

Fighting Crime From the Ground Up: The "Zero Tolerance" Approach

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The collective sense that crime is an inevitable feature of urban life has shaped the contemporary American city. Violence has been relegated to the status of routine, and crime policies have achieved only limited success. However, there is a growing school of thought: that the key to changing the perception that we are powerless against the violence in our communities is to raise our expectations of basic civility. Several local governments have introduced or have considered introducing a crime reduction strategy known as "zero tolerance," that is, an absolute refusal on the part of government to permit crimes that interfere with the basic quality of life.

The zero tolerance policy is highly attractive: governments look strong and effective, citizens take heart, and statistics on violent crime decline. This initiative has been implemented with remarkable success in New York City, which suggests that, with a careful and thorough examination of each unique jurisdiction, the zero tolerance policy has tremendous potential for reducing violent crime and improving the quality of life in many other American communities.

The fundamental framework for this article is the need for such a policy within the context of the contemporary urban landscape. A discussion of the theoretical origins of

the zero tolerance policy, as well as anecdotal evidence of New York City's experience with this approach, will be provided. The issues explored herein are the key considerations for the policy's practical implementation.

Violent Crime in the United States

Violent crime is an undeniable problem in the United States. According to the latest FBI *Uniform Crime Reports*, 1.8 million violent crimes were committed in our nation in 1995.¹ That number equals one murder, forcible rape, robbery, or aggravated assault every 18 seconds.² From 1985 to 1995, the violent crime rate, which is the number of offenses per 100,000 inhabitants, increased 23 percent.³ In that period, there were over 221,000 murder victims and in 1995 alone, over 20,000 people nationwide lost their lives as a result of homicide. That is an average of 55 victims per day.⁴

Though these statistics are staggering, the public's awareness of the inherent dangers within our communities is not based on the available data. Instead, public perception of crime is founded in the collective experience of living in contemporary urban America. The fear and frustration generated by nightly news exposure to local and national tragedy is all too familiar.

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While fear is an important and obvious response to urban crime, the frustration component is the key consideration in addressing policy alternatives. This frustration belongs equally to residents and lawmakers. Public officials are under tremendous pressure to come up with viable solutions to the myriad problems associated with violent criminal acts, and the severe budgetary constraints on municipal governments are only one of several elements inhibiting effective violent crime reduction. The most well-intentioned and well-administered programs are subject to failure at numerous junctures. In this context, it is essential that policymakers explore multiple and differing initiatives to combat urban crime. One possible answer, as defined by the zero tolerance policy, is to "crack down" on low-level, quality-of-life crimes.

While violent crime is still worse than it was ten years ago, there has been a marked decrease since 1993 (see Chart 1). Between 1993 and 1995, the violent crime rate decreased 8.3 percent.⁵ During the same period, murder and robbery rates dropped 13.7 percent.⁶ 1995 saw the lowest violent crime rate since 1989, and the latest figures indicate that this trend continued into 1996.⁷ According to the *Semiannual Crime Report*, the number of violent crime offenses known to police in the first six months of 1996 decreased five percent nationwide compared with the same period in 1995.⁸ Murder offenses dropped seven percent, robbery and aggravated assault both fell five percent, and forcible rape declined one percent.⁹ While this recent downward trend is encouraging, it is important to note that it is not uncommon for the violent crime rate to fluctuate. For example, between 1980 and 1983, the violent crime rate fell by 9.9 percent, but by 1986 had shot back up to 3.5 percent above the 1980 level.¹⁰ Neverthe-

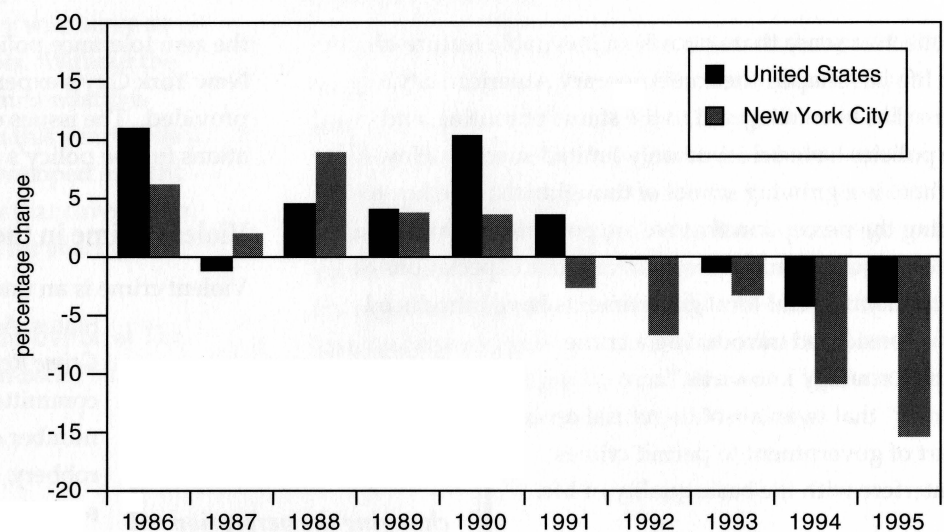
less, the current four-and-a-half year reduction is still the longest sustained decrease in at least 20 years.¹¹

The Urban Environment

The American city is one of the most dichotomous environments on Earth. The overwhelming concentration of energy and imagination create a world rich with possibility. In our cities, we find our best, finest and most resplendent. On the same streets, we find our worst, most destitute, and most violent. Nowhere is the violent crime problem more serious than in our nation's cities. In 1995,

Chart 1: Change in Violent Crime rate, 1986-1995*

United States and New York City



*Violent crimes are offenses of murder, forcible rape, robbery, and aggravated assault.

Source: Computed by the author from data in *Uniform Crime Reports for the United States 1986-1995*, U.S. Department of Justice, Federal Bureau of Investigation.

approximately 81 percent of the total U.S. population lived in or near a central city of over 50,000 people.¹² That year, 1.4 million violent crimes, 83 percent of the total number, were committed in cities.¹³ Of course, the larger the city the greater the incidence of violent crime. According to the Federal Bureau of Investigation (FBI), cities with a population of 250,000 or more comprised 20 percent of the total population of the United States and accounted for 44

percent of the total violent crimes in the nation in 1995.¹⁴ The largest cities, those with one million or more people, accounted for nine percent of the nation's population and 21 percent of the violent crime offenses.¹⁵

Crime, like the population, is usually concentrated in cities. However, urban areas have also experienced a recent downward trend in violent crime. From 1994 to 1995, the number of violent crime offenses known to the police in cities decreased by 4.9 percent—more than the national decrease.¹⁶ The largest cities, those with more than one million inhabitants, saw the largest decrease—8.4 percent—and the most recent figures for cities are equally promising.¹⁷ For the first six months of 1996, cities with populations over one million experienced a seven percent drop in violent crime offenses known to the police.¹⁸ However, this decrease has not affected all areas equally. Violent crime increased in some cities, such as Orlando, Florida, during the first half of last year.¹⁹ Increasingly, though, cities like Orlando are the exception rather than the rule.

Public Perception and Disorder

Despite decreasing crime levels, the public perceives crime to be worsening in America's communities. This public perception is intricately connected to the quality of life in those communities. The extent to which citizens feel safe and have confidence in their public officials, as well as how they view the current crime-fighting agenda, combine to create a public sentiment that has immense bearing on the policies and initiatives that are implemented.

