are the budgets for police departments? There might be a focused study on police and firefighter activity on these various outcome variables that vary across cities. Then there is going to be a land use and economic development study, and I am thinking about purchasing data on local economic development policy. ICMA, the International City/County Management Association, has existing data that will give me a set of dependent variables to analyze. I can probably do additional surveys to focus on the activity of these groups that are active in land use policy, and see if I can tease out some relationships there. I think a very real possibility is that I will take this first project as a baseline, and then launch into more focused studies on the conditions under which various interest groups have influence—and on what outcomes they are able to affect. We're policy people, we care about policy, which is why we care about the end as well as the means.

**PMJ:** Thank you very much for your time today.

**Sarah Anzia:** It was a pleasure, and thank you.

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# CAN CONTACT THEORY OFFER LESSONS FOR POLICE-COMMUNITY RELATIONSHIPS? A REVIEW OF THE LITERATURE, BEST PRACTICES, AND CHALLENGES

Joseph Broadus

Edited by Cassie Bayer, Sasha Feldstein, and Cristián Ugarte

Over the last several decades, a great deal of research has gone into understanding how interactions between members of different groups (racial, ethnic, and otherwise) can lead to changed attitudes and reductions in prejudice. While the relationship between contact and reductions in prejudice is clear, both the application of contact theory for various groups and the mechanism by which it achieves its effect are less clear. This article reviews the literature on how contact can lead to improved attitudes and relationships and considers lessons that might be applied by police departments aiming to improve relationships with communities of color.

## Introduction

Contact theory has been a major subject in social psychology since it was first articulated in Gordon Allport's *The Nature of Prejudice* in 1954. Put simply, the theory states that prejudice and conflict can be alleviated by increasing the number of interactions—the contact—between members of potentially antagonistic groups, provided that the contact takes place under certain conditions. According to Allport,<sup>1</sup> four conditions must be met in order to see results. Specifically, the groups involved must be roughly equal in status, share common goals, be cooperating in some way through their interaction, and enjoy support and encouragement from a relevant authority figure.

Hundreds of studies have tested Allport's theory to see how well it applies in shifting majority attitudes towards various groups. A major meta-analysis by Pettigrew and Tropp (2006) of over 500 of these studies showed that contact can in fact reduce prejudice and improve intergroup relationships.<sup>2</sup>

Importantly, the same meta-analysis showed that the effect can persist in the absence of some of Allport's conditions; for example, even when groups did not engage as equals or operate with any explicit sanctioning of institutional authority, increased contact still led to a reduction in prejudicial attitudes. The analysis also found the effect to be more pronounced in studies that used more rigorous evaluation methods, offering further support for the strength of the relationship.

While contact theory has been largely accepted within the social psychology community, questions remain about how it might be applied to program design and policies addressing racial prejudice and discrimination.<sup>3</sup> This article offers some thoughts on that point, with a particular focus on improving police departments' relationships with communities of color. Since there have been no experiments to date that have evaluated the role of contact theory among these

groups in particular, this article does not purport to prove any application one way or another. Rather, it considers how police departments might apply some of the lessons from the contact literature to improve their policies and procedures around race and community relations.

## Contact Theory, Empathy, and Improving Racial Attitudes and Relations

The body of literature on contact theory is too vast to present in much detail here. A few studies, however, have particular relevance for police departments that are implementing community policing programs. Specifically, in addition to showing that all four of Allport's conditions are not necessary to reduce prejudice, a number of studies have focused on identifying the critical mediators through which contact leads to shifts in attitudes. These include increasing empathy, enhancing knowledge, and reducing anxiety. While these terms have very specific meanings in social psychology, the essential point is clear: by gaining a deeper appreciation for the experience of another person, one is less likely to allow stereotypes to influence one's attitudes toward the other person.

