

## THE RISE AND FALL OF NEW YORK MURDER

### *Zero Tolerance or Crack's Decline?*

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*The striking reduction in homicide in New York City between 1991 and 1997 has been claimed as a great success for a 'new' policing tactic dubbed 'zero tolerance'—the aggressive enforcement of minor offences. The evidence that changes in policing made 'all the difference' is largely circumstantial, however. Homicide rates were at an all-time high in 1990–91 and had begun to decline before any radical changes in policing policy were instituted. The 1985–91 'murder spike' has been attributed largely to the simultaneous expanding crack cocaine 'epidemic' so the subsequent reduction in murder is related logically to the contraction of crack cocaine markets in the 1990s. There is some tentative support for the impact of policing on an already falling crime rate, but the changes in policing between 1991 and 1997 cannot adequately be described as 'zero tolerance'. The author argues that the 'New York story' has been over-simplified and over-sold, and that 'zero tolerance' is an inappropriate language for police policy or practice.*

'New York made me do it' (spray paint graffiti, anonymous, New Cross, London)

On 6 January 1997, Tony Blair, then Prime Minister-in-Waiting, was asked whether he agreed with 'so called Zero-Tolerance policies—practised in New York and being experimented with in London's King's Cross—in which every minor law is clamped down on hard by police'. His affirmative answer, 'Yes I do', married New Labour to zero tolerance.<sup>1</sup> The romance between the Labour party and 'New York-style policing' began in the summer of 1995 when shadow Home Secretary Jack Straw visited New York to meet police Commissioner William Bratton and his deputy Jack Maple. Straw could hardly have failed to be impressed by the good news stories which had been arriving in the UK

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<sup>1</sup> The union was widely reported in the following day's newspapers: 'Blair opts for zero tolerance', *Guardian*, p. 1; 'Support for police "zero tolerance". Clear beggars from streets says Blair', *Times*, p. 1.

from across the Atlantic. Among the headlines were: Crime is Down, Again;<sup>2</sup> the Suddenly Safer City;<sup>3</sup> Homicide at 20 Year Low. Tougher Law Enforcement Drives Down Urban Crime; Major City Crime Hits Skids Again;<sup>4</sup> Crackdown Curbs Killings; Crime Waves Bye Bye;<sup>5</sup> Safe, You Bet Your Life;<sup>6</sup> Now, How Low Can Crime Go?;<sup>7</sup> or even, as *New York* magazine put it—with ‘Biggest Apple’ understatement—The End of Crime as We Know it.<sup>8</sup> Mr Straw returned from New York flirting with a new catch phrase—‘zero tolerance’—and pledging that if it won the next general election Labour would ‘reclaim the streets for the law abiding citizen’ from the ‘aggressive begging of winos, addicts and squeegee merchants’.<sup>9</sup>

The New York ‘success story’ has been one of the most significant elements in the development of the idea of zero tolerance in Britain, featuring prominently in newspaper articles. For example, reports of Tony Blair’s support for zero tolerance were accompanied by such claims as New York’s ‘[p]etty crime purge brings big pay-off’;<sup>10</sup> ‘zero tolerance’ . . . has led to a 17 per cent reduction in crime in New York’;<sup>11</sup> ‘[c]rime, which had reached epidemic proportions has been tackled with the radical new policing strategy of “Zero Tolerance” . . . [which] has reduced all categories of offences’.<sup>12</sup> Although some journalists and other commentators have noted that there may be other possible explanations for the apparent drop in crime in New York and that unwanted consequences may also have resulted, the New York story may be encapsulated in the slogan ‘crime is down in New York City: blame the police’ (Bratton 1997a).

Ironically, none of the people claiming credit for falling crime in New York City (including past and present Commissioners of the NYPD,<sup>13</sup> Mayor Rudolph Giuliani,<sup>14</sup> US Attorney General Janet Reno,<sup>15</sup> Vice President Al Gore<sup>16</sup> and even President Bill Clinton<sup>17</sup>), were true advocates of ‘zero tolerance’.<sup>18</sup> The term, borrowed from the US war on drugs to describe such policies as the Asset Forfeiture Programme (Burden 1988)

<sup>2</sup> *New York Times*, 23 December, 1995.

<sup>3</sup> *New York* magazine, 14 August 1995, p. 21.

<sup>4</sup> *Daily News*, 27 October 1995.

<sup>5</sup> *New York Daily News*, 27 December 1995, John Marzulli, p. 1.

<sup>6</sup> *Time*, 24 July 1995.

<sup>7</sup> *New York Times*, 28 January 1996, Clifford Krauss, Section 4, p. 5.

<sup>8</sup> *New York*, 14 August 1995, cover story.

<sup>9</sup> Jack Straw speech to the launch of the Lewisham Community Safety Partnership, Lewisham Town Hall, 4 September 1995. Cited in Anderson and Mann (1997: 256).

<sup>10</sup> *Guardian*, 7 January 1997, p. 8.

<sup>11</sup> *Times*, 7 January 1997, p. 1.

<sup>12</sup> *Times*, 11 November 1997, leader comment.

<sup>13</sup> Two opinion polls reported in the *New York Times*, 21 April 1996 indicated that the New York public saw Bratton as the person who made the greatest contribution to crime reduction (60 per cent), compared with Giuliani (18 per cent). See also *New York Times*, 8 July 1995; 30 July 1995; 14 January 1996, pp. 27–8.

<sup>14</sup> *Times*, 7 January 1997, p. 10.

<sup>15</sup> *New York Times*, 18 December 1995, p. A12; ‘How to Win the War Against Crime’ by W. Bratton, *New York Times*, 5 April 1996.

<sup>16</sup> *New York Times*, 24 October 1995.

<sup>17</sup> *Times*, 7 January 1997, p. 10.

