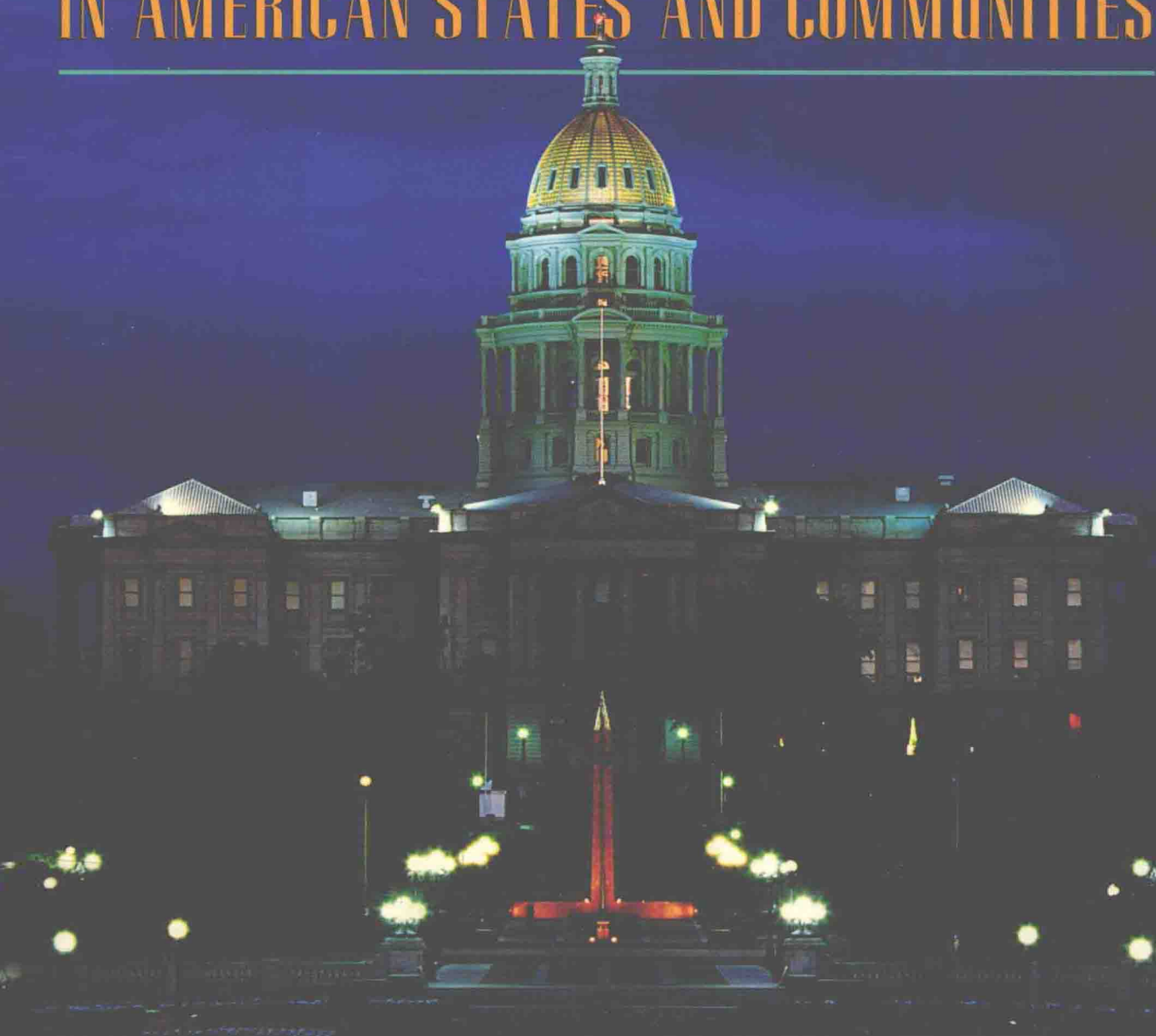

POLITICS AND POLICY

IN AMERICAN STATES AND COMMUNITIES



DENNIS L. DRESANG



JAMES J. GOSLING

POLITICS
and POLICY
in AMERICAN STATES
and COMMUNITIES

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PREFACE

Governance at the state and local level is face-to-face. It is here where politicians campaign door-to-door and citizens call the homes of elected officials to voice complaints and make suggestions. Local and state employees are ones who teach children, issue building permits, pick up garbage, determine welfare eligibility, operate state parks, run probation and parole programs, issue drivers licenses, and enforce traffic safety rules.

It is common for texts on state and local government to use a systems approach and a top-down perspective. This book focuses centrally on individuals and how they are affected by the decisions of government officials, and how individuals can and do influence public policies. The fundamental concern is with the relationships between capacity and discretion in government and participation and apathy among individuals.

We do not paint an idealistic or romantic picture of democracy in America but, rather, a realistic assessment of the interactions between government and the governed. This includes discussions of alienation as well as support and elite as well as community power. Our goal is to help readers build on their own experiences as they seek to understand politics and government.

This text discusses both the institutions and the policies of state and local governments. States have always been primarily responsible for key policy areas such as criminal justice, education, transportation, social welfare, and economic development. One of the effects of the rapid growth of the federal deficit since the early 1980s is that the national government in Washington, DC has shed some of its financial and administrative involvement in domestic policy issues. States and, in turn, communities are increasing their own scope of responsibilities and making adjustments. To help readers understand these challenges, we include chapters on the changing patterns of federalism, on the policymaking process, and on the substantive issues of crime, education, social welfare, health, economic development, and the environment.