One of the most relevant studies on this question was conducted by Vescio et. al. (2003).<sup>4</sup> In a study of sixty-six white undergraduates, the researchers showed that it was possible to improve intergroup attitudes by priming a majority-group member to "take the perspective" of the other into account when forming a judgment. Their experiments involved screening videos of African-American men describing difficulties they had encountered as a result of their race. The undergraduates were shown these videos and primed to either "be objective" and "not think too much about how the person being interviewed feels," or to "imagine how the person being interviewed feels about the experiences he describes and how they have affected his life."<sup>5</sup> Following the screening, participants were asked to complete a questionnaire designed to measure their attitudes toward African-Americans and the extent to which they subscribed to stereotypes about African-Americans. Those who had been primed to consider the thoughts and feelings reported lower anti-black feelings in the follow-up questionnaires and more pro-black feelings. As the authors

put it, "perspective taking encourages a novel and situationally focused view of the world as it applies to outgroups, which may be inconsistent with cultural stereotypes."<sup>6</sup>

Aberson and Haag (2007) offer support for this finding and describe a model in which contact leads to "cognitive empathy"—a deeper understanding of the perspective of another.<sup>7</sup> Cognitive empathy in turn leads to lower anxiety and improved attitudes toward members of minority groups. By reviewing a series of experiments, the authors find that empathy produces the most pronounced effects on explicit attitudes and stereotypes, over and above other factors.

*Improving trust and understanding between police departments and communities of color is an issue of national focus right now, but the solution is not nearly as simple as increasing the number of interactions between members of these groups. In many cases, the core problem is entirely too much contact between police departments and communities of color.*

Further support for empathy's ability to shift attitudes to "outgroup" members comes from a series of studies conducted by C. Daniel Batson and colleagues. In these studies, the outgroup members were not racial minorities, but members of stigmatized groups: the homeless, people with AIDS, and convicted murderers. The authors' hypothesis was that the attitudes of those in majority positions would change depending on the degree to which they had been led to feel empathy for the minority groups. To do this, the authors varied how much majority-group members were instructed to consider the perspective of the minority group while listening to them describe their experiences. Across all groups, the simple instruction to "imagine how the [person] feels" when describing his/her situation (as opposed to "be objective" when listening) led to statistically significant increases in positive attitudes toward minority group members. The instruction also led to more forgiving assessments of minority group members' responsibilities for their own difficulties.



The studies presented here, as well as those analyzed by Pettigrew and Tropp,<sup>8</sup> provide evidence for a common-sense conclusion: building empathy and knowledge about a group and its members will lead one to value members of that group more highly and may reduce conflicts based on misunderstanding and anxiety. Cognitive empathy can be a powerful mechanism for breaking down prejudice, and the relationship is more durable than first imagined by Gordon Allport. Specifically, the literature suggests that reductions in prejudice and stereotypes can take place under a range of conditions and that the conditions described by Allport are simple facilitators for achieving the largest impacts.

### Community Policing: A Popular but Vague Proposition

Like contact theory, community policing is based on the notion that relationships can be improved through interactions built on understanding. At its base, the idea behind community policing is that police departments can strengthen bonds between police and the community through more direct, non-enforcement-based engagement with citizens. The approach was developed out of, as Fridell and Wycoff write, a “recognition that the police cannot control crime and disorder alone,”<sup>9</sup> and it is best thought of, according to the U.S. Conference of Mayors, as “a philosophy, not a program.”<sup>10</sup> By focusing on problem-solving and the establishment of trust, the thinking goes, departments will be more likely to receive cooperation from the community in reporting and investigating crimes.

These approaches have received renewed attention recently as police practices face increased scrutiny following the deaths of black men, including Michael Brown and Eric Garner among many others. But the concept is not new. Since 1994, the Department of Justice has disseminated grants and technical assistance to police departments implementing community policing programs through its Office of Community Oriented Policing Services. What is considered to be “community policing,” however, can vary widely from one jurisdiction to another. Examples range from a single officer given the broad task of “community outreach” to providing communication skills training to all officers, scaling back the enforcement of low-level crimes,

or considering community relationships when evaluating officers’ advancement.<sup>11</sup>

Richmond, California, for example, has received attention for the scale of reforms its police department has instituted along these lines. Beginning with the appointment of Chief Chris Magnus in 2006, the department instituted dramatic changes aimed at shifting the culture of the department toward de-escalation of conflict and establishment of community trust. This cultural shift was implemented through changes in how officers were assigned to beats, increased emphasis on role-playing and scenario-based training, greater diversity in hiring, evaluations that considered officers’ community relationships in career advancement decisions, and heightened scrutiny of all uses of force. It is impossible to say how much the drop in violent crimes that followed in the years after these reforms was in fact *a result* of the reforms, since they corresponded with the creation of a new outreach program aimed at preventing gun violence through more robust mentoring and financial support. Nevertheless, what stands out about the Richmond approach is not a single policy or focus, but rather the comprehensiveness of the emphasis on building relationships across policies and the reorientation of the department away from a forceful and adversarial dynamic with the community.