<sup>18</sup> I have been unable to find any reported instances of the use of term ‘zero tolerance’ in the New York media coverage and only two direct references to the phrase in interviews with senior NYPD officers in the British media, first by Jack Maple, the deputy commissioner of the NYPD (*Independent*, 4 January 1996) and by Bill Bratton some time after he had left office (*Sunday Times*, 24 November 1996). There is one reference to a policy of ‘No tolerance for drug sellers and buyers at all times’, but this appears only on page 14 of a document detailing anti-drugs strategy (New York Police Department 1994c). Importantly, the phrase does not appear in the document detailing the ‘quality of life enforcement’ strategy (New York Police Department 1994e) which relates to the aggressive enforcement of minor offences in public places.

and from Edinburgh women's domestic violence campaign,<sup>19</sup> became fused with 'New York-style' policing to create a new criminal policy catch phrase.

Now 'zero tolerance' is government policy in England and Wales. Widely trailed in the Labour election manifesto, numerous speeches to key audiences,<sup>20</sup> the Crime and Disorder Act was summed up by the Home Secretary as 'a zero tolerance strategy'.<sup>21</sup> More recently he put it thus:

I support zero tolerance not because it's trendy, but because I know that all over the country, people are crying out for it. Communities are sick of the fact that in recent years, the order part of law and order has been forgotten, that standards of public behaviour have deteriorated without any public authority apparently noticing, still less caring. They now want to reclaim their street corners from the prostitutes, their pavements from the vagrants and their parks from drunks and drug users'. (Straw 1997: 6)

The central issue that is addressed in this paper is whether or not it is justifiable to base a crime policy of 'zero tolerance' on the New York experience. To address this concern requires that we attempt to answer five questions. (1) Was the recent reduction in crime in New York 'real' or spurious, the result of manipulating crime figures perhaps? (2) What are the possible explanations for the reduction in homicide in the mid-1990s? (3) To what extent can the reduction be attributed to changes in policing? (4) If policing has affected crime levels in New York, what changes made the greatest contribution? (5) To what extent are the 'lessons' of New York transferable to cities elsewhere in the world?

This paper originated in a research study embarked upon by an interdisciplinary team at John Jay College of Criminal Justice, City University of New York. The component of the research reported on here, conducted principally by the author with the help of undergraduate and graduate research assistants, comprised an investigation of crime and policing in one police precinct in Brooklyn, NY. During a four-month fieldwork period (January–April 1996), a total of 33 interviews were conducted with youth and community workers, business people, police officers, medical examiners and district attorneys. In addition, I conducted approximately 50 hours of direct observation with police patrol, homicide task force, crime scene unit officers and in headquarters strategy ('compstat') meetings. This material was supplemented with an analysis of the recorded crime data from the New York City Police Department and Medical Examiners Office, documents from a range of organizations, press reports from the US and UK and interviews with academics in the field.

Although it would have been interesting to examine a range of offences, the study team decided early on that such a task was impossible given the resources available, and that an analysis of one form of crime was more feasible. The focus of this paper is on homicide<sup>22</sup> not only because it is among the most serious and frightening forms of crime, but also because it is the most valid and reliable indicator of serious violence. The New York City medical examiner's office, which is required to write death certificates for every body, makes a determination of cause of death, including homicide (literally death

<sup>19</sup> See Campbell, B. 'Zero Homework', *Guardian*, 15 January 1997.

<sup>20</sup> See, for example, debate on the Queen's Speech, Hansard col. 391; speech to Policing Conference on 'Good practice: making it happen' 25 June 1997; Speech to Bramshill Strategic Command Course, 2 September 1997.

<sup>21</sup> *Times*, 4 December, 1997.

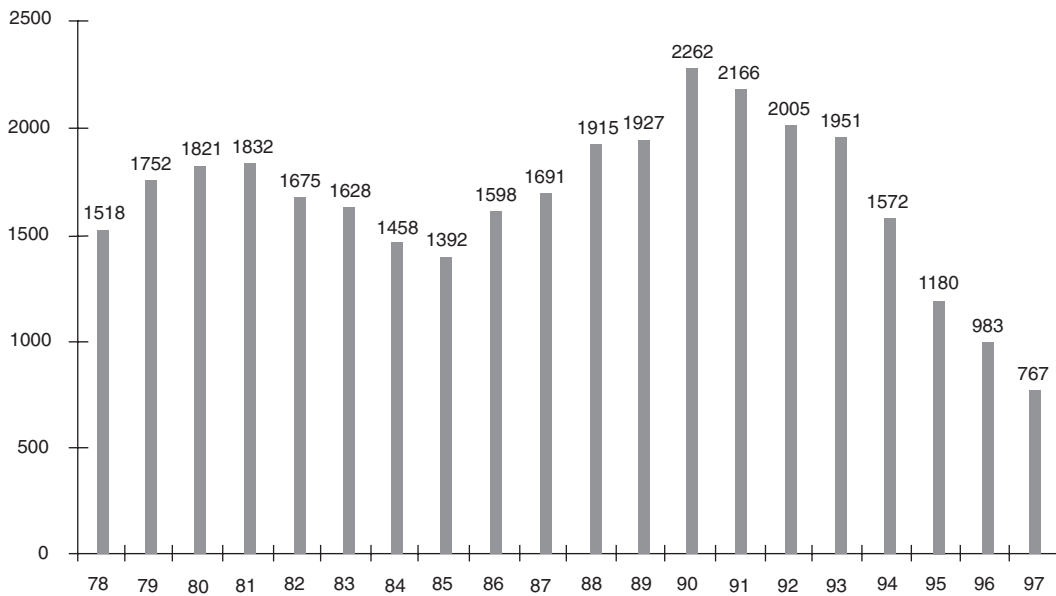
<sup>22</sup> Homicide includes murder in the first and second degrees and criminally negligent homicide. For the purposes of this paper, the terms murder and homicide are used interchangeably even though this is technically incorrect.

caused by another person). The police record every suspicious death and keep an independent record. There are slight differences in definitions and numbers, but the records of the two agencies are broadly similar.

*Is the Reduction in Homicide in New York Real?*

The recent reduction in murder in New York is, without doubt, real and extraordinary (see Figure 1). Between 1990 and 1997 the number of homicides in New York City plummeted from 2,262 to 767, a drop of 66 per cent, most in 1994 (19 per cent), 1995 (25 per cent) and 1997 (22 per cent). In 1997, there were the fewest homicides in New York City since 1967 (when there were 745). There have been big dips in New York murder before—24 per cent in 1943, for example, and, more recently, 24 per cent between 1981 and 1985. But there has never been such a large and sustained reduction since reliable records were kept in the late 30s.