We have had the pleasure of working in the classroom with students who were getting introduced to the politics and policies of American states and communities. Some of these students pursued what they learned by majoring in a social science and going on to law school or graduate school. Others counted the course in state and local government as part of the breadth of their college learning and continued their specialties in other fields. Our goal, as instructors and as authors, has been to serve both sets of interests. We hope to contribute to the preparation of future scholars,

professionals, and leaders in government. At a minimum, we hope each reader will be a more informed and aware citizen.

Our debts are to our students and to the many citizens and public officials with whom we have worked. We also wish to thank the reviewers commissioned by Allyn and Bacon to critique early drafts of this text: William Kelly, Auburn University; Kenneth Kennedy, College of San Mateo; Richard A. Wandling, Eastern Illinois University; Tom Bass, University of St. Thomas-Houston; Steve Mazurana, University of Northern Colorado; and Joe Heim, University of Wisconsin at LaCrosse. Their encouragement and their suggestions were invaluable.

Families can provide the love and support to enable each member to achieve self-fulfillment. We are fortunate to be members of such families, and we appreciate the ways in which our families shared and participated in this project. Dennis Dresang dedicates the work and thought that went into this book to his parents, Norbert and Margie Dresang, and to Ruth and the late Gideon Timberlake, the parents of his wife, Eliza Dresang. James Gosling's dedication is to his mother, Evelyn, his late father, Fred, and to his parent-in-laws, Jim and Ethel Ahrens.

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Chapter 1

FACE-TO-FACE GOVERNANCE

During the road test to get your driver's license, you make a rolling stop at a stop sign. The Examiner could fail you for that but decides to let it go.

A neighbor calls the police to complain about the noise coming from a party you are having in your apartment. The police arrive, get you and your guests to quiet down, and leave without issuing any citations. The officers could have checked to see if anyone below the age of 21 had been drinking, but they didn't.

You just bought a new refrigerator and have to discard the old one. You call the city Department of Waste and Refuse Collection. The person you talk with reminds you to remove the door of the old refrigerator for safety and to place what you want picked up by the curb. She pledges that the department will get it within the next three days.

Governments, especially state and local governments, are about face-to-face interactions. State and local governments are not impersonal things that hover over society. Instead, they consist of people who are in positions of authority solving problems and providing services that involve and affect other people. Sometimes the interaction allows someone to do something (drive a vehicle). Sometimes it regulates (stopping individuals from disturbing the peace). Sometimes it provides services (disposing of trash and maintaining safe, pleasant neighborhoods).

The face-to-face interactions between citizens and the governments in states and communities are the central focus of this book. We are concerned about what government officials do and how we experience government in our lives. If we examine, for example, police officers responding to a complaint about a noisy party, we need to understand what authorizes these government officials to enter private property and curtail the activities of citizens. We need to understand the discretion these officers have in law enforcement. Citizens can seek the services of the police to maintain order and

to help with emergencies, but citizens also can be constrained by police or even subjected to their brutality. This book explains the forces that determine the nature of the interactions between police, courts, legislative bodies, governors, mayors, interest groups, and individual citizens.

Understanding face-to-face interactions with government also requires a discussion of how the more than 87,000 different jurisdictions in the United States relate to one another. The law limiting drinking to people age 21 or older, for example, was adopted by state legislatures and governors in all 50 states in large part because the federal government threatened to withhold millions of dollars in transportation funds to any state that did not have such a law. States rely on police departments that are part of local governments to enforce this law. Some local governments require their officers to check the ages of anyone they see drinking or suspect has been drinking. Other police departments are given discretion to enforce this law within the context of other goals they are pursuing, like combating crimes of violence and fostering cooperation and peace within the community.

The focus on interaction includes attention to the processes in which individuals become government officials. As citizens, we determine who gets elected and, indirectly, appointed to public offices. How people get their jobs affects how they behave. Elected officials are influenced by their supporters. Appointed officials are concerned about the criteria on which the appointment is based and the judgments of whoever has authority to fire.

The bottom-up or face-to-face approach of this text leads us to an examination of what various governments do, how and why they do it, how individuals and groups can influence the goals and behaviors of governments, and, importantly, how we are affected by them. The advantage of this perspective is to be ever mindful of the purpose and relevance of government and politics.

The call for “reinventing government,” popular in the 1990s, comes in reaction to the possibility that governments can pass regulations and engage in activities in isolation from the real needs and concerns of the people.¹ Consistent with the reinventing government movement, this book is “customer oriented.” Citizens can be viewed as customers of government. A central concern of advocates of reinventing government is whether governments are serving their customers the way one might expect a private business to meet customer demands and wishes.

We do not assume that all state and local governments are currently customer oriented or that they are concerned with their contributions to society. Likewise, we do not assume that all citizens are participating in efforts to shape and influence their governments. We are quite aware of governmental agencies that seem to be enforcing rules and following procedures in an apparently mindless, purposeless manner. We know full well that less than one-fourth of those eligible to vote typically cast ballots in local elections. A good turnout in highly visible gubernatorial contests is 50 percent of the electorate. Although the meetings of school boards, city councils, and legislatures are open to the public, few people—even when they are affected by the decisions that will be made—make the effort to attend. The major purpose of our focus on the face-to-face interaction is not to romanticize or to idealize it, but rather to recognize its importance in understanding the role of state and local governments in our lives and in knowing how our actions and inactions can affect them.