Polls and interviews indicate two overall sentiments: People are fearful of being victimized and violent crime is getting worse. When asked how concerned they were about being a victim of crime, 80 percent of respondents to a 1995 telephone interview poll indicated that they were "very concerned" or "somewhat concerned."²⁰ In a 1996 Gallup Poll, 25 percent of respondents indicated that "crime/violence" was the most important problem facing the United States and, in another 1996 poll, 16 percent of respondents indicated that "crime/violence" was the most important issue for the government to address, second only to the federal deficit.²¹ As has been shown, violent

crime was actually decreasing at the time these polls were taken. These respondents were reacting to another factor besides crime that gave them the impression that crime was worsening. That other factor is disorder.

Disorder is what people experience in the course of their daily lives. Disorder is the abandoned building at the end of the block and the broken glass on the sidewalk. It is the group of young people drinking on the corner and the litter in the gutter. Disorder includes those offenses which reduce the quality of neighborhood life and cause fear among citizens. Unlike crime, disorder is not necessarily defined by law, but it exists in the shared experiences of citizens. People know disorder when they see it and, as the polls and surveys indicate, disorder frightens them.

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The Road to Zero Tolerance

The zero tolerance policy suggests that refusing to tolerate low-level crimes facilitates a reduction in more serious crimes. Proponents of this policy argue that these low-level crimes, which are often referred to as nuisance crimes, quality-of-life offenses, or, more generally, disorder, disrupt a city's sense of order, cause fear among the citizenry, and ultimately lead to more serious crimes.

This connection between disorder, fear, and crime has been studied, tested, and debated for at least twenty years. Albert Biderman and his colleagues first discovered the connection between fear of crime and disorder in 1967 when analyzing surveys of citizens as part of a Presidential Commission on Law Enforcement and Crime.²² Over time, the zero tolerance policy has developed from an intriguing theory to a mainstream crime reduction tactic, and numerous initiatives, including New York City's current highly-publicized "experiment" with order maintenance, have resulted.

The theoretical roots of the zero tolerance policy lie in the "Broken Windows" theory developed over 15 years ago by social policy scholars James Q. Wilson and George Kelling. This theory, which seeks to explain how disorder causes fear and crime, was inspired by an experiment conducted by Kelling in the mid-1970s. Kelling, then a researcher at the Police Foundation, a Washington, DC, think tank,

conducted the Newark, New Jersey Foot Patrol Experiment. In response to the widely-held belief that police were more effective if they spent their time in patrol cars responding to calls for service, the purpose of this study was to evaluate the effects of Newark police's foot patrols on reducing crime.

The results of this study clearly showed that foot patrols did not reduce crime rates. However, the study did reveal that residents of the foot-patrolled areas believed that crime had been reduced and that these residents felt more secure than people in other areas.²³ This disconnect between the actual crime rate and the public's perception of crime attracted the attention of Wilson, then a Harvard professor. Wilson and Kelling subsequently theorized that police foot patrols, while not actually reducing the amount of crime in an area, performed an equally important function—maintaining order in the community. Based on the findings of the Newark experiment and surveys from other cities, the two men set out to explore and publicize the relationship between disorder, fear, and crime.

Wilson and Kelling reported on their analysis in an article in *The Atlantic Monthly* entitled "The Police and Neighborhood Safety."²⁴ Using the analogy of broken windows, the authors explained how neighborhoods could be overtaken by crime and fear if order was not maintained in the community. According to Wilson and Kelling, "if a window in a building is broken and is left unrepaired, all the rest of the windows will soon be broken. . . [O]ne unrepaired broken window is a signal that no one cares, and so breaking more windows costs nothing."²⁵ To illustrate their point, Wilson and Kelling described an experiment conducted in 1969 by Stanford psychologist Philip Zimbardo.

In his experiment, Zimbardo arranged to park and leave unattended two automobiles without license plates and with their hoods open; one was left in the Bronx and the other near the Stanford University campus in California. The car in the Bronx was stripped and then destroyed within a day. Surprisingly, most of the vandals were well-dressed and appeared to be respectable citizens. The car in California, meanwhile, sat undamaged until Zimbardo took a sledgehammer to the vehicle. Following Zimbardo's example, others began to vandalize the car and soon it was turned over and destroyed. Just as in the

Bronx, the vandals seemed to be "well-dressed" and "clean-cut."²⁶

In analyzing Zimbardo's findings, Wilson and Kelling concluded that "Untended property becomes fair game for people out for fun or plunder, and even for people who ordinarily would not dream of doing such things."²⁷ They also noted, "vandalism can occur anywhere once communal barriers—the sense of mutual regard and the obligations of civility—are lowered by actions that seem to signal that 'no one cares.'"²⁸ The car in the Bronx was attacked immediately because the neighborhood barriers against such action had been already brought down by past burglaries, vandalism, and a general sense of apathy. The California car was initially unharmed because community controls, respect for private property, and opposition to crime were in place. When Zimbardo smashed part of the car with a sledgehammer, however, he broke down these "communal barriers" that had protected the automobile for more than a week.

While Zimbardo's experiment dealt specifically with physical disorder, Wilson and Kelling further argued in *The Atlantic Monthly* article that disorderly behavior, such as public drunkenness, also breaks down community controls, breeds more disorder, and increases fear of crime. According to the authors, unchecked behavior can erode the stability of a neighborhood just as easily as physical disorder: "[S]erious street crime flourishes in areas in which disorderly behavior goes unchecked. The unchecked panhandler is, in effect, the first broken window. Muggers and robbers. . . believe they reduce their chances of being caught or even identified if they operate on streets where potential victims are already intimidated by prevailing conditions."²⁹

Wilson and Kelling further explained that, once conditions of physical and social disorder exist in a neighborhood, a downward spiral of decay will likely begin. In response to increased disorder and fear of crime, citizens will change their behavior. Wilson and Kelling concluded that once disorder sets in, "[citizens] will use the streets less often, and when on the streets will stay apart from their fellows. . . Such an area is vulnerable to criminal invasion. Though it is not inevitable, it is more likely that here, rather than in places where people are confident they can regulate public behavior by informal controls, drugs will

change hands, prostitutes will solicit, and cars will be stripped."³⁰ Thus, when people vacate public places because of disorder and fear, criminals move in to take their place.

"Broken Windows" was more than a simple theory. In concluding that disorder causes fear of crime and also leads to more serious crime, Wilson and Kelling were

proposing a different approach to dealing with crime. The underpinnings of this proposed approach lay in the ability of police and citizens to work together to maintain order in the community. First, the police and the members of the community would have to establish acceptable standards of

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behavior and define what order meant in a particular area. Order, Wilson and Kelling proposed, was "an inherently ambiguous term but a condition that people in a given community recognized when they saw it."³¹ Once this condition was determined, the police would work to maintain order as defined by the citizens and ensure that the unofficial rules of the community were not violated. This meant patrolling areas on foot rather than in patrol cars, establishing trusting relationships with the people on their beats, and addressing low-level crimes that contribute to neighborhood disorder.

Overall, the reactions to Wilson and Kelling's findings and recommendations were mixed. Some citizens were enthusiastic about "Broken Windows." Wilson and Kelling had verified what neighborhoods across the United States had been experiencing first hand: disorder, both physical and behavioral, is what people face every day and creates as much fear and concern among citizens as more serious crimes. The theory also helped police to understand the importance of maintaining order in crime prevention and why citizens are so concerned about low-level offenses.

