

lic views are serious obstacles for future reforms of Russian law enforcement.

Under these circumstances, it is unclear when and how the Russian police will be “reformed” again, and whether it will be done one more time under the pressure of a new public crisis or will be an effort to truly change the nature of the police driven by the maturation of Russian civil society. It is unlikely that any fur-

ther drastic changes in the law enforcement institutions of Russia will be implemented without political changes, which at the moment seems doubtful. At this point, it is more likely that in the near future Russian police performance will improve marginally with a continuous increase in federal funding, the streamlining of some police functionality, and MVD re-structuring.

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ANALYSIS

The Day-to-Day Work of the Russian Police

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Abstract

The Russian public has a dim view of its police. The strict hierarchy of the police ranks and the assessment system used to measure their job performance help to explain why the police do things that limit their ability to conduct criminal investigations and develop strong day-to-day relations with residents on their beats. Addressing these issues will provide the base for more effective police reform than Russia has seen so far.

A Matter of Incentives

The Russian police have struggled to gain legitimacy with the public in the post-Soviet period. Poll numbers frequently show that a majority of people distrust the police and consider them corrupt and ineffective. However, in a December 2011 survey, my colleagues and I found that only 27% of Russians reported some sort of encounter with the police in the past two years. Other surveys have shown similar results. Most people get information about the police not from personal contact, but from the media or from second- or third-hand stories told by friends and family. Here I suggest that one of the important causes of negative perceptions of the police is the gap between what people think that the police should be doing and what their incentives actually push them to do. This brief article focuses on two critically important institutional aspects of policing in Russia—the structure of hierarchical subordination and the quantitatively-based performance assessment system—to show how Russian police navigate and weigh competing demands on their time and resources. Ultimately, the typical Russian police officer subordinates the demands of the public to the demands of his institution, not because he is lazy, corrupt or does not care, but because not responding to institutional incen-

tives has a far greater impact on his opportunities for career advancement and his take-home pay. Below, I illustrate how these incentives play out in two areas of policing, criminal investigations and day-to-day policing by beat officers.

Before discussing police incentives, it is worth disaggregating who the “police” actually are. As of 2012, the police agency’s Ministry of the Interior (*Ministerstvo Vnutrennykh Del’*—MVD) oversees a national police force of over one million employees with the majority of those working on the ground in direct contact with citizens. The MVD is a hierarchical structure divided into specialized sub-units which are replicated at the national, federal district (*okrug*), regional (*sub'ekit*) and local (*raion*) levels. These sub-units each fulfill specific law enforcement functions and include among others, traffic policing, beat policing, criminal investigation and prevention of corruption and extremism. Most police work takes place at the local level in cities and towns. Throughout Russia, there are approximately 2,000 local departments (*upravlenie*), each with about 100–150 employees covering 50,000–100,000 residents. The public is most likely to encounter only a few of these specialized sub-units, primarily the police assigned to their beat (*uchastkovyi*) and if they drive, the

traffic police. If they are the victim of, witness to or suspected of committing a crime, they may also encounter the criminal investigation sub-unit, but this is fairly rare.

Strict Hierarchical Subordination

Russian police behavior is generally governed by two important institutional characteristics, the first of which is strict hierarchical subordination. Police are not accountable to any local, regional or national government officials or to the public. All accountability is vertical and within the MVD. Officers answer to both their local/regional superiors as well as to all of the people above them in the sub-unit that they belong to, all the way up to the federal level. For example, a traffic police officer in the city of Yekaterinburg in the region of Sverdlovsk is accountable to everyone above him in the Sverdlovsk region's police but also to the head of traffic police in Yekaterinburg, Sverdlovsk region, and the Russian Federation. In practice, this system of multiple accountability leads to excessive bureaucratic reporting requirements with each boss asking for multiple, often duplicative information. Additionally, front-line officers may have to deal with multiple different priorities coming down from different lines of hierarchy at the same time with no clear rules about how to weigh them.

