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WHERE SHOULD COPS LIVE?

Officer-citizen conflicts stir renewed interest in residency requirements

By Julius (Jay) Wachtel. “Today’s Supreme Court decision was both right and just. It made clear that Wisconsin municipal employees share the same right enjoyed by all other Wisconsin citizens to reside where they desire.” [That’s how the Milwaukee police union reacted](#) to a June 2016 state court ruling that nullified a long-standing requirement that municipal employees reside in the cities where they are employed.

Not everyone was pleased. Mayor Tom Barrett lamented the decision:

I want this to be a community where the residents can work with and respect the police and the police and work with and respect the members of the community. That’s what I need to have as mayor. But I can’t have an occupying force in this city.

A regulation requiring that city workers live within fifteen miles of Milwaukee remains in effect.

Supporters of residency requirements believe they enhance officers’ commitment to the citizens they serve, attuning them to the local culture and making it more likely they will act (and react) appropriately. It’s why in 2013 New Orleans [reinstated residency requirements](#) that were suspended eight years earlier, in the wake of Hurricane Katrina.

Alas, the reset was short-lived. Struggling to rebuild a depleted police force (it was about 150 below strength) and battle increased crime, New Orleans discovered that the residency requirement severely limited the quantity and quality of the recruitment pool. Despite a bitter riposte by councilmember James Gray, who insisted that “to walk down my street with a stick and a gun, you need to be living in my neighborhood,” [public safety positions wound up being exempted](#).

It wasn’t New Orleans’ first encounter with the residency/recruitment paradox. Months before Katrina, police chief Eddie Compass [complained that residency rules were discouraging](#) many well-qualified applicants, the implication being that he was being forced to bring on less-than-stellar candidates. A June 2011 retrospective in New Orleans Magazine suggests that the consequences of such decisions, if they were indeed made, were easily predictable:

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In the past few months we have seen cops sent to prison for murder, rape, cover-up, theft and fraud...Had the department been able to cast that wider net and search uninhibited for the best and brightest, some of those who are now in jail wouldn't have likely qualified for the force in the first place...There are some lessons to be learned from this. One is that cities shouldn't have to pass laws requiring people to live in them and the other is that there should never be restrictions to searching for the best.

([More than a dozen NOPD cops were indicted](#) on Federal civil rights charges for killing innocent persons during Katrina and covering up the crimes. Although not every conviction survived appellate scrutiny, [five cops ultimately pled guilty](#) to Federal charges and are serving prison terms.)

There has been little scientific research about the effects of police residence requirements. A rare study on point found that citizens living in large cities with residency rules were significantly *less* likely to feel that police could protect them from harm (see "Residency requirements and public perceptions of the police in large municipalities," *Policing, an International Journal*, vol. 22, issue 3, 1999.) Its authors speculated that these surprising findings might reflect the consequences of "poor personnel choices and a less qualified commissioned officer corps" brought on by limited hiring pools.

Residency rules came into vogue in the late twentieth century, during the heydays of police reform. In time their popularity waned. By 2002 [restrictions were reportedly in place](#) in only twenty percent of jurisdictions. More recently, [an analysis of 2010 census and EEOC data](#) by website FiveThirtyEight revealed that sixty percent of officers employed by the 75 largest police departments lived outside their cities.

Where residency requirements remain in effect, they're now usually permissive. [New York City](#), a notoriously expensive place to live, merely requires that officers either settle in the city or in a neighboring county within thirty days of employment. [Chicago's rules](#) are stricter, requiring that outside applicants become residents when appointed. At the most restrictive extreme is [Atlantic City](#), which requires that applicants for police and fire positions have lived in the city for at least four years.

Atlantic City used financial incentives to get two dozen officers to move into distressed areas. Its approach was devised in 1994 as part of a community policing program developed jointly with the Police Foundation (click [here](#) and [here](#).) Whether outcomes met expectations isn't known. But when the Police Foundation's current president, Jim Bueermann [was interviewed about a recent, thus far unsuccessful effort](#)

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to institute similar rules in another troubled city, Baton Rouge, his skepticism was striking:

Every person in Baton Rouge deserves a competent police officer in their neighborhood and a competent police force, and when you diminish their recruiting pool you greatly reduce the odds that you're going to get the qualified people you need.

Although Bueermann endorses giving preference to otherwise well-qualified applicants who are residents, his nuanced views are unlikely to placate the long-suffering residents who must deal with crummy neighbors and rude cops on a daily basis. A reporter who attended a raucous Baton Rouge city council hearing [neatly summarized the dilemma](#):

Throughout the emotional and racially charged debate Wednesday, mostly black members of the public pleaded with Metro Council members to understand the racism they feel in their daily lives and said having a police force whose officers live in their parish would make them feel safer.

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By “live in their parish” citizens probably don't mean on the other side of town. But asking officers to live in close proximity to where they work can be a tough sell. Most cops don't want to be “on” 24/7 and may have concerns about personal and family safety. Consider [Erie, Pennsylvania](#), a mid-sized community with an area of 19 square miles and a population of about 100,000. Officers and firefighters used to have to live in the city, but [may now reside within a 15-mile radius](#). [According to the former head of the police union](#), the relaxation was negotiated, in part, to quell concerns about harassment and retaliation:

It was especially a problem with officers with kids in school who were going to school with the kids of the guy the officer had arrested the night before. Erie really isn't that big of a town.

There were other reasons as well. Whether or not one wears a badge, freedom to choose always matters. “Police and firefighters just wanted the same thing as everyone else, they wanted the same opportunity. They wanted to be able to live where they wanted. Taxes were a factor, and schools.”

Residency requirements have proven divisive within city government. Police unions, which reflect the views of working cops, usually line up in opposition. (For the FOP's

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comprehensive arguments against, click [here](#).) On the other hand, many police chiefs have promoted such rules, and city leaders are especially likely to view them favorably. [Here's what Mayor Rahm Emanuel had to say](#) about proposals to do away with Chicago's:

I understand it's their desire, but to the city, they are more than police and fire. They are anchors in the neighborhood. They're the Little League coaches, the hockey coaches, the volunteers at the place of worship. They are anchors in not just their block but in their community, and that's an investment I'm not ready to turn my back on.

Fine enough. But was hizzoner speaking from the heart? Or from the perspective of his role as guardian of the city purse? Public safety salaries eat up a large chunk of the municipal budget. Shouldn't city workers return the favor by spending their bucks in the city and paying local property taxes? Milwaukee Mayor Tom "occupying force" Barrett [readily conceded that his battle for residency](#) requirements was as much about finances as about insuring officer diversity:

It actually makes the potential for both of those problems to get worse. You're going to have more middle-class incomes leaving the city....

Boston's applicants, in turn, [can't test for a police job](#) until they've lived in the city for a year. Why? Here's how [an official who helped write the rules](#) (they require that all Boston employees live in the city) justified them: "...we needed to ensure that those solid middle class folks who worked in the city lived in the city."

Sometimes it really is, at least in part, about money.

Police residency requirements carry considerable intuitive appeal. However, their actual benefits are uncertain. What's for sure is that their one known effect – limiting the hiring pool – can have undesirable consequences on the quality of police candidates.

Yellow light. Proceed with caution.