However, the support for "Broken Windows" was not unanimous. Taking police officers out of cars and putting them on foot patrols to control disorder was quite contrary to the dominant view of policing at the time. Most police

departments saw themselves as "crime fighters" whose job was to track down and arrest those involved in crimes after they had been committed. Police officers argued that they were too busy responding to 911 requests and other calls for service to spend time handling low-level crimes and maintaining general order.³²

"Broken Windows" also raised a host of concerns about violation of individual rights and discrimination. Advocates for the poor, minorities, and the homeless contended that restoring order meant attacking anyone who was deemed "undesirable." Although the "Broken Windows" theory advocated that police officers work with all members of a community, including minorities and the poor, to establish mutually agreeable standards for the neighborhood, many opponents saw Wilson and Kelling's theory as the first step down the road toward a police state.³³

Further significant study of the relationship between disorder, fear, and crime was not completed until the next decade. In 1990, eight years after Wilson and Kelling first presented the "Broken Windows" theory, Northwestern University Political Science Professor Wesley Skogan published "Disorder and Decline: Crime and the Spiral of Decay in American Neighborhoods." Using neighborhood surveys and field observations from six major U.S. cities, Skogan confirmed Wilson and Kelling's hypothesis: that a causal relationship exists not only between disorder and fear, but also between disorder and serious crime.³⁴ Indeed, Skogan discovered that disorder, more frequently than any other neighborhood characteristic, either precedes or coexists with serious crime. Using robbery as an example, Skogan showed that the number of robbery victims in an area increases with the level of disorder.³⁵ He, like Wilson and Kelling, stressed that the fear brought about by a feeling of disorder definitively contributes to a neighborhood's decline. Disorder erodes citizens' faith in their neighbors and community, leaving them isolated and frustrated by their inability to control disorder. According to Skogan, "both directly and through crime, [disorder] plays an important role in neighborhood decline. 'Broken windows' do need to be repaired quickly."³⁶

Skogan also found that, despite their differing characteristics (race and socio-economic status, for example), members of a community were generally in agreement about the amount and type of disorder that existed in their

neighborhood.³⁷ Social disorder, such as public drinking, prostitution, and the sale and use of drugs, as well as physical disorder, such as vandalism and trash accumulation, were frequently cited by residents when asked to identify the disorder in their communities.³⁸ This finding contradicts those "Broken Windows" critics who argue that setting and enforcing community standards as a means to reduce crime will discriminate against certain members of the community and lead to a "tyranny of the majority." Skogan's study shows that order maintenance will not necessarily pit neighbor against neighbor or community against individual. Instead, because people generally agree about what disorder is and that they want to be rid of disorder, order maintenance can unite citizens in an effort to keep their neighborhoods safe.

If disorder, both physical and behavioral, can cause serious crime, then aggressive prosecution of minor legal violations is a logical remedy. By addressing low-level offenses, therefore, police and citizens should be able to send a signal that crime, no matter how minor, will not be tolerated in a community. How has this policy of zero tolerance for crime worked in real applications? In New York City, the answer is "with success." The following section explores that city's experience with the zero tolerance approach to fighting crime.

New York City

At the beginning of this decade, New York City was one of the most dangerous and crime-ridden cities in America. In 1990, there were over 174,000 violent crime offenses in New York City, including 2,245 murders—an average of six per day.³⁹ In the words of one editorialist, New York was "in the vanguard of urban decay with its marauding gangs, drive-by shootings, threatening panhandlers and armies of prostitutes."⁴⁰

Then things began to change. In 1991, crime started to drop in New York City and between 1991 and 1993, overall and violent crime offenses decreased by 11.6 percent and 9.9 percent respectively.⁴¹ While this three-year decrease is significant, it is the dramatic drop in crime *since* 1993 that is most impressive. From 1993 to 1995, overall crime offenses decreased 25.9 percent and violent crime offenses decreased 25 percent, due primarily to an astonishing 39.5 percent decline in murders.⁴² In 1995 alone, the violent

crime rate fell by almost 16 percent (see Chart 1).⁴³

And the trend continues to improve. The latest data released by the FBI indicates that crime in New York City further decreased in 1996, dropping 10.5 percent in the first six months of the year.⁴⁴ As shown in Chart 2, crime was also decreasing nationally at this time, albeit much more slowly, and such cities as Los Angeles, Baltimore, and Newark also experienced significant reductions in crime.⁴⁵ However, the fact that the decline in New York has been occurring for a longer time and is steeper than almost anywhere else suggests that more is at work here than national trends.

Over the last three years, New York has conducted one of the most successful crime fighting campaigns in the city's history. The New York Police Department (NYPD), political leaders, courts, city residents, and numerous municipal agencies have restored order to the city's streets. Their collaborative efforts have changed the way that the city, and the NYPD in particular, deal with the city's crime problem.

Major changes in New York City's approach to dealing with crime began in 1994, when newly-elected Mayor Rudolph Giuliani, whose strong anti-crime message had won him considerable support at the polls, hired William Bratton as New York's 38th police commissioner. Bratton, a former Boston police commissioner and New York Transit Police Chief, had won national recognition earlier in the decade for his role in leading the New York Transit Police to cut subway crime by nearly 50 percent. Giuliani charged Bratton with re-engineering and re-energizing the NYPD to deal with the decreasing but still formidable crime problem.

Although Bratton resigned from his position as New York Police Commissioner in April 1996, during his short tenure he made many important changes in the NYPD. One of Bratton's first actions was to reform the management of the department, replacing 80 percent of the commanders in an effort to breathe some new life into a police force plagued by corruption and scandal and largely seen as a bloated and ineffective bureaucracy. The commissioner also decentralized the organization, giving precinct commanders (mostly captains) much of the authority that had been held exclusively by the NYPD's 55 top-level

chiefs. In addition, Bratton continued the expanded hiring that was initiated by his predecessors, increasing the size of the nation's largest city police force to almost 38,000 officers.⁴⁶

These Crime Control and Strategy meetings provide the NYPD with a means for holding the newly-empowered precinct heads accountable. Throughout the meetings, precinct commanders face tough question-and-answer

sessions in which they are expected to have a thorough understanding of their area's crime patterns and present well-developed proposals for addressing these problems. High visibility forces the precinct commanders and, in turn, their officers to focus constant attention on neighborhoods.

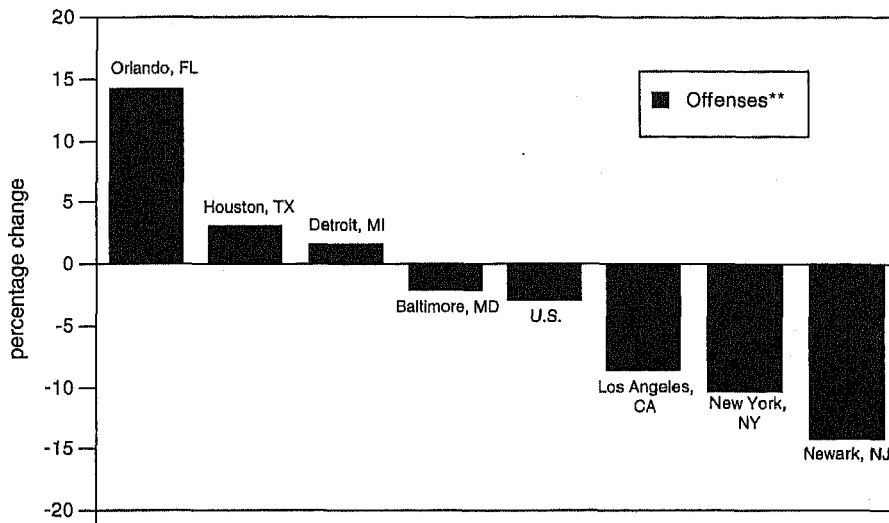
Management reforms, increased personnel, investment in new technology, an explicit set of crime fighting guidelines, and a number of other changes made by the commissioner undoubtedly improved the effectiveness of the NYPD. However, Bratton's most important change involved the NYPD's crime fighting philosophy. Conventional police wisdom held that the amount of crime was a result of social conditions and a

myriad of other forces outside of police control. As a result, officers did not spend much time trying to reduce crime by going after all offenses, including low-level crimes, but concentrated instead on responding to and solving serious crimes. As a strong advocate of "Broken Windows," Bratton refuted this mindset and demanded that officers go after all crimes and focus their efforts on order maintenance.⁴⁸ Like Bratton, some members of the NYPD recognized the opportunity to control the amount of crime by establishing and maintaining order.