Homicide in New York City has fallen most sharply where homicide rates were highest in the period 1990–91. In some precincts there were eight homicides per 10,000 population during the worst years, exceptionally high compared with 0.79 in the US as a whole, and 0.11 in Britain respectively. Table 1 shows the reduction in homicide year by year between 1991 and 1995 for precincts which had the highest homicide rates at the turn of the decade.



Source: New York Annual Complaints and Arrests Statistical Reports

FIG. 1 Homicide in New York City 1978–97

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TABLE 1 *Reductions in homicide for selected precincts 1991–95*

Precinct	1991	1992	1993	1994	1995
34	119	98	75	48	18
40	84	80	70	40	27
73	78	63	74	47	28
75	107	90	125	83	44
77	64	60	82	58	30
79	77	63	55	55	37
81	48	32	27	24	35
83	68	53	45	40	17

Note: The 34 is in Manhattan, the 40 in the Bronx and the remainder are in Brooklyn.

It is interesting also to note that homicides of all types have fallen, though the most striking reductions are for those occurring in public places and where the murder weapon was a firearm. As Figure 2 shows, ‘non-gun’ homicides have been declining slowly in New York City since the early 1970s,<sup>23</sup> while those involving firearms have peaked twice, first in 1981 and then again in 1991 (see also Karmen 1996c, 1996d).

Before we can begin to explain why homicide has fallen, it is necessary to explain why it was higher than at any time since the 1930s, and significantly higher than the US average at this time. This is not the place to attempt an explanation of the causes of homicide, but

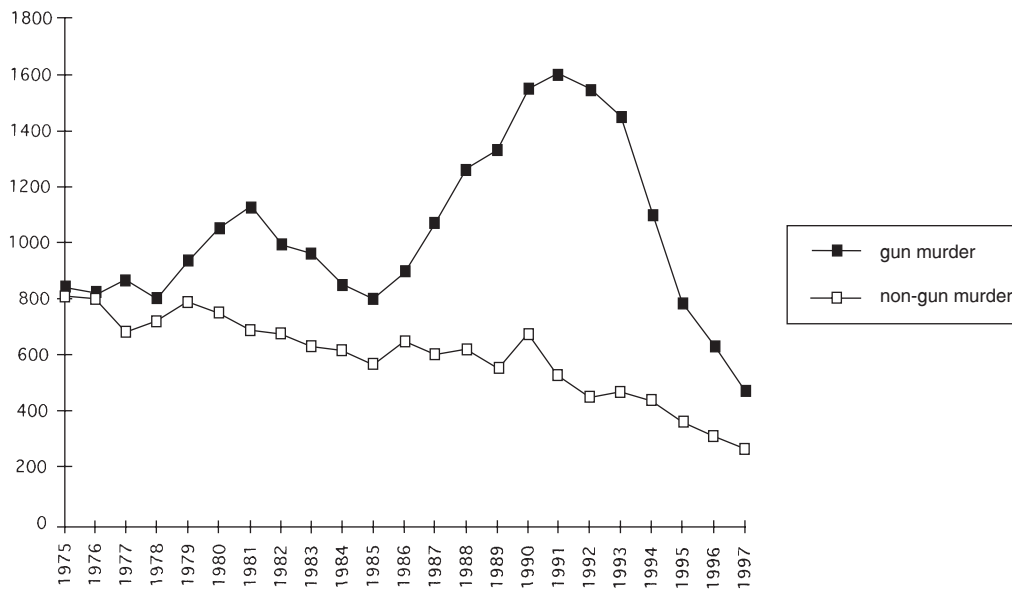


FIG. 2 Trends in gun and non-gun murders New York City 1972–97

<sup>23</sup> This is an interesting phenomenon which self-evidently has nothing to do with recent changes in policing.

there are some correlates which should be mentioned. Andrew Karmen's (1996b) regression analysis of 1991 data shows that homicide occurred overwhelmingly where there was a concentration of multiple deprivation (i.e. exceptionally high unemployment and proportion of the population living in poverty), where there was low social mobility, and where there was a high proportion of 16–19 year olds. Karmen (1996b) reports that using these three variables the 1991 homicide rate can be predicted with surprising accuracy.<sup>24</sup> In New York City, it is predominantly African-American and Hispanic-American people who form these multiply deprived and impoverished communities and, consequently, the vast majority of homicide victims are black or Hispanic males (see Table 2). Although it is more difficult to say with certainty, it is also likely that the majority of homicide offenders share the demographic characteristics of their victims (see Karmen 1996c).

These economic indicators are also reflected in the physical conditions of the communities. In the neighbourhood where the fieldwork was conducted, the infrastructure was on the verge of collapse. An official statement of *Community Needs* noted that sewers and water mains were rupturing due to years of neglect; potholes and cave-ins along the roadways and broken sidewalks were common; the streets were unclean because of cuts in sanitation; traffic signs were faded and missing as a result of cuts in traffic department funding; subway station conditions were 'deplorable'; parks and recreation were limited and under-resourced, many of which needed repair; schools

TABLE 2 *Demographic characteristics of all homicide victims in New York City, 1990–91*

Characteristics	Number	%
Sex:		
Male	3,842	86.0
Female	624	14.0
Unknown	2	0.0
Age group (years)		
Younger than 15	140	3.1
15–24	1,492	33.4
25–34	1,520	34.0
35–53	1,025	23.0
55 and older	271	6.0
Unknown	20	0.4
Race-ethnic group:		
White	446	10.0
African American	2,121	47.5
Latino	1,708	38.2
Asian, other	185	4.1
Unknown	8	0.2
Totals	4,468	100.0

Source: Tardift *et al.* (1995).

<sup>24</sup> Taken together, these three variables explain 80 per cent of the variation in murder rates among New York's police precincts (adjusted R squared = 0.8, significant at  $p < 0.00005$ .)

and day-care centres were overcrowded and in disrepair; and vacant lots and abandoned structures were commonplace (City of New York Community Board 16, 1995, 1996).