Strict hierarchical subordination is also guaranteed by the fact that it is the superior officers who have the power to set schedules, to promote lower ranking officers and to decide who gets bonuses. Though the base salary of police is set out in legislation (~\$500 per month for a starting beat officer, for example), the MVD relies on a complex system of bonuses to top off officer salaries and make them into liveable wages. Officers are awarded bonuses for rank, years of service and for working in areas where the cost of living is high. But superiors also have the ability to award bonuses for doing good work or uncovering particular types of crimes. Failure to keep superiors happy means that officers may be passed over for bonuses and promotion or worse, they may be punished by having the possibility of earning bonuses or promotion suspended for a given period of time.

Police superiors also have an important role in duty assignments. Police who fall out of the good graces of their superiors may be relegated to difficult posts or those in which they are unlikely to thrive. In a police force where corruption is endemic, duty assignments can also offer more or less opportunity for rent-seeking behavior on the ground. A patrol area that includes many illegal immigrants offers more opportunities for shakedowns and bribe collection than a sleepy region with little crime. The strong hierarchical subordination also makes it difficult for well-meaning lower-ranking officers to refuse to participate in corruption schemes if they do exist. For

example, it may fall to a lower-ranking officer to collect bribes from local businessmen for police protection, but usually a large part of that money gets sent up the police hierarchy. Like police forces around the world, police officers tend to maintain a strict code of silence with norms against reporting on each other's misbehavior. When the bosses are corrupt but allow their subordinates to benefit from the corruption, whistleblowing becomes even less likely since everyone benefits just enough to keep the corrupt practices going.

Performance Assessment System

Another important feature of Russian police work is a performance assessment system which is primarily based on quantitative indicators. Informally called the *palochnaya sistema* (stick system, ticking system), this system focuses on the number of activities completed by law enforcement to assess whether they are performing their duties adequately at the individual and department level. There are three key indicators that form the basis for determining their performance. The first is the number of cases cleared. Clearing a case requires that a suspect has been identified and charged. The second is the number of cases investigated within the time limits set by the Criminal Procedure Code. This is set at ten days for an initial inquiry into whether the crime has taken place or not, regardless of its complexity or what it would require to answer this question definitively. The third indicator is a comparison of the number of cases/activities to the previous reporting period. Unsurprisingly, there is always pressure for this indicator to go up, regardless of the situation on the ground. Much to the dismay of local-level police, targets for all of these categories are set from above with little input from local officers who have a much better sense of the situation on the ground. The *palochnaya sistema* also comes with onerous paperwork requirements. Each moment in the process must be logged and documented separately and in detail. In one media interview, the head of the Moscow police union estimated that beat officers, the police who are supposed to be in closest contact with the public, spend up to 80% of their time on paperwork.

Incentives in Criminal Investigations and Day-to-Day Policing

Together, the hierarchical subordination and the *palochnaya sistema* create perverse incentives for police. Because performance statistics are aggregated up the hierarchy, there is significant pressure for them to look good. This leads to a number of practices which undermine police effectiveness and the rule of law. In a general sense, officers become more attuned to checking the correct boxes than doing quality police work or responding to local

concerns. They know precisely which cases are to be pursued and which are to be avoided to keep their numbers looking good. Nowhere is this more clear and its effects more clearly felt than in criminal investigations. Once a case is opened, failure is not an option. The extensive documentation requirements mean that if the case does fall apart along the way, it is clear whose fault it was. From the moment a crime is reported, the police quickly assess how likely it is that the case will be cleared. This involves not only a determination of whether a suspect can be identified and apprehended but also an assessment of how likely it is that the investigator, the next person in the criminal justice process, will take the case. If the investigator does not take the case and officially open it, the front-line police officer will not get “credit” for any of the time spent doing the initial investigation.

For minor crimes like the theft of a wallet or cell phone, there is little likelihood that a suspect will be found and charged. Consequently, police will do everything possible to discourage the victims of these crimes from officially filing a police report, knowing that if the report is filed, it will then be in the system and they will have to account for their failure to close the case. Should a victim insist on filing the police report, officers may take more extreme measures like “misplacing” the report or never actually registering it in the record book. This means that what the public experiences as indifference or laziness is actually a carefully calculated decision made by the officer taking the complaint about its prospects for success and its impact on the performance assessment of the department. Of course, other more serious violations may also be committed as a result of the pressure to clear cases. A suspect in one case may have other open cases pinned on him/her so they can be cleared. Police may also use violence and other coercive tactics to get suspects to confess to crimes so that they can register them as cleared. Many of these incentive structures are replicated in other parts of the criminal justice system—investigators, prosecutors, judges. This leads to strong conviction bias in the criminal justice system and a bias towards prosecuting people on the margins of society who do not have the resources or connections to defend themselves.