However, Commissioner Bratton's plan faced significant opposition from many officers, most of whom had operated under the "call and respond" paradigm for their entire careers. Since these officers would be the linchpin holding the plan together, Bratton had to convince them

Chart 2: Change in Crime Index Offenses, January-June 1996 over 1995*

Selected U.S. Cities



*Includes the following offenses: murder, forcible rape, robbery, aggravated assault, burglary, larceny-theft, and motor vehicle theft.

**Number of Crime Index offenses reported to law enforcement agencies throughout the United States.

Source: Computed by the author from data in the *Semiannual Uniform Crime Reports for the United States January-June 1996*, U.S. Department of Justice, Federal Bureau of Investigation.

Commissioner Bratton also developed a four step guide to fighting crime: (1) accurate and timely information; (2) rapid deployment; (3) effective tactics; and (4) relentless follow-up and assessment. As part of this new strategy, the NYPD established Compstat, which is short for computer comparison statistics. This cutting-edge crime fighting tool uses computer technology to continuously update crime statistics (precinct commanders were previously using three- to six-month-old crime data), map crime patterns, and establish causal relationships. At bi-weekly Crime Control and Strategy meetings at police headquarters, precinct commanders, detectives, and top police management currently analyze the Compstat data and develop plans to combat crime in each of the city's 76 precincts.⁴⁷

that order maintenance coupled with zero tolerance was a legitimate crime reduction strategy. Simply relaying the “Broken Windows” theory would be insufficient; the commissioner had to relate the theory to officers’ everyday experiences in order to show how “Broken Windows” has clear practical applications.

Based on the premise that relatively few people commit most crimes and that they are loosely affiliated or come into contact with one another through the buying and selling of guns, drugs, and stolen goods, Bratton recognized that as the police began arresting people for nuisance crimes, they could check for outstanding warrants, guns, drugs, stolen property, or any other indication of more serious criminal activity.⁴⁹ Even if the suspect was not found to be a serious criminal, he or she might be able to provide information about other criminals. Similarly, as police began searching more and more suspects and confiscating weapons, criminals might become more cautious about carrying guns for fear that they would face felony charges if caught committing minor offenses. With fewer guns on the street, the chances of non-violent crimes and lower level violent crimes turning into homicides would be dramatically reduced.

New York City’s Efforts to Eliminate Disorder

As evidence that order maintenance would bring about the desired results, Bratton pointed to two of New York City’s more well-known crime reduction successes: the battle to “reclaim the subway” from crime and graffiti, and the eradication of squeegee operators.

In the 1980s, nearly all of New York’s more than 5,000 subway cars were covered with graffiti. These spray-painted logos and slogans were not only an eyesore, but they also signaled the city’s inability to deal with low-level criminals. Recognizing the seriousness of the graffiti problem, the New York City Transit Authority (NYCTA) launched the “Clean Car Program” in 1984. Unlike previous efforts to deal with graffiti, the “Clean Car Program” did not involve arresting vandals and making them perform community service. Instead, the program sought to take away the graffiti artists’ motive—to have their work publicly displayed—by removing graffiti-covered trains from service until they were cleaned.⁵⁰ Whereas a spray-painted train was a signal that city rules were not

taken seriously, the use of clean cars sent a clear message that the prohibition against graffiti would be strictly enforced.

Soon after the program was implemented, graffiti began to appear less frequently (vandals seemed to be aware of the NYCTA strategy and only attacked dirty trains) and within five years, all of the vandalized subway trains had been cleaned.⁵¹ The “Clean Car Program” was particularly important because it was one of New York’s first successful campaigns to maintain order and served as a model for later crime reduction efforts.

Encouraged by the city’s success in dealing with graffiti, the Transit Police Department (under the leadership of then-Transit Police Chief William Bratton), in conjunction with the Metropolitan Transit Authority (MTA) and the NYCTA, conducted “Operation Enforcement” to restore order inside the subway cars and stations.⁵² Although the system was plagued by serious crimes such as robbery and murder, “Operation Enforcement” concentrated on disorderly acts in the subway—littering, lying down on the floor, aggressive panhandling and begging, farebeating, or tampering with fare collection boxes and turnstiles—as the key to reducing overall crime in the subway. “Operation Enforcement” involved two important steps: (1) publicizing long-standing rules against inappropriate behavior in the subway and (2) aggressively enforcing those rules.⁵³ Not surprisingly, the operation was met by strong opposition from civil rights and homeless advocates who argued that banning acts such as begging and lying down violated individual rights and unfairly targeted the poor and the homeless who often relied on the subway for shelter.

After surviving a strong legal challenge by these advocates, in which the NYCTA successfully appealed a Federal District Court ruling that protected begging as free speech under the First Amendment, the program finally achieved the desired result of reduced crime in the subway.⁵⁴ Once transit police began cracking down on minor offenses in the subway system, they discovered that many of these low-level offenses, especially farebeating, were committed by weapon-toting criminals with outstanding warrants. As a result, “Operation Enforcement” caused a significant decline in index crimes such as robbery and aggravated assault, as well as a reduction in

quality-of-life offenses. Between 1990 (the first year of the aggressive enforcement operation) and 1996, felonies declined 75 percent and robberies fell by 64 percent in the subway system.⁵⁵ Although still cautious, many passengers now feel safer in the subway knowing that crime is in check.

The NYPD, unlike the NYCTA and the MTA, did not have its first success with order maintenance and zero tolerance until 1993, when Police Commissioner Raymond Kelly initiated a campaign to end “squeegeeing,” or the unsolicited washing of car windows. Squeegee operators, armed with rags and brushes, gathered at major intersections and off-ramps where traffic slowed and would clean car windows for a small fee or tip. While many squeegee operators were trying to make legitimate earnings, they often threatened drivers and/or used aggressive tactics to demand payment from drivers. Squeegee operators, with their intimidating tactics, were not only a nuisance for daily commuters, but their presence also made a frightening first impression on tourists and other visitors to New York City.

However, squeegeeing was not seen as a pressing concern by the NYPD; officers felt they had more important work than citing people for illegally washing car windows. The standard procedure for dealing with this offense involved neighborhood police officers issuing Desk Appearance Tickets, or DATs, and ordering the squeegee operators to pay a small fine.⁵⁶ Offenders rarely appeared to pay their fines and the warrants issued following offenders’ nonappearance were sent to a central warrant-service unit and relegated to low priority.⁵⁷ Squeegee operators, like the police officers, soon realized the impotence of DATs and the warrant system and continued to solicit drivers even after being cited numerous times.

Frustrated by the NYPD’s inability to eliminate squeegeeing, a neighborhood officer proposed a simple yet effective solution: provide officers with the warrants so they can arrest squeegee operators for nonappearance, which is a jailable offense.⁵⁸ Using the nonappearance warrants, the police hauled in hundreds of squeegee offenders and the problem faded in a matter of weeks.⁵⁹ Just as the Transit Authority had learned that serious crimes in the subway

were caused by people who also committed relatively minor crimes, the NYPD discovered that many of the squeegee operators had previous arrests for serious felonies or drug related offenses. As a result of “Operation Enforcement,” many violent criminals were taken off the streets.