This depressing picture is a reminder of the broader context of US social policy and its impact on the poorest communities. As the budget for prisons and the criminal justice apparatus increased dramatically, money was taken from 'the parts of the public sector that educate, train, socialize, treat, house and nurture the population, especially the children of the poor' (Currie 1996: 7). Between 1980 and 1993 federal spending on employment and training was cut by half. Welfare benefits to the poorest in society—including direct financial support, food stamps, medical benefits—were cut drastically. There was also a significant redistribution of wealth. In 1993, the top 20 per cent of US households received 48.9 per cent of the total income, whereas those in the bottom 20 per cent received 3.6 per cent (Bassuk *et al.* 1996). The consequence of these cuts are sharp increases in poverty and homelessness; it is estimated that between 1991 and 1992, 1.2 million more Americans fell below the federal poverty level, bringing to a total 36.9 million poor Americans (*ibid.*; see also Ransby 1996). These social and economic indicators do not tell the whole story. The *experience* of these conditions, and changes in perception may be just as important. Within these economically ravaged communities, there is a widespread perception of economic gloom and sense of hopelessness. As a youth worker I interviewed put it: 'Kids don't see a future. They say: 'I'm not gonna be around.' Black and Hispanic males think they're endangered species. They don't think they'll make it to 18, 19, 25 so they'll do what they have to to get out of whatever situation confronts them. Kids don't have a lot of hope.' Two factors that can transform an environment of extreme poverty and marginalization to one of routine serious violence are a lucrative illicit drug economy and freely available guns.

Between 1985 and 1990 homicide rose by 63 per cent. Over the same period, cocaine (which had been out fashion for some years) was repackaged in a new form (freebase or 'crack' cocaine) and usage increased almost exponentially (see Chitwood *et al.* 1996; Williams 1992; Golub and Johnson 1994a, 1994b). A new and unregulated market in illegal and exceptionally valuable product emerged. As Blumstein puts it:

Crack became a major drug of choice, particularly in urban ghettos, whereas powdered cocaine was previously bought much more by people with reasonable incomes and used recreationally. . . . Crack appeared on the scene and became a product that was bought by people who didn't have the resources for buying multiple hits, and didn't have places to store it without it being stolen, so that the number of transactions involved became very large. That gave rise to the recruitment of lots of people, and strikingly, lots of young people, who hadn't been in that market as sellers before. . . . [They carried guns] to protect themselves because they were carrying lots of valuable stuff; they were in no position to call the police if somebody set upon them. . . . This gave rise to an escalating arms race out in the streets among the kids. . . . When guns are around. . . . pushing and shoving and fighting escalate into shooting. (1985b: 10)

This view was confirmed and elaborated on in an interview with a police sergeant in charge of an NYPD precinct robbery squad:

Crack cocaine hit around 1985. It spread like wildfire. Crack's a very profitable business. And it created a power base for modern-day gangs. It's similar to prohibition. Organized crime got their power base from the money they generated during prohibition and still have it. Crack cocaine brought violence. Fighting for spots and fighting up through the organization.

This new market, placed in the context of the *experience* of multiple deprivation, economic marginalization and a sense of hopelessness and desperation was, in the view of a number of people I interviewed *the* explanation for the striking increase in homicide in the second half of the 1980s. A street-level youth and community worker explained what had happened in the late '80s and early '90s as he saw it:

It was what I call an axial point or an axial period where things were changing . . . We started to see the first impact of the kinds of economic changes that were affecting the whole country. . . First time the city, state and country began to see massive lay offs, they saw massive close down of business . . . So . . . just like you go into a supermarket when a snowstorm is announced. They're in there buying up the whole supermarket. Maybe a day or two. People reacted in the same way . . . The young people were saying 'oh man, we can't do this, so we gotta do this'. That 'get ours', that's what crack is all about. Where a young boy could take 50 dollars and turn it into a 50 million dollar operation in a matter of a couple of years . . . That manifested in the drive-bys and the high incidence of murder. When you're getting it so quickly . . . there's an intensification of malice and greed . . . People began to accumulate a bit of wealth . . . Let's go get it. And that's what it was out here with this crack.

The increase in crack cocaine usage conforms to epidemiological models with phases of initiation, contagion and expansion (Johnson *et al.* 1995; Golub and Johnson 1994a, 1994b). And with the dramatic increase in number of users came new supply lines and networks, inexperienced personnel and disorganized street-level markets. Given the value and insecurity of the stock and availability of firearms it is not surprising that there was an extraordinarily violent street scene (Tardiff *et al.* 1995).

And what of the police over this period? It was a widely held view among both police officers and community workers that in the latter half of the 1980s, police morale, motivation and activity were at an all-time low. The police department was characterized as passive and cautious to the point that all that mattered was to 'cover your back'. Officers were rewarded through avoiding failure rather than achieving success (Bratton 1998). There was also a sense of defeatism in the face of the levels of violence and a belief that the criminal justice system was ineffective. 'Cops think', one police officer wrote, 'why should I go out there and risk my life and involve myself in apprehending some felonious asshole, with a multi-faceted crime (recovering guns, drugs, witnesses, and property) if the [district attorney] is just going to plea bargain for a penalty that doesn't fit the crime?' (Poss and Schlesinger 1994: 86). There is also a cynical alternative to due process which is to use rumour to manipulate relationships among dealers, their 'underlings' and rivals to stir up territorial disputes and shootings: 'it's an attitude of: hey, if I can't eliminate the problem myself why not manipulate the situation at least in my favour? Let them kill each other off. . . let them eliminate each other. If, for no other reason, territorial shoot-outs quiet a corner for a few days' (*ibid.*: 38).

There was also serious corruption which escalated in numerous precincts between 1986 and 1993 (Mollen Commission 1993). This included systematically robbing drug dealers of drugs and money, drug trafficking, extortion, evidence tampering, income-tax evasion and excessive use of force (see Mollen Commission 1993; Kappeller *et al.* 1994: 190–212; Bratton 1998: 249). One person I interviewed even claimed that the police had been involved in illegal firearms trade. The Mollen Commission, which took evidence in September 1993 concluded that corruption was endemic in numerous precincts across the city. It seems plausible that police (in)activity and corruption in the late 1980s contributed to New York's crime problems.