Few citizens will be involved in any sort of criminal investigation in their lives. However, looking at beat officers, theoretically the bridge between the institution

of law enforcement and citizens, highlights the massive disconnect between police incentives and citizen expectations in a much more concrete way. Survey data suggests that citizens are most concerned with the basics of police work and visibility of their beat officers. They want their beat officers to ensure law and order, protect them from violence and keep an eye on questionable people in the neighborhood. They call when something is amiss and expect the police to show up quickly and respond to their concerns. Beat police, who are assigned to an area usually covering between 3,000–5,000 residents, are overburdened with fulfilling their assigned duties, leaving them little time to pursue everyday complaints of citizens. A partial list of their official responsibilities includes: maintaining a logbook of who lives in each residence and who owns dogs, automobiles, guns, etc.; a visit to every residence twice a year; monitoring all non-citizens monthly; issuing fines for administrative violations such as hooliganism and improper registration; quarterly reporting of their activities to citizens; monitoring released prisoners or those on probation; doing prophylactic work with potential law-breakers and as of 2012, going into local schools to do safety checks and interact with schoolchildren. With all of these duties and their attendant paperwork, it is no wonder that responding to citizen complaints and building community relations are the last things on a beat officer’s mind.

In conclusion, one of the biggest long-term challenges for the Russian police, who have at least nominally expressed concern about their low ratings by citizens, is to find a way to create incentive structures for their officers that align with citizen’s expectations of police work. Softening the strict hierarchical subordination and statistically based performance assessment system certainly comes with risks, namely losing an important lever of control over all levels of the police and potentially increasing corruption in the short term. For obvious reasons, these are steps that the MVD has been reluctant to take. However, further bureaucratic reorganization and reshuffling, the focus of most post-Soviet police reforms, will do little to help increase their standing in the eyes of the public. Devolving control to subordinate officers to make locally based decisions that align with citizen priorities, on the other hand, may be one way to start increasing public trust and popular opinion.

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Lauren McCarthy is Assistant Professor of Political Science in Legal Studies at the University of Massachusetts, Amherst.

Please see overleaf for reading suggestions.

Resources for Further Reading:

In English:

- McCarthy, Lauren A. 2014. "Local-level law enforcement: Muscovites and their uchastkovyy" *Post Soviet Affairs* 30 (2–3): 195–225.
- Paneyakh, Ella. 2014. "Faking performance together: systems of performance evaluation in Russian enforcement agencies and production of bias and privilege" *Post Soviet Affairs* 30 (2–3): 115–136
- Semukhina, Olga and Michael J. Reynolds. 2013. *Understanding the Modern Russian Police*. CRC Press: Boca Raton, FL.

In Russian:

- Khodzhayeva, Ekaterina. 2011. "Chastnoye i publichnoye v prostranstvennoy organizatsii povsednevnykh praktik uchastkovo (opyt etnograficheskogo opisaniya)." [Private and public in the territorial organization of everyday practice of uchastkovyy (an ethnographic description)]. *Laboratorium* 3: 18–52.
- Novikova, Asmik. 2011. "Sistema upravleniya v militsii: konstruirovaniye virtual'noy real'nosti s real'nymi postradavshimi." [The system of police administration: Constructing a virtual reality with real victims] *Vestnik obshchestvennogo mneniya* 2: 38–46.
- Paneyakh, Ella, Mikhail Pozdnyakov, Kirill Titayev, Irina Chetverikova, and Mariya Shklyaruk. 2012. "Pravookhranitel'naia deyatelnost' v Rossii: struktura, funktsionirovaniye, puti reformirovaniya, Part I: Diagnostika raboty pravookhranitel'nykh organov RF i vypolneniya imi politseyskoy funktsiy." [Law enforcement activity in Russia: Structure, functions, paths of reform, Part I: Diagnosing the work of law enforcement bodies and their performance of political functions]. St. Petersburg, October. Available at: <http://www.enforce.spb.ru/images/Fond_Kudrina/irl_pravookhrana_part_1_final_31_12_ich.pdf>