While the “Clean Car Program,” “Operation Enforcement,” and the anti-squeegeeing campaign were different in many ways, each was based on the idea that the police depart-

ment and other city agencies can reduce crime, even the most stubborn problems, by using a zero tolerance crime policy coupled with an aggressive enforcement strategy. “Operation Enforcement” dramatically reduced subway crime by enforcing rules against inappropriate behavior and minor offenses, and simultaneously put police officers into contact with more serious criminals. Similarly, using concentrated efforts and an innovative solution, the NYPD eradicated squeegeeing, incarcerated hardened criminals, and dramatically improved citizens’ quality of life.

Implementation

The NYPD’s current crime reduction strategy combines the tactics used in these early order maintenance campaigns with some of the features of community policing. Contrary to criticism, the NYPD approach is not a retreat from community policing. Rather, the city’s approach stresses the interdependent relationship between police and the community in fighting crime. As discussed with the “Broken Windows” theory, citizen-police interaction is a key element in establishing and maintaining mutually agreeable standards for neighborhood order. Citizens can provide the police with valuable information about the nature of problems in their communities and give officers authority to police their neighborhoods.

During his tenure as NYPD Police Commissioner, Bratton took a number of steps to encourage a more community-oriented approach to policing. First, Bratton devolved power and authority to the lowest levels of the NYPD so that street officers, working with and under the scrutiny of citizens, could develop customized crime control strategies for particular areas. Second, in shifting the NYPD away from the traditional “call and respond” approach,

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Bratton encouraged police officers to take on different responsibilities—keeping the peace and public order, protecting constitutional liberties, ensuring security, and resolving conflicts—that have not only proven effective in reducing crime but have also dramatically improved citizens' quality of life.

Howard Safir, the current NYPD police commissioner, has built upon the foundation laid by Bratton. According to the latest NYPD annual plan, *Strategy '97, Goal-Oriented Neighborhood Policing*, the department is going to be targeting property crime and quality-of-life violations, as well as illegal guns, drugs, and violent street crime that "create an atmosphere of fear and disorder."⁶⁰ The plan also cites figures showing a reduction in civilian complaints against the police in 1996. As an extension of this achievement, the NYPD will use investigators posing as average citizens in staged contacts with the police to evaluate officers' interactions with the public. The plan also calls for the NYPD to "facilitate communication and foster a spirit of cooperation between the Department and the communities it serves."⁶¹ The NYPD will solicit recommendations from community focus groups and the Police Advisory Board, a citizen group, to develop future initiatives and training programs.

The Debate

From a crime reduction standpoint, the changes in the NYPD are remarkable. Murders have decreased to their lowest level in almost 30 years and the crime rate has dropped an average of 12.8 percent over the last two-and-a-half years.⁶² Of course, crime remains a fact of everyday life in New York City, but the sustained decrease in the crime rate has improved city residents' quality of life. Today, people can ride to work in a cleaner and safer subway system, drive the streets without being harassed by squeegee operators, enjoy the city's parks and other previously crime-ridden public places, and live without the constant fear of becoming a victim of crime.

Many people believe that the amount of crime is the result of social conditions, such as poverty and racism, and that, unless these "root problems" are addressed, crime will never be completely eliminated.

Not surprisingly, there has been contentious debate about whether New York City's dramatic reduction in crime is the result of the zero tolerance approach or whether factors outside of police control are involved. Primarily, this is a question of causality. How do we know that crime is being reduced as a result of police actions? If the police are responsible, which actions or combination of actions (the switch to aggressive order maintenance and zero tolerance, the use of new crime fighting technology, the hiring of additional officers, etc.) are working? Are other factors, such as changes in demographics and drug habits, increased incarceration rates, or the efforts of community groups and other private organizations reducing crime? Many people believe that the amount of crime is the result of social conditions, such as poverty and racism, and that, unless these "root problems" are addressed, crime will never be completely eliminated. Others argue that the police can and are wiping out violent crime by using the correct strategy and the proper resources.

Many criminologists say the decrease in the nation's population of young men, the group most likely to commit crimes, is driving the reduction in crime. Indeed, males aged 15 to 34 accounted for 64 percent of the nation's crimes committed in 1995, and nationally, the number of males age 15 to 34 dropped 0.6 percent in 1995, continuing a multi-year trend.⁶³ While these statistics suggest that New York City's crime rate is falling at least in part because of the decrease in the number of young men, others disagree about the effects of this demographic change. Former Police Commissioner Bratton has cited figures that show that unlike national trends, the city's population of 15- to 24-year-olds decreased by only 3.3 percent between 1990 and 1995, far less than the drop in the crime rate during that time.⁶⁴

Critics of the zero tolerance policy also attribute the decrease in crime to increased incarceration rates and longer prison terms. In the late 1980s and early 1990s, the nation's prisons swelled as tens of thousands of young men were imprisoned. By 1994, more than five million Americans were under correctional supervision, more than at any other time.⁶⁵ Some critics suggest that because so many criminals have been taken off the streets in recent years, fewer are at large to commit violent crimes for the third or fourth time. However, others argue that increased incarceration rates cannot explain New York City's swift

and steep drop in crime. While New York State's prison system and adult prison population have grown significantly, New York City's drop in crime significantly outpaces the number of new cells and prisoners.⁶⁶

Changes in drug habits are also thought to play a large role in the decrease of violent crime. According to experts on drug-related crime, there has been a maturation of the crack cocaine market, and the turf wars that accounted for much of the violence in the late 1980s and early 1990s have subsided.⁶⁷ Some experts also argue that the drop in crime is due to an increasing preference for heroin over crack. Criminologists say the rising number of heroin users is less likely to become violent because the drug is a depressant. Supporters of the zero tolerance approach disagree, however. With regard to the maturation of the crack cocaine market, there is at least anecdotal evidence that gang drug wars still account for a large share of the violent deaths in Washington, DC, a city that has also seen a decrease in violent crime.⁶⁸ Moreover, police dispute the claim that a shift from cocaine to heroin has occurred, with suspects still overwhelmingly testing positive for cocaine.⁶⁹ Older police officers also recall that in the late 1970s, when heroin was the urban drug of choice, the city experienced no lull in violent crime.⁷⁰

Another possible explanation for the decrease in crime is that citizens are starting to fight back. Neighborhood organizations, crime watches, and tenant groups are banding together to take back their streets. For example, the East New York Urban Youth Corps, a neighborhood organization in Manhattan, has helped push criminals out of its community through non-police tactics such as rehabilitating decrepit buildings and turning a violence-plagued street into an official "play street" for youngsters.⁷¹ Business Improvement Districts (BIDs) are another type of organization credited with reducing crime in New York City. BIDs include businesses as members who tax themselves to pay for extra services such as the hiring of sanitation workers and public safety officers. The presence of these officers on the streets discourages crime and makes patrons and residents feel more secure. There are now at least 37 of these districts in New York City, including such areas as Times Square and Grand Central Station.⁷² As has already been suggested, citizen involvement in fighting crime, whether through informal contact between residents and police officers or the efforts of

community and business groups, is central to New York City's approach.⁷³

Some critics note a difference between the short-term effects of the zero tolerance policy and a long and sustained reduction in crime. They argue that the solutions being implemented by the NYPD are at best temporary, and that long-term progress against crime depends upon changes in the fabric of society, not the efforts of well-intentioned police. These critics also note that the advent of gun control laws in some states during the 1970s, as well as a doubling of the nation's prison population in the 1980s, each were initially linked to a drop in crime. In each instance, crime eventually increased again. Finally, criminologists stress the importance of keeping the decrease in perspective and remind people that the current drop in crime is only impressive when compared to the huge rise that occurred in the late 1980s and the peak in 1990. According to James Fox, a professor of criminal justice at Northeastern University, "The pendulum could easily swing back. . .when current inmates leave prison and the 19- to 25-year-old group bulges again in about five years, then we can test the Giuliani theory [of zero tolerance]."⁷⁴

Still other critics argue that the NYPD is reducing crime, but that their success is due to changes other than the zero tolerance policy. At the same time that the NYPD adopted the zero tolerance approach to fighting crime, the department also hired additional officers, made use of new Compstat technology, and devolved authority to cops on the beat. It is likely that the combined effects of these changes, more than any single action by the NYPD, has led to the dramatic reduction in crime in New York City.