There are, doubtless, many factors which explain the massive homicide spike between 1985 and 1990. Among the most important influences were the rapid and unstable expansion of the cocaine market into desperately poor communities where guns were freely available. The resulting systemic violence went unchecked, and was perhaps even fostered, by a police force characterized by passivity, demoralization and corruption.

### *Why Did Homicide Fall So Sharply?*

No criminological theory can be as simple as ‘what goes up must come down’ (DiUllio 1995). However, the statistical rule of ‘regression to the mean’ states that whenever an exceptionally high or exceptionally low observation is made, it becomes increasingly probable that the next observation will be closer to the average. In other words, when violent crime reaches an unprecedented and extraordinary peak, chances are things will get better. A more sophisticated way of thinking about the apparently cyclical change in homicide rates may be found in an epidemiological analysis. That is, perhaps ‘homicide, which we often casually refer to as an epidemic, actually *is* an epidemic’ (Gladwell 1996: 33, original emphasis). It is clear that fluctuations in homicide do not observe simple linear relationships. Rather, there are specific rapid increases and decreases in volume, and these are explicable in comprehensible human terms. Much violence is reciprocal. That is, one homicide may well lead to another, the latter being an act of revenge, retaliation or some other counter response. In epidemiological terms, once a certain degree of ‘infection’ is reached, an epidemic occurs; conversely once a positive ‘tipping point’ is reached, violent crime can decrease dramatically. Of course, this thesis does not resolve the question of what causes a social problem to ‘tip’, but obviously part (and perhaps all) of the explanation of the decline might be found in the incline. If there is, as seems likely, a link between expanding drug markets, availability of guns and increases in violence, a reversal of those conditions would be associated with a decrease in violence (Baumer 1994; Blumstein 1995; Lattimore *et al.* 1997). The following sections examine changes in the size and shape of drugs markets in New York City after 1990.

#### *Changes in drug markets*

*The size of the market* The expansion of the cocaine market—measured by the number of *new users*—appears to have reached its zenith in the early 1990s (Golub and Johnson 1994a, 1994b). Ethnographic research indicates that crack went out of ‘fashion’ in New York City at around the turn of the decade (Hamid 1992; Rick Curtis, interview). ‘Crack-head’ became a term of abuse. The dangers of crack use became widely known. The brevity of the physical effects (a few minutes at most) made it less popular than heroin or marijuana. The destruction of long-term heavy cocaine use (familiar to fans of, among others, the Rolling Stones, Richard Pryor and Sigmund Freud) became apparent. As a consequence of these cultural changes, there was a decline in the number of new users of crack cocaine. Based on an analysis of urine testing of arrestees,<sup>25</sup> Andrew Golub

<sup>25</sup> Drug Use Forecasting (DUF) data.

and Bruce Johnson conclude that ‘the dramatic decline . . . [in cocaine use] was a cohort effect. Detected cocaine use was highest (78 per cent) among arrestees reaching 18 in 1986 at the height of the cocaine epidemic in New York City, subsequently declined to a low of 10 per cent among arrestees reaching 18 in 1993’ (Golub and Johnson 1994b).

Not all New York City murder victims or offenders are youthful cocaine users, but many of those killed on the streets at the height of the crack epidemic were. About 42 per cent of people killed on the street were aged under 25 in 1990–91 and about 77 per cent were under 35; about 34 per cent tested positive for cocaine; 80 per cent died from gunshot wounds (Tardiff *et al.* 1995). The point is that the dramatic reduction of new users entering the market dramatically reduced the number of potential victims after 1991.

*The shape of the market* As the market shrank in size, several interviewees argued that it also changed ‘shape’ as it matured (see also Blumstein 1995; Lattimore *et al.* 1997). The ‘stories’ told by police and community informants suggest that the market started out chronically unregulated, fed by supplies from new sources and involving groups of suppliers and distributors who were either new to the market or had previously traded in heroin or marijuana. By the early 1990s, the market had become much more clearly structured and organized. Ethnographic research suggests that the market ‘downsized’ in that the client base shrank and that the number of levels in the supply networks was reduced (Rick Curtis, interview). When the market was at its peak there were suppliers, distributors and sellers, the last working the open air street markets. After the peak, many street-sellers were laid-off, dead or incarcerated. The streets were dangerous and the violence attracted unwanted attention to senior level drug suppliers and distributors consolidating businesses. Consequently, much of the drugs trade moved indoors to pool halls, bodegas, video stores, groceries, and the like. Rather than having large numbers of people milling about on street corners carrying drugs, intermediaries were now used just to steer clients to an indoor location where there would be a seller behind a fortified counter and a security guard (Rick Curtis, interview). This development might be seen as an ironic example of situational crime prevention. For example, ‘drug dealers tried to fortify apartment buildings in some way. They constructed wrought iron cages around the stoops of buildings to the tune of 5 or 6 thousand dollars. Plus they would only deal with known clients’ (Rick Curtis, interview).

The shift indoors reduced the risk of being ‘ripped off’, including murderously, by other interests in the drug business and reduces the visibility of the operation to the police. The effects of this shift can be directly related to the reduction in homicide. As one police officer put it: ‘There are no more drive by shootings. There’s no one on the corner to drive by and shoot.’ In sum, the crack cocaine market which was so new and unregulated when it burst onto the scene in 1985 had transformed. As Al Blumstein put it: ‘as drug markets have matured, just like Mafia markets matured years ago, they have found ways to settle disputes without so much lethal violence.’<sup>26</sup>

<sup>26</sup> *New York Times*, 18 December 1995, p. A-12 (see also Blumstein 1995a, 1995b).

