Alternatively, could the planning staff identify other sites within the community that might be appropriate for an oi 1 refinery?

An astute planning director will often sense when a particular development proposal is likely to win political support regardless of its consistency with land use policy. In such instances, it may be more cost-effective for the planning staff to devote its resources to coming up with a variety of schemes for mitigating the potential negative consequences than to frame eloquent staff reports in opposition to the development.

6. Is there a formally adopted policy affecting how employees can express dissent from actions by elected officials or the planning commission?

You may be prohibited, under terms of employment, from taking a public position that could be interpreted as conflicting with those of the elected officials. Or, more likely, you may sense a strong unwritten rule. If such is the case, a planner still may decide to take a position of public dissent: the planner should do so with the knowledge that a job search may soon be required.

7. Who best determines the public interest? Underlying this scenario is the high-minded assumption that this is the function of the planning profession. Most elected officials would strongly assert that the public interest emerges from debate and healthy give and take and that it cannot be determined solely on the basis of a report signed by the planning director.

Can you, as the planning director, assume that your definition of the public interest is the correct one? Is upholding the zoning ordinance the supreme test of the public good?

The 'Right' Answer

As planning director you have been asked by a group of citizens to assist them in a lawsuit against the county. But you would not want deliberately to expose the county to potential liability. Given today's legal environment, if the rezoning had been denied, the oil company would have also been likely to pursue a lawsuit.

It is probable that the elected and appointed officials consider the planning staff to be their employees. They would undoubtedly be surprised by public efforts by planners to overturn their decisions, especially if the initiatives were to come from the planning director. Planners who move into management positions must be perceived as objective if they are to be seen as effective. Because the responsibilities of being a manager of planning impose additional constraints, the planning director ought to do little more than keep the lines of communication open. There are two notable exceptions. If the director has reason to suspect that the decisions were unduly influenced by outside forces, or if new and important information is now available, then more direct action may be warranted. But let us assume that neither of these two exceptions has come into play. In this case, because a lawsuit has been declared to be the preferred citizen strategy, it would be best if you provided the citizen group only the data normally available to the public. No other response would be highly ethical for a planning director.

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When Planners Lie with Numbers

Martin Wachs

Planners do a great deal of analysis. They rely increasingly on data banks, statistical methods, mathematical models, and computers. Planning schools must teach quantitative methods to qualify for accreditation. While not every planner employs every method, analytical techniques in common use include cohort-survival population forecasting, benefit-cost analysis, input-output analysis, shift-share analysis, traffic impact studies, regional transportation forecasting, housing market studies, and many more. Planners also do surveys, construct databases using survey results, and employ such complex technical databases as land-use information systems. In carrying out their responsibilities, planners want to be appreciated as skillful analysts who adhere to high standards of technical ability and truthfulness in the use of data.

Planning, however, is not *just* analytical. We work in the fishbowl of politics and public-policy making. We serve as staff to politicians, consultants to government bodies, and representatives of private landowners and real estate developers. These roles are usually associated with clearly articulated interests. Our agencies, employers, and clients favor particular policies or programs for reasons that may be derived more directly from ideology, political commitments, or economic self-interest than from the results of analytical studies.

Planners, then, are constantly trapped between two competing models of their role. On one hand, planners may see themselves as "scientists," who analyze data to discover the truth and to arrive at the best course of action. On the other hand, planners see themselves as "advocates," who use data and models to prove that a

course of action preferred by a client or employer is the best choice in a given situation.

These two roles inherently conflict with one another. Hence it is not surprising that the AICP Code of Ethics seems to embody the conflict. The Code says, for example, that the planner must "exercise independent professional judgment." But in the next sentence it says that a planner must "accept the decisions of the client or employer concerning the objectives and nature of the professional services." In reality, it is often difficult to do both.

The most effective planner is sometimes the one who can cloak advocacy in the guise of scientific or technical rationality. Rather than stating that we favor a particular highway project or renewal program for ideological reasons or because our clients stand to gain more from that project than from alternatives, we adjust data and assumptions until we can say that *the data* clearly show that the preferred option is best. Our recommendation is not merely personal judgment or preference, we claim, but the result of a neutral process of analysis.

I have experienced this conflict between planning as science and planning as advocacy in my own consulting, and have accumulated dozens of case studies from alumni who return to the university to talk about their anxieties and conflicts as professionals. Very often these situations involve data, models, or statistics. Here are a few examples:

- A public opinion survey is done regarding a new real estate development, and the planner is urged to publicize results that are favorable to the project, while remaining silent about those that are critical of it.
- A consultant estimates the demand for a new light rail transit route to be about 2,000 passengers per day, but the chairman of the county board of supervisors urges her to reconsider the assumptions and rework her models until the demand rises to 12,000 daily riders. The higher number is needed to justify a federal grant.
- Each county in the state prepares a population projection as the basis for its request for sewage-treatment plant construction funds. When the populations projected by the individual counties are added up, the sum exceeds the state-wide population forecast by a factor of six. Each county assumed it would be a center of growth, but in reality not every county in the state will grow.
- A benefit-cost study shows that the costs of dredging a harbor will exceed the economic benefits of the project, so indirect benefits are enumerated that are large enough to result in an excess of benefits over costs. This project has long been favored by the governor.