Key Issues

While the list of possible explanations for New York's crime reduction is fairly long, the city clearly experienced a dramatic decrease in crime.⁷⁵ The significance of New York City's success suggests that the zero tolerance policy may be replicable in other cities concerned about fighting increasing crime rates.

Before cities rush to implement zero tolerance, however, their leaders should consider a number of issues. According to reports, in 1995 and 1996 the NYPD budget was rising nearly six percent a year while other parts of the city

government were facing cuts.⁷⁶ Much of this increase stemmed from the extra personnel needed to enforce laws against quality-of-life offenses and to process low-level offenders. However, the zero tolerance approach does not have to drain a jurisdiction's coffers. Cities unable to increase police funding can implement a limited zero tolerance policy by targeting high-crime areas and specific quality-of-life offenses. Cash-strapped Washington, DC, for example, redeployed approximately 300 officers, many from desk jobs or special units, to crack down on petty violations in high-crime areas as part of a new "zero tolerance" anti-crime initiative.⁷⁷

The zero tolerance approach also places a significant burden on judicial and penal systems because it brings more people into court and jail. Arrests and quality-of-life summonses skyrocketed in New York City following the establishment of the policy, producing mounds of paperwork for both the police department and the courts.⁷⁸

While proponents of zero tolerance argue that petty offenders need only be jailed for a few days, the policy still places additional strain on the country's overburdened prison systems. Judges and prosecutors are busy with many seemingly more important cases, making it difficult to sustain their interest in cases that arise from quality-of-life arrests.⁷⁹ This can be especially problematic for governments under serious budget constraints.

Unfortunately, when police "get tough on crime" they may also get too tough on citizens. In New York City, critics warn of a new aggressiveness within the NYPD. In the first six months of 1995, overall citizen complaints against the NYPD increased dramatically, with a majority of the complaints coming from African-Americans and Latinos, according to the Civilian Complaint Review Board, a citizens' group that monitors police abuses.⁸⁰ The NYPD argues that the creation of the civilian review board was bound to increase complaints because it encourages people to lodge their grievances with an organization outside of the police department. NYPD officials also contend that increasing the size of the force meant putting more officers out on the street, inevitably giving rise to more complaints.

Neighborhood standards for conduct are not codified in existing law and asking the police to enforce such rules puts them at the nexus of sticky issues like individual rights and civil liberties.

Such complaints would be no surprise to Wilson and Kelling. When developing their theory of "Broken Windows," Wilson and Kelling recognized that in aggressively maintaining order, police may overstep the bounds of their authority. Neighborhood standards for conduct are not codified in existing law and asking the police to enforce such rules puts them at the nexus of sticky issues like individual rights and civil liberties. Moreover, the authors were concerned that community standards might

become a code word for punishing individuals who, because of their age, income, race, or other factors, were considered undesirable. Wilson and Kelling asked, "How do we ensure in short that the police do not become the agents of neighborhood bigotry?"⁸¹ In response, the authors suggested that the "selection, training, and supervision" of police officers be used as a mechanism for keeping police from going beyond the limits of their discretionary authority. "The police exist to help regulate behavior, not to maintain the racial or ethnic purity of a neighborhood," Wilson and Kelling stated.⁸²

In an effort to reduce police corruption and improve officer accountability, the NYPD has improved the selection, training, and supervision of its officers. By raising the minimum age required to become an officer from 20 to 22 and requiring that recruits have 60 college credit-hours or military service, the NYPD has attracted applicants who are more mature and character-tested than in the past. The department has also implemented a tougher training program. Rookies now spend nine months in police academy, instead of six, and their coursework focuses on ethics and integrity. Once in the field, today's officers are given more discretion in their neighborhoods than were their predecessors were but are also held strictly accountable for their results.⁸³

There are a number of benefits, in addition to crime reduction, associated with the zero tolerance policy. Arresting criminals, whether serious offenders or minor law breakers, provides police with tangible results for their efforts. The NYPD, for example, experienced a significant boost in officer morale following the implementation of its new strategy. A corresponding benefit is reduced police corruption. In an environment where all

crimes are considered intolerable, police officers, like criminals, are less likely to try to bend the rules. According to Lenny Alcivar, director of press operations for the NYPD, "The toleration of minor crimes produced corruption which then fed back to the streets, encouraging other illegal activity. If an officer can ignore a drug deal, he can also benefit from it."⁸⁴

As crime decreases and a sense of order takes hold, people are more likely to venture outside and gather in public spaces.

As mentioned previously, zero tolerance can sometimes lead to police brutality and harassment, as well as poor community-police relations. However, the approach can also increase community confidence in the police, particularly among people who see the benefits of reduced crime without experiencing police harassment themselves. In New York City, for example, community confidence in police service is rising. A 1996 poll released by Quinnipiac College in Hamden, Connecticut, showed that two-thirds of New Yorkers view their police department favorably.⁸⁵

Crime can have a devastating effect on a city's tourism industry. Tourism dropped dramatically in Miami after a string of tourist killings in 1993 tarnished the city's image as a tourist mecca. Conversely, reducing crime can have a positive effect on tourism. If out-of-towners perceive a place as "safe," they are likely to stay longer and spend more money. In New York, the drop in crime has helped the "Big Apple" attract even more visitors than usual. According to Steven Morello, president of the New York Convention and Visitors Bureau, tourism is rising at more than 10 percent per year and the reduced crime figures "will be prominent in our [New York City's] marketing efforts."⁸⁶

Observers of zero tolerance assert that the policy encourages increased public interaction. As crime decreases and a sense of order takes hold, people are more likely to venture outside and gather in public spaces. This can be particularly beneficial for businesses and other places which rely on foot traffic and general activity for revenue. For example, the New York City subway has benefited from reduced crime. According to city officials, the decline in crime has increased ridership by 3.5 million passengers.⁸⁷

Another important consideration for cities contemplating zero tolerance is whether the policy can muster enough support from political leaders, the police department, and citizens to be successfully implemented. With regard to political leaders, their support is predicated on the political boon of crime reduction. If zero tolerance reduces crime, such as in New York City, political leaders and police will likely get much of the credit. After all, there are few accomplishments more important to citizens than crime reduction. However, political leaders and, to a great extent, police officials, must also face the political consequences which will arise if zero tolerance increases police harassment and worsens community-police relations. In cities such as Los Angeles, where police and city officials are trying to strengthen these relations after highly-publicized abuses of police authority, it is unlikely that leaders would support a strategy that could further tarnish the police force's reputation.

Towards Healthy Cities

The primary reason for exploring the zero tolerance policy is to show that although crime is a formidable problem in the United States, we are not powerless against it. Zero tolerance is founded on the belief that police and citizens *can* reduce crime and improve the quality of life in the communities where they live and work. In places like New York City, where police and political leaders have insisted that laws against all crimes, including low-level offenses, are strictly enforced, the payoff has been tremendous.