*The literature suggests that reductions in prejudice and stereotypes can take place under a range of conditions and that the conditions described by Allport are simply facilitators for achieving the largest impacts.*

An earlier shift toward community-oriented policing in Spokane, Washington was also largely driven by the chief. In that case, Chief Terry Mangan aimed to improve the department’s community relationships by implementing a number of small changes and new programs, rather than a single dramatic reorientation of the department culture. Among other initiatives, he created a bike patrol to allow officers to experience more passing interactions with civilians, introduced cross-cultural awareness and communication

skills into the new recruit training curriculum, established programs for police officers to mentor and interact with students in the public schools, and designated a new title for Neighborhood Resource Officers, which is a separate beat that gives select officers discretion to offer a range of dispute resolution, complaint response, and referral services. The Neighborhood Resource Officers became the centerpiece of the Spokane community policing approach, and an evaluation conducted in 1992 by Washington State University found that the program increased both community satisfaction with the police and morale among the officers.<sup>12</sup>

## Applying Lessons from Contact Theory to Policing

There are important caveats to consider before drawing lessons from the contact theory literature and these examples of community policing. First, while much of the research on the value of contact has focused on the attitudes of majority-group members toward members of a minority or minorities, the depth of distrust that exists in many communities between police and civilians—and the unique power dynamic at play—suggests that any lessons will be particularly constrained and limited. Improving trust and understanding between police departments and communities of color is an issue of national focus right now, but the solution is not nearly as simple as increasing the number of interactions between members of these groups. In many cases, the core problem is entirely too *much* contact between police departments and communities of color. It may be the case, however, that a shift in the *type of interactions* and the *deliberateness of the process* could begin to build and improve relationships of trust, and that the literature reviewed here could assist in that process.

The second caveat addresses community-oriented policing. It is important to clarify that there is not a reliable evidence base that identifies which approaches hold the most promise for reducing crime or increasing trust and cooperation with community members. The examples presented above give a sense of the range of activities that are being implemented and tested, but it is not at all clear which, if any, of these may lead to increased trust, lower crime, or any other outcomes.

Ultimately, the most immediate conclusion when considering applications of contact literature to policing is that the connection is both obvious and vague. Both lines of thinking share a similar premise, but they are also broad concepts with a range of concrete applications. Perhaps the most potential lies in making the goals and specific procedures of community policing more explicit, and building these goals—at least in part—around the mechanisms that have been shown to reduce stereotypes and conflict: increasing empathy, enhancing knowledge, and reducing anxiety.

To start, departments should develop targeted training and professional development to build a richer understanding of the communities they serve. Many departments already emphasize strengthening ties built on understanding. Policies such as allowing officers to take ongoing responsibility for neighborhoods and encouraging participation in community events are already in place, at varying levels. To further advance these trends, departments could benefit from more narrowly-tailored language that emphasizes incorporating civilian perspectives across all low-level interactions, with suspects and bystanders alike. Patrol assignments could be designed with the explicit goal of exposing officers to the diversity of experiences and personalities within neighborhoods. Finally, police standards and scripts could focus on engendering perceptions of fairness and understanding from those subject to questioning.<sup>13</sup>

Of course, there are innumerable aspects of policing that can increase or decrease trust and understanding among members of policed communities. But at least on the nature of contact between officers and civilians, the lessons from experiments in contact theory and prejudice reduction offer some degree of guidance on how policies and practices might be reimagined. While the kinds of training and shifts in policies and procedures described here certainly do not address the complete range of factors, institutional and otherwise, that can shape police-community relationships, it is at least worth exploring how increased empathy, perspective taking, knowledge, and friendship might begin to break down some of the distrust that exists in many communities.

*Joseph Broadus is a second-year graduate student at the Goldman School of Public Policy. His current research focuses on police department policies and practices related to race, use of force, and improving community relationships.*

#### Endnotes

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