*The Impact of Community Crime Prevention*

A view which was expressed by a number of interviewees was that community based crime prevention had made an impact. The Safe Streets, Safe Cities Act introduced by David Dinkins not only led to hiring more police officers but also introduced matched funds for a range of community crime prevention programmes including conflict resolution projects, open all hours 'beacon' schools, leadership training and a plethora of other projects. The Beacon Youth Center programmes, for example, were funded to concentrate in the junior high schools and be open from 3 to 10pm weekdays, midnight or 1am on weekends. Through such programmes, youth and community workers delivered the message that:

We can take these communities back, and turn them around . . . make them your community. We could take the buildings that you live in, that you call the slum buildings. And turn them into your own buildings and figure out how you can take it back and turn it into something. You know, churches . . . schools like [the college] across the street that offer a community settlement kind of institution to let the people know things are not that bleak.

From the point of view of the youth and community workers and other community activists interviewed in this study, the role of the police has been grossly overstated. They argue that young people and their families have seen the impact of violence on community life and see the need to 'break the cycle of violence'. In some cases, the mothers of murdered young men have been campaigning to prevent violence, starting support groups to bring about change in schools and wider society; others have gone further, filing law suits against gun manufacturers (Officer 1992; Gonzalez 1996). Whatever its links with violence reduction, it is certainly true that a considerable amount of street-level activity occurred in New York's hardest-hit neighbourhoods in the early 1990s. Community organizations, some funded by the city, others by foundations and charities, were involved in a wide range of activities including baseball, basketball and other sports leagues for young people, cleaning up abandoned lots, shopping escort programmes for senior citizens, citizen patrols, direct action against drug dealers, leadership development, mentoring, the establishment of 'peace zones' and 'night centres', and involving young people in a 'Law Enforcement Academy' (e.g. Mitra 1993, Crown Heights Youth Collective 1996; Nauer 1995; Sexton 1995). Other projects include 'Operation Take Back Our Community' developed between the Grand Council of Guardians (the organization representing black police officers) and community groups (Burgher 1995). The impact of this kind of work has been almost entirely neglected in the explanations of crime reduction in New York.<sup>27</sup>

Of course, the deterrent effect of criminal justice sanctions should not be overlooked, and this was mentioned by some interviewees. Bear in mind, however, that the real death penalty for drug dealing is administered on the street, with an average of two or three

<sup>27</sup> Bill Bratton's only comment about community crime prevention was that: 'Mayor Dinkins made a major mistake, one that probably cost him the election, by spending two years' worth of Safe Streets money on social service initiatives rather than immediately hiring cops. Those initiatives were important, but the public wanted to feel protected, they wanted to see more cops on the beat' (1998: 198). Unfortunately Mr Bratton fails to explain why he believes these initiatives to be important nor what contribution they made to crime reduction. Indeed communities get little credit from Bratton.

people *per day* (1,796) shot dead during 1990 and 1991. Most criminal justice sanctions, even the threat of the electric chair, recently restored in New York State, pale in comparison to some of the torture inflicted during the early 1990s blood bath. This said, criminal justice sanctions were thought to have had an effect on the perception of the drug kings as successful heroes to be emulated as role models.

The peaking out of the cocaine market in the early 1990s was linked by some of the interviewees with a disillusionment among young people who might earlier have found the lure into the trade to be too attractive to resist. The attitudes of families may also have changed. This is important because families are the beneficiaries of profits from drug markets and may contribute to legitimating and maintaining the involvement of young people in those markets and in involvement in violence. Crucial for change, then, are the views and beliefs of young city dwellers and their families, and their actions to improve their own situation. As Curtis suggests:

... young people ... responded to the multiple threats against their daily lives and futures by repudiating those elements which endangered them: unchecked street-level drug markets, out of control violence, and hard drugs. The palpable change ... beginning in 1993 was initiated and carried through by young residents who, though far from uniform in their response to those dangers, shared a conviction that they would not succumb to the same fate that nearly erased the preceding generation. In altering their own lives, they shattered the myth that they were powerless against a 'criminogenic' environment which was said to mass produce superpredators, and threw into question the canon that violence must beget violence. (Curtis 1997)

#### *The Contribution of the Police*

The most vocal among those taking credit for the drop in crime is the former Commissioner of the NYPD (see Bratton 1995, 1997a, 1997b, 1998). When William Bratton was appointed in 1994, he probably got the right job at the right time. He was brought in by Mayor Giuliani, himself elected on a tough law'n'order ticket, with strong help from the Policemen's Benevolent Association, the powerful police union. Increases in police strength by around 7,000 new officers financed by a new city income tax surcharge imposed by the former Mayor Dinkins had just come on-stream, along with some of the other changes listed above. There is no doubt that Bratton made a significant mark on the NYPD during his two years in office, simultaneously innovating and turning back the clock.

But what exactly was Bratton's explanation for falling crime rates? Well, it depends: there have been many interpretations of Bratton, and indeed he has actually explained himself differently to different audiences. In an academically styled article presented to the National Institute of Justice Policing Research Institute conference (and the American Society of Criminology) in November 1995, Bratton set out his stall (Bratton 1995). First of all, he rejected 'root cause' theory. That is, he argued that attempting to understand the social correlates of crime—such as poverty, unemployment etc.—had led nowhere. Rather, he contended, 'the root cause of crime is the criminal'. Consequently, there is no need to be concerned with why criminals act as they do, but simply to reassert law enforcement. Secondly, he embraced modern management

theory, arguing for goal-oriented activity, better management and more motivation.<sup>28</sup> Thirdly, he stated that as Chief of the NY Transit police, he drew on the 'collective wisdom' among transit cops that there was a 'clear connection between the felonious crimes of opportunity (i.e. robbery) and the petty crimes and violations. Seeing an environment of apparent disorder, the young multiple perpetrators reasonably concluded that they could get away with anything in the subway, including beatings and robbery' (see also Kelling and Coles 1996, Bratton 1998).

On this basis he pursued a strategy of full enforcement of subway rules entailing relentless arrests, the issue of subway warrants for fare beating, disorder from homeless people, aggressive beggars, hawkers. He carried out fare evasion sweeps and cut the resident homeless population in the subway through round the clock transportation to shelters. Programmes targeted against rowdy youth included a safe passage programme during peak school hours, truancy patrols. All of these, he argues, gave the signal: 'The subway system is under alert police control'. The 'result': a 64 per cent reduction in robberies in 1995 compared with 1990.