Political leaders and, to a great extent police officials, must also face the political consequences which will arise if zero tolerance increases police harassment and worsens community-police relations.

New York City's success with zero tolerance has forced police and public officials to reexamine the way that they deal with crime. Every day that we rely on the failed crime policies of the past, lives are lost and fear penetrates deeper into our nation's psyche. The country's increasing urbanization, as well as the impending population explosion in the age group most likely to commit crimes,

puts additional pressure on public officials to come up with effective anti-crime strategies.

Ultimately, the real measure of success is whether the zero tolerance policy can result in change for cities that adopt the approach. Will reduced crime and improved quality of life provide the economic and social revitalization which many of our nation's cities so desperately need? Can zero

tolerance take drugs off the streets and lure people back to urban areas? There are no guarantees that any one policy can fulfill such lofty goals. However, as part of a larger urban revitalization strategy, the zero tolerance policy can play an important role in making our nation's cities healthy and livable again.

Notes

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¹U.S. Department of Justice, Federal Bureau of Investigation, *Uniform Crime Reports for the United States 1995*, (Washington, DC.: U.S. Government Printing Office, 1996), 10. Official data on crime in the United States is generally derived from the Federal Bureau of Investigation's (FBI) *Uniform Crime Reports* (UCR). The UCR contain crime data reported to the FBI by local and state police departments. The index for assessing local crime rates is comprised of seven crimes: murder, forcible rape, robbery, aggravated assault, burglary, larceny, motor vehicle theft, and arson. There are four widely cited limitations to using the UCR as a statistical measure of crime rates and police performance. First, the UCR present information on *recorded* (reported crimes that police accept) as opposed to *reported* crimes. While the difference between recorded and reported crimes can be minimal, police have been known to purposely not record reported crimes to keep crime statistics low. Second, the UCR do not record *unreported* crimes and, as a result, underrepresent actual crime levels. Third, the UCR ignore certain serious crimes such as financial and white-collar crime. Finally, UCR classifications (i.e. murder, rape, aggravated assault) do not address many of the issues which cross-cut the index crime categories, thus masking the overall complexity of the crime problem. Despite these weaknesses, the UCR data is widely accepted as the most comprehensive national crime data available. (See George L. Kelling and Catherine L. Coles, *Fixing Broken Windows: Restoring Order and Reducing Crime in Our Communities* (New York: The Free Press, 1996), 27-30.)

²*Ibid.*, 4.

³*Ibid.*, 58.

⁴U.S. Department of Justice, Federal Bureau of Investigation, *Uniform Crime Reports for the United States 1985-1995* (Washington, DC.: U.S. Government Printing Office, 1986-1996), 9-16.

U.S. Department of Justice, Federal Bureau of Investigation, *Uniform Crime Reports for the United States 1995*, 16.

⁵*Ibid.*, 58.

⁶*Ibid.*

⁷*Ibid.*

⁸U.S. Department of Justice, Federal Bureau of Investigation, *Semiannual Uniform Crime Reports for the United States January-June 1996* (Washington, DC.: U.S. Department of Justice, Federal Bureau of Investigation, 1997); available from <http://www.fbi.gov/ucr/ucr96prs.htm>; INTERNET.

⁹*Ibid.*

¹⁰U.S. Department of Justice, Federal Bureau of Investigation, *Uniform Crime Reports for the United States 1995*, 58.

¹¹*Ibid.*

¹²*Ibid.*, 375.

¹³*Ibid.*, 181.

¹⁴*Ibid.*

¹⁵*Ibid.*

¹⁶*Ibid.*

¹⁷*Ibid.*

¹⁸U.S. Department of Justice, Federal Bureau of Investigation, *Semiannual Uniform Crime Reports for the United States January-June 1996*; available from <http://www.fbi.gov/ucr/ucr96prs.htm>; INTERNET.

¹⁹The number of violent crime offenses known to the police increased by 4.6 percent in Orlando, Florida from January to June 1996. (See U.S. Department of Justice, Federal Bureau of Investigation, *Semiannual Uniform Crime Reports for the United States January-June 1996*, (Washington, DC.: U.S. Department of Justice, Federal Bureau of Investigation, 1997); available from <http://www.fbi.gov/ucr/ucr96prs.htm>; INTERNET.)

²⁰Kathleen Maguire and Ann L. Pastore, eds., *Sourcebook of Criminal Justice Statistics 1995*, U.S. Department of Justice, Bureau of Justice Statistics (Washington, DC.: U.S. Government Printing Office, 1996), 156.

²¹*Ibid.*, 128, 130.

²²In their 1967 report prepared for the President's Commission on Law Enforcement and Crime, Albert Biderman and his colleagues found that citizen surveys showed a relationship between fear of crime and disorder in neighborhoods. While Biderman's discovery was important, the policy implications of his finding were largely ignored until the 1980s, when social policy scholars James Q. Wilson and George Kelling presented the relationship between disorder, fear, and crime in *The Atlantic Monthly* article "The Police and Neighborhood Safety." (See A.D. Biderman, L.A. Johnson, J. McIntyre, and A.W. Weir, *Report on a Pilot Study in the District of Columbia on Victimization and Attitudes Towards Law Enforcement*, U.S. Department of Justice (Washington, DC.: U.S. Government Printing Office, 1967).)

²³Police Foundation, *The Newark Foot Patrol Experiment*, (Washington, DC.: Police Foundation, 1981).

²⁴James Q. Wilson and George L. Kelling, "The Police and Neighborhood Safety," *The Atlantic Monthly*, March 1982, 29-38.

²⁵*Ibid.*, 31.

²⁶ Philip G. Zimbardo, "The human choice: individuation, reason, and order versus deindividuation, impulse, and chaos," ed. W. Arnold and D. Levine, *Nebraska Symposium on Motivation* (Lincoln, NB: University of Nebraska Press, 1969), 237-302.

²⁷ Wilson and Kelling, "The Police and Neighborhood Safety," 31.

²⁸ *Ibid.*

²⁹ *Ibid.*, 34.

³⁰ *Ibid.*, 32.

³¹ *Ibid.*, 34.

³² George L. Kelling and Catherine L. Coles, *Fixing Broken Windows: Restoring Order and Reducing Crime in Our Communities* (New York: The Free Press, 1996), 21.

³³ *Ibid.*, 21-22.

³⁴ Wesley G. Skogan, *Disorder and Decline: Crime and the Spiral of Decay in American Neighborhoods*, (Los Angeles: University of California Press, 1990), 73-77.

³⁵ *Ibid.*

³⁶ *Ibid.*, 75.

³⁷ *Ibid.*, 52-57.

³⁸ *Ibid.*, 21-50.

³⁹ U.S. Department of Justice, Federal Bureau of Investigation, *Uniform Crime Reports for the United States 1990* (Washington, DC.: U.S. Government Printing Office, 1991), 101.

⁴⁰ Editorial, "New York City's decision, finally, to clean up its crime-worn streets," *The Tampa Tribune*, 27 August 1995, 2.

⁴¹ U.S. Department of Justice, Federal Bureau of Investigation, *Uniform Crime Reports for the United States 1991, 1993* (Washington, DC.: U.S. Government Printing Office, 1992, 1994), 139.

⁴² U.S. Department of Justice, Federal Bureau of Investigation, *Uniform Crime Reports for the United States 1993, 1995* (Washington, DC.: U.S. Government Printing Office, 1994, 1996), 139, 134.