That planners view methods sometimes as objective tools of scientific judgment, and sometimes as devices for convincing others of the rightness of a cause leads us to be inconsistent in the way we report technical results to clients and the public. We also tend to criticize the analyses done by our opponents, while readily accepting incomplete analysis that supports our position or that of our client.

Computerized databases, statistical procedures, and forecasting models are not transparent to planning commissioners or homeowners; all the more reason why their details should be available to experts who might wish to replicate, verify, or merely critique our uses of technical procedures. Yet, technical reports often provide little information on the assumptions employed to obtain particular results.

Every mathematical procedure requires that certain values be assumed for particular parameters, but those values are often not stated in technical reports. Similarly, a quantity estimated by a statistical or mathematical procedure is subject to error. But we commonly see forecast values presented as single numbers, without confidence intervals. A population forecast of 100,000 having a 90--percent confidence band of 5,000 is very different from one having a confidence band of 40,000. Yet, planners frequently present the estimated quantity without the accompanying information about statistical variation that would enable others to evaluate the salience of the forecast. Sometimes this amounts to nothing more than sloppy report writing, but at other times it may be done deliberately in order to obscure weaknesses in the work leading up to the final report.

Even more disturbing are the many cases in which planners, in the absence of reliable hard numbers, "fudge" data by applying findings from one city to policy making in another, or by assuming that ten-year-old facts are still valid where there is good reason to be skeptical. In many instances, such "fudging" is not documented in the technical reports that purport to present the analysis that was performed. Finally, there are instances in which data sets are falsified, either because the actual numbers do not exist, or because the analysis damaged the case that the analyst was trying to make. Our profession does little to discipline planners who fudge data or deliberately misrepresent the truth through technical manipulation of data or models.

Such abuses arise because we live at a time when it is necessary to support one's position with facts and figures in order to be convincing. A professional judgment unsubstantiated by facts or modeling results is not as valid as one that is. Yet, in some situations the facts are not readily at hand, and the cost and time required for gathering them are prohibitive .

"You're the expert," says the client. "If you can't produce an estimate, nobody can." "I'm not paying you for guesses," says the supervisor. "Where are the facts to back up your position?" I once told a client that I could not in good conscience produce a forecast of the daily use of a proposed facility because there had never been a facility of that type in the region, and there was no experience on which to base a forecast. I was told, without even a pretense of politeness, "If you won't forecast, I'll get another consultant." Another consultant was hired, and a forecast was made and paid for. Should the

forecast be considered a good technical estimate, or a fiction produced to garner a fee by pleasing the client?

Information can also pose ethical problems related to the complex issue of confidentiality and privacy, Planners often possess information about people and land that can influence development plans or social programs, or can effect the outcome of an election, Under what circumstances is a database to be held in confidence, and under what conditions is it necessary to make data available to any member of the public who requests it? Survey procedures pose a specific problem in this regard. It has become nearly routine to inform the citizen who participates in a survey that "the results will be used for statistical purposes only, and your responses will be kept confidential." What does such a pledge really require of the planner? When a newspaper reporter asks for the details of a survey in order to verify the validity of our claims, must we refuse to divulge the information because of the confidentiality that was pledged to the respondents? If it is likely that we will release survey information to people who request it for a good reason, perhaps we should not inform the respondents of an intent to keep the data confidential, even though the absence of such a pledge might lower the response rate.

Ethical Standards for Data and Analysis

The Code of Ethics and Professional Conduct of the American Institute of Certified Planners, and the recently adopted Statement of Ethical Principles for Planning of the American Planning Association have similar purposes. They provide guidelines to planners, helping them to address everyday chores and to cope with occasional crises in the manner that best serves the public interest. The code and the statement of principles inform the public of the high standards that planners are expected to meet, and the code provides a basis for "adjudicating any charge that a member has acted unethically."

To be most useful and significant to a profession, a code of ethical principles must be a living document. It must be interpreted and reinterpreted according to changing conditions and the tests posed by particular cases. The AICP Code recognizes this necessity by stating that "the planner's primary obligation is to serve the public interest," while acknowledging that "the public interest is formulated through continuous debate." Recent "advisory rulings" of the AICP Ethics Committee go beyond the general language of the code by offering more specific guidelines in areas of recent concern, such as sexual harassment and the acceptance of outside employment by planners (moonlighting).

After reviewing our code and comparing it with those of other professions, I find it to be relatively silent on standards of technical analysis and reporting, data management and analysis. and statistical and mathematical modeling. This omission is serious, given the growing use of computers in planning and the increasingly analytical nature of work done by planners.

Planners are not, of course, the only professionals who make extensive use of statistics, models, and data. We have a great deal to learn from other professions that have adopted explicit ethical standards addressing the issues raised here. The Ethical Guidelines for Statistical Practice of the American Statistical Society require, for example, that members:

> present their findings and interpretations honestly and objectively;
> avoid untrue, deceptive. or undocumented statements;
> collect only the data needed for the purpose of their inquiry;
> ensure that whenever data are transferred to other persons or organizations, this transfer is in conformity with the confidentiality pledges established; be prepared to document data sources used in an inquiry; known inaccuracies in the data; steps to correct or to refine the data; statistical procedures applied to the data and the assumptions required for their application.