When Bratton became Commissioner of the NYPD, he felt that the organization was constrained by regulations and procedures issued from HQ, so he spearheaded a reduction in micro management. Police operations had previously been conducted by centralized units which led to precinct officers not taking responsibility for problems on their ground. To deal with this, Bratton decentralized all tasks. Within his first year as Commissioner, Bratton and colleagues devised and published seven crime control strategies to deal with: guns, youth violence, drugs, domestic violence, reclaiming public spaces, reducing auto crime and rooting out police corruption. All of this, he argues, gave the Department strategic direction through greater decentralization of decision-making and use of resources, clearer lines of accountability and a 'goal shift' from avoiding failure to reducing crime, disorder and fear. He also developed the strategic use of crime statistics so that crime records looked like profit and loss accounts. He developed, with his Deputy, Jack Maple, four principles of patrol and investigation: (1) Timely and accurate information; (2) Rapid deployment; (3) Effective tactics; and (4) Relentless follow-up and assessment, repeated like a mantra from the top down (Bratton 1998: 224).

Among his better-known innovations was the introduction of what has become known as 'compstat'.<sup>29</sup> This comprised regular 7am meetings at headquarters in which computer generated maps of crime and police activity are displayed on huge screens to an audience of up to 200 people including police brass, district and US attorneys, parole, schools, Port Authority police and the media (Bratton 1998: 232; Gorta 1998). In these meetings (likened by a police cartoonist to being in front of a firing squad), the Chiefs grill precinct commanders in detail about the 'hot spots'—what's going on, and what they are doing about it. At the same time resources and responsibility were decentralized to precinct level with more direct accountability to headquarters (see also Silverman 1996; Allen and Wright 1997).

<sup>28</sup> See also 'A Safer New York City', *Business Week*, No. 454, 11 December 1995, p. 81.

<sup>29</sup> Billy Gorta (1998), a NYPD Captain comments that compstat 'is not a highly conceptualized "system" devised by superior crime fighting minds . . . it is not an Information Technology revolution . . . [but] is simply the DOS filename of the executable program written to collect the weekly data . . . it really doesn't stand for anything'.

The most important factors, in Bratton's opinion, were changes in management philosophy and practice and the four operating principles referred to above. In particular, Bratton, rests his success on a reassertion of the idea that a causal relationship between crime and police activity 'can and does exist'. In his ASC paper (Bratton 1995), rather than 'broken windows theory' (Wilson and Kelling 1982, 1989; Kelling 1995; Kelling and Coles 1996) being at the forefront of Bratton's argument, its first mention is on page 15, where he states that it has been 'recognized and embraced'. This paper reveals two things about the 'broken windows theory'. First, intensive 'quality of life' enforcement is seen by Bratton as just *one element* in a much more widespread change in police strategy and tactics. Secondly, this enforcement does not spring from Wilson and Kelling, but from the 'collective wisdom' of experienced police officers of the old school. Indeed, in an article in the *New Yorker*, Jack Maple, former NYPD Deputy Commissioner (once described as 'the brains behind Bratton') admitted: 'Don't tell the Commish, but I never bothered to read "Broken Windows". Shoot me.'<sup>30</sup> This observation is also confirmed by a review of US police research which shows that aggressive enforcement and a 'common-sense' theory of its impact on crime has a long history in US policing (see Wilson 1968; Reiner 1992: 131). Aggressive law enforcers could be summed up in Reiner's (1992) account as the 'new centurion', equivalent to Broderick's (1973) and Muir's (1977) 'enforcer', Walsh's 'action seeker', and Shearing's 'real officer' (1981). However, it is Brown's (1981) 'clean beat crime fighter' who comes closest to Bratton's interpretation of 'Broken Windows':

The Clean Beat patrolman believes in the rigid and unrelenting enforcement of the law . . . he believes . . . that the primary function of street patrol is to prevent and control crime [and] this can be done only through aggressive enforcement of minor violations and through stopping and interrogating suspicious individuals. An effective patrolman, in his opinion, looks for all kinds of violations on his beat, from jaywalking to homicide, and makes as many stops as he can . . . Their justification for aggressive enforcement of all laws is not that the law should be enforced impartially; it is the presumption that crime can be deterred only through aggressive enforcement (Brown 1981: 198).

It seems evident that although Wilson and Kelling's powerful metaphor of the 'broken window' has led to the widespread acceptance of a 'developmental link' between minor disorder and serious crime, on one hand, and aggressive enforcement as an appropriate response, on the other, this approach is part and parcel of conventional wisdom among US police officers. There are numerous examples that could be cited, but among the clearest evidence that Wilson and Kelling simply repackaged existing police wisdom is this quotation from Aaron Rosenthal which originally appeared in the [New York] *Riverdale Press* in 1977. Rosenthal was then precinct commander of the 6th precinct (Greenwich Village) and later became Chief of Detectives for Manhattan:

'I believe the erosion of the quality of life in our town began when our 'system' demonstrated its inability to cope—not with murders . . . but with petty violators. Once the word was out that the 'system' could not effectively deal with the graffiti artist, the drunk in the hallway, the aggressive panhandler, the neighbor with the blasting radio, the petty thief, the late-night noisemakers, vandals, desecrators, public

<sup>30</sup> 'The Crime Buster', by David Remnick, *The New Yorker*, 24 February and 3 March 1997, pp. 94–109.

urinators, litterers, careless dog owners, and on and on the seed was planted that has since grown into a full-grown disrespect for our laws.<sup>31</sup>

*Bratton's Law in practice* There seems little doubt that when Commissioner Bratton took command of the PD in 1994, he inherited a passive, reactive and demoralized force (Bratton 1998). He acted to change that by 'taking a more aggressive posture. Demanding more from people at the precinct'.<sup>32</sup> The success of the organization and of the individuals employed within it would no longer be judged (as it had been in previous years) by 'avoiding trouble' but on its success in reducing crime. For Bratton and his supporters, this meant more aggressive policing from headquarters down. A sergeant explained:

A lot of people don't want to work on the crap. But the department states that we are all to make arrests. Six or eight years ago they would have been left to anti-crime. But now, everyone's numbers are up and ours should be too. You can no longer say, 'this is garbage'.