⁴³ U.S. Department of Justice, Federal Bureau of Investigation, *Uniform Crime Reports for the United States 1994-1995* (Washington, DC.: U.S. Government Printing Office, 1995-1996), 138, 134.

⁴⁴ U.S. Department of Justice, Federal Bureau of Investigation, *Semiannual Uniform Crime Reports for the United States January-June 1996*; available from <http://www.fbi.gov/ucr/ucr96prs.htm>; INTERNET.

⁴⁵ *Ibid.*

⁴⁶ U.S. Department of Justice, Federal Bureau of Investigation, *Uniform Crime Reports for the United States 1994-1995*, 321, 331.

⁴⁷ Charles Mahtesian, "Bringing the Precinct Online," *Governing*, January 1997, 38.

⁴⁸ Bratton is such an advocate of the "Broken Windows" theory that he always carries a copy of the 1982 "Broken Windows" article by Wilson and Kelling with him. According to reports, "He [Bratton] has doled [the article] out to the command staffs of every police agency he has headed." (Jim Newton, "Rewriting the Rules on How to Fight Crime," *Los Angeles Times*, 27 November 1996, 1.)

⁴⁹ Daniel Jeffreys, "'We have taken back New York block by block,'" *The Independent*, 4 January 1996, 4.

⁵⁰ Kelling and Coles, *Fixing Broken Windows*, 116.

⁵¹ *Ibid.*, 117.

⁵² "Operation Enforcement" was officially launched on October 25, 1989, and shortly thereafter, in April 1990, William Bratton was recruited to head the Transit Police Department. The operation was largely the product of a multi-bureau study group created by Robert Kiley, chairman of the Board of the Metropolitan Transit Authority (MTA) and David Gunn, president of the

New York City Transit Authority to develop plans to restore order to the subway. George Kelling, who had been a general advisor to the MTA, was the study group's advisor. (Kelling and Coles, *Fixing Broken Windows*, 120-121, 131.)

⁵³ Kelling and Coles, *Fixing Broken Windows*, 124-125.

⁵⁴ On November 28, 1990, two homeless men challenged the NYCTA in Federal District Court with a class action suit, alleging that the free speech rights of homeless persons in the subway were being violated by Transit Authority regulations. Federal District Court Judge Leonard Sand found "Operation Enforcement" in violation of the First Amendment speech rights because it prohibited begging and panhandling. Upon appeal by the MTA, the Second Circuit Court of Appeals overturned the lower court's decision and rejected the notion that begging and panhandling are protected speech under the First Amendment. (*Young v New York City Transit Authority*, FSupp. 341 (S.D.N.Y.), rev'd and vacated, 903 F.2d 146 (2d Cir. 1990).)

⁵⁵ Kelling and Coles, *Fixing Broken Windows*, 152.

⁵⁶ *Ibid.*, 142-143.

⁵⁷ *Ibid.*

⁵⁸ *Ibid.*, 143.

⁵⁹ *Ibid.*

⁶⁰ Rudolph W. Giuliani, mayor of New York City, and Howard Safir, New York City Police Commissioner, *Strategy '97: Goal-Oriented Neighborhood Policing*, February, 1997, 1.

⁶¹ *Ibid.*, 7.

⁶² U.S. Department of Justice, Federal Bureau of Investigation, *Uniform Crime Reports for the United States 1994-1995*, 138, 134.

U.S. Department of Justice, Federal Bureau of Investigation, *Semiannual Uniform Crime Reports for the United States January-June 1996*; INTERNET.

⁶³ U.S. Department of Justice, Federal Bureau of Investigation, *Uniform Crime Reports for the United States 1995*, 220-221.

U.S. Bureau of the Census, *Population Paper Listing 21 and Population Paper Listing 41*.

⁶⁴ Vince Beiser, "Why the Big Apple feels safer," *Maclean's*, 11 September 1995, 39.

⁶⁵ Maguire and Pastore, eds., *Sourcebook of Criminal Justice Statistics 1995*, U.S. Department of Justice, Bureau of Justice Statistics, 540.

⁶⁶ *Ibid.*, 553.

⁶⁷ Linnet Myers, "Big Apple Takes Big Bite Out Of Crime—But How?," *Chicago Tribune*, 11 January 1996, 1.

⁶⁸ Editorial, "Look Where Murders Are Down," *The Washington Post*, 12 July 1995, A18.

⁶⁹ Ian Katz, "Crusaders Clean Up Gotham," *The Guardian*, 26 August 1995, 27.

⁷⁰ *Ibid.*

⁷¹ Myers, "Big Apple Takes Big Bite Out Of Crime," 1.

⁷² For further discussion of Business Improvement Districts in New York City, see Heather Mac Donald, "BIDs Really Work," *The City Journal* (Spring 1996), 29-42.

⁷³ Another example of community involvement in addressing quality of life crimes is The Midtown Community Court. Established in 1993, the court deals specifically with quality-of-life crimes committed in the surrounding community. Community court sentences include orders for performing community service in the community where the crime was committed, and for enrolling in social service programs, as well as jail time, counseling sessions, or drug treatment. The court receives information regarding neighborhood problems and concerns from a community advisory committee made up of residents,

local attorneys, social service administrators, and quasi-governmental agency officials. (Kelling and Coles, *Fixing Broken Windows*, 149-151.)

⁷⁴Jeffreys, "'We have taken back New York block by block,'" 4.

⁷⁵Among other factors that are offered as explanations for New York City's success are fluctuating economic conditions and a deep public cynicism that discourages people from reporting crimes. The national unemployment rate has decreased in the last few years as the economy rebounded from the recession of the early 1990s. No similar shifts can account for the vast drop in reported criminal activity. Public cynicism undoubtedly exists, but no evidence suggests that the public is significantly more cynical about reporting crimes than it was in 1990, when crime was at its peak. (Jim Newton, "The NYPD: Bigger, Bolder—Is It Better?," *Los Angeles Times*, 24 December 1995, A1.)

⁷⁶Jeffreys, "'We have taken back New York block by block,'" 4.

⁷⁷Allen Lengel, "Bluer Line Makes Its D.C. Debut," *The Washington Post*, 28 March 1997, B01. The most recent crime figures for Washington, DC indicate that reported crime in the District dropped 18 percent during the first quarter of 1997 compared with the same period of 1996. Police officials in Washington, DC have credited the decline to the deployment of

more officers to high-crime neighborhoods. (See Cheryl Thompson, "In D.C., a Crimp in Crime," *The Washington Post*, 6 April 1997, B1.)

⁷⁸Colin Campbell, "Small crimes have big effect," *The Atlanta Journal and Constitution*, 19 October 1995, 1D.

⁷⁹Wesley G. Skogan, *Disorder and Decline*, 164.

⁸⁰Jim Newton, "The NYPD: Bigger, Bolder—Is It Better?," *Los Angeles Times*, 24 December 1995, A1.

⁸¹Wilson and Kelling, "The Police and Neighborhood Safety," 35.

⁸²*Ibid.*

⁸³James Lardner, "Better Cops, Fewer Robbers," *The New York Times Magazine*, 9 February 1997, 46-47.

⁸⁴Jeffreys, "'We have taken back New York block by block,'" 4.

⁸⁵Ruben Castaneda, "As D.C. Police Struggle On, Change Pays Off in New York," *The Washington Post*, 30 March 1996, A1.

⁸⁶Jeffreys, "'We have taken back New York block by block,'" 4.

⁸⁷Editorial, "New York City's decision, finally, to clean up its crime-worn streets," *The Tampa Tribune*, 27 August 1995, 2.

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