The members of the American Association for Public Opinion Research are bound by their Code of Professional Ethics and Practices, which includes the following principles:

> We shall recommend and employ only those tools and methods of analysis which, in our professional judgment, are well suited to the problem at hand; We shall not select research tools and methods of analysis because of their capacity to yield misleading conclusions;
> We shall not knowingly make interpretations of research results, nor shall we tacitly permit interpretations that are inconsistent with the data available; We shall not knowingly imply that interpretations should be accorded greater confidence than the data actually warrant.

Principles of this kind should apply to planners as well as to statisticians and opinion researchers. Granted, it is not possible to anticipate in advance every use of data or every situation in which an ethical quandary might arise. But it is possible and appropriate to enumerate ethical principles that represent the aspirations and norms of the planning profession.

Given the growing importance of databases, statistical procedures, survey research, and computer modeling in urban planning, the time has come to address the ethical dimensions of technical information within our profession. The Ethics Committee of the AICP should review the current AICP Code of Ethics and Professional Conduct to assess its adequacy and shortcomings regarding technical information and forecasting. It should then propose amendments to the Code, or elaborations upon the code in the form of "advisory rulings," that deal spe-

cifically with ethical standards of information management, statistical practice, and forecasting in planning.

The principles, perhaps modeled after those from which I have quoted above, should be available to young professionals in planning schools as they learn the tools of the trade, and to practicing planners as guidelines in their work. Violations should be investigated and disciplinary measures employed to ensure that the highest ethical standards of the planning profession are applied to quantitative analysis, as they are in other areas of professional concern.

AUTHOR'S NOTE

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Planning Leadership: A Tale of Two Cities

Marcia Marker Feld and John D. Hohman, [r,

Planners have responded in a variety of ways to the ethical dilemmas arising in public policy decision making. **Recent events in two cities-Yonkers. New York, and** Denver, Colorado-demonstrate the range of responses that planners can make to ethical challenges. In both cities planners were confronted with explicit calls for community-based comprehensive planning. While, in Yonkers, planners ignored the call, in Denver they assumed a leadership role, which can demonstrate the value of the Statement of Ethical Principles for Planning of the American Planning Association as a guide for professional behavior. In the following discussion we contrast the responses of planners in the two cities.

Planners Still Guilty in Yonkers

In a commentary published in the Autumn 1986 *[ournal* (52, 4; 387-88), Marcia Marker Feld said in a discussion of *United States v. City of Yonkers, et al.,* Civil Action #80 CIV 6761 LBS SONY 1985, that the planners of Yonkers, New York, were "guilty on two counts." First, in their comprehensive planning, the planners did not acknowledge that their decisions affected schools, the construction and location of public housing, and the mix of government services. Second, they

> ignored both the notion of redistributive justice and social equity demanded in the *Brown* decision and our professional commitment to equal opportunity espoused in the AICP Code of Ethics by acquiescing in or recommending public housing location deci**sions that support racial segregation.**

A recent article (Feld 1989) details the 40-year history of segregative decision-making. wherein the planners consistently either recommended or complied with city council decisions to locate public housing in southwest**ern Yonkers, a minority enclave. The planners, as de**scribed in the article, did little to reverse the decisions. **These actions ensured a segregated community, and, in** turn, a segregated school system.

In *United States v. City of Yonkers, et al* . in which the U.S. Department of Justice filed suit against the city on behalf of the NAACP, Judge Leonard B. Sands found against the city, and his remedy required the school board and superintendent to develop a school desegregation plan and the planners and city council to develop a public housing desegregation plan. In September 1986 the school system was successfully integrated. However, for years, the city council balked at creating and implementing the housing desegregation plan. In September 1988, the court imposed severe fines on the City of Yonkers to spur action on the housing desegregation plan. At the time of this writing, June 1989, no housing remedy plan has yet been approved by the Yonkers City Council, although a court-appointed master, a city planner, has designed one.

The Yonkers planners' complicity in the events leading up to the litigation is detailed in the earlier Feld commentary. In this discussion, we will focus on the sequel that the Yonkers planners and decision makers have created through their refusal to participate in the planning process of the remedy mandated by Judge Leonard B. Sands in his decision. Despite the fines levied against the city and the threatened wholesale layoff of city employees, the Yonkers City Council refused to vote for selection or acquisition of public housing sites. This intransigence prevented any genuinely participatory settlement of the **housing situation in a comprehensive framework and,** indeed, seems to have foreclosed a role in the remedy planning process for the Yonkers Planning Department, with the latter's concurrence. The hope that the court ordered housing settlement could accomplish some gen**uine, comprehensive, community-based planning was** frustrated. Thus, planning of a kind that takes into account the needs of all the citizens, as set forth in the APA Ethical Principles for Planning, has yet to be achieved in Yonkers, even with the impetus of a court-ordered housing remedy.

The ethical principles prescribed by the APA Code,