This shift to aggressive policing includes a range of tactics including strict enforcement of the now infamous 'quality of life' offences, so called 'beer and piss patrols' targeting public drinking, public urination, begging, vagrancy and fare dodging. Misdemeanours are dealt with by a summons for those who have photo identification, by arrest for those who do not. In addition to searching anyone arrested for these minor public order offences, stop and frisk is used widely against anyone suspected of carrying a weapon or drugs.

The shift towards 'proactive policing' is particularly evident in what supervisors at all levels said about their work. A particularly interesting shift was a move towards more direct and active supervision among mid-level managers such as patrol lieutenants and precinct commanders:

The commander's job is not at the desk but out on the street. Seeing the CO out on the street inspires the officers. Community out on the street see it. Also, the CO then knows the localities and when you know the places, you can relate to the people who are out on the street. You see problems with your own eyes. Information goes by word of mouth around the people on the street. They see you, and it makes a difference.

The compstat process also clearly had an impact. The fact that precinct commanders would have to face the Commissioner and the police brass meant that he or she had to know what was happening on the ground and be able to explain what was being done about it:

I started surveying the sergeants. 'Are you happy with your people?' I'd ask them tough questions: 'Tell me what's the problem at [[location]]?' Now, I already know that it's a corner lot. There's constant radio runs. We've got search warrants for some of the apartments. In one apartment we found ten guns. A few sergeants couldn't answer my questions. And I'd say, 'but you're the sergeant in charge of this sector. You gotta know it better than I do'. So they'd know that soon I'd be asking them more difficult questions and they knew that they had to have the answers. It's the same with compstat. When I go to one of those meetings they have the stats on my precinct. But I have to know it better than they do. I have to be able to

<sup>31</sup>Also cited in *Law Enforcement News*; and Peak and Glensor (1996: 19).

<sup>32</sup> Interview with precinct commander.

describe what's happening, where, and what I'm doing about it. And the same thing goes for my sergeants.

*Aggressive policing and the reduction in homicide*

The link between the shift to aggressive policing and the reduction in murder does not require faith in the 'broken windows thesis' of order maintenance. Rather, aggressive policing may have specific consequences in specific circumstances. Most murders in New York in the early 1990s—between 70 and 80 per cent—were the result of shootings, most with hand guns. Some of these shootings are instrumental, but many result from a 'beef' which escalates into gunplay. For shootings of this type to occur, young men must routinely carry guns. One officer claimed that at the turn of the decade young men were carrying guns 'as if they were legal'. Then came 'cuffs off policing', stop and frisk and crack downs on drug dealing locations or 'spots'. The same officer: 'Crime analysis helps. We identify outside spots. Then, milk them. Milk them to death. As soon as one dries up, find another one. Hit 'em, hit 'em and hit 'em again'. In the two-square mile precinct studied, 12 specialist 'anti-crime' officers made around 300 gun arrests in two years, confiscating 155 guns in 1994 and 90 in 1995. In the view of many (but not all) of the police officers I interviewed, the result of persistent stop, frisk and arrests meant that young men thought twice before carrying their guns on their person. Even if there were no fewer weapons on the street, they were more likely to be left at home or hidden elsewhere. That guns were not immediately accessible during routine confrontations was a frequently cited explanation for the reduction in murder in the mid-1990s.

*A cautionary note* The observations of the officers set out above suggest that the changes brought about by Bratton had the effect of re-energizing the police department and increasing the levels of aggression with which they carried out their work. However, there are a number of concerns about the consequences of sustaining such strategies over a long period of time. For example, the effect on the community of sustained aggressive policing, the effect on civilian complaints on the police organization and individuals who work within it must be considered. There is, overall, a question of whether aggression is the most appropriate mode for any law enforcement agency both as an internal management strategy and a strategy for policing the streets. One officer expressed this view:

At first I liked the [Bratton] administration, but I'm not so sure anymore. The style of management is not good. I always learned that you should praise in public, criticize in private. This lot, they're not good managers. There are other ways of managing. I'm not saying that this administration could do it another way. This is probably the only way they know. But there are other methods. They're yelling and pointing fingers at me at headquarters. I come back and yell and point fingers at my people. They then go out on the street and do the same thing. Other styles of management might work just as well.

*Interaction effects*

The factors set out above probably had some *individual* impact on the homicide rate. More important, however, is the extent to which some or all of these factors may have acted or interacted together. A plausible explanation for part of the reduction in

homicide (and perhaps a significant part of it) is the *interaction* between the shifts in the drug market on one hand and changes in policing on the other.

The 14 per cent reduction in homicide in the four-year period from 1990 to 1993 occurred before any dramatic changes in policing were made after Bratton's appointment in early 1994. There was an increase in patrol strength, though this was not marked. Misdemeanour arrests remained about flat. There are no compelling reasons to believe that this reduction may be accounted for by changes in policing. However, 1990 appears to be the peak of the 'madness' surrounding crack cocaine and guns, after which researchers point to significant changes such as a reduction in crack cocaine usage and changes in the structure and systems of drug markets. It is difficult, retrospectively, to delineate the relationships between changes in drug use and supply, and crime reduction. The question begged by the data is: would the post-crack reduction in violence have continued, even accelerated had no other changes occurred?

The question is, of course, hypothetical because in 1994 after three years of slowly declining homicide rates, Bratton arrived. Within a year, Bratton had radically changed the emphasis and activity of the police department. He replaced all his senior management and most precinct commanders and devolved accountability. In particular, enforcement activity of all kinds was stepped up markedly. In Bratton's first year in office, the police department almost tripled the number of misdemeanour arrests (Karmen 1996d). A possible consequence of this enforcement activity was to contribute to the continuing decline in the size and structure of street-level drug markets. Enforcement activity centred on known drug locations may have contributed to the movement indoors to corner shops and fortified apartment buildings. Open drug dealing that was commonplace in numerous places across the city in 1990s had reduced significantly by 1995. This physical geographical shift also reflects a shift in the shape of the market to which the police may have contributed. Many low-level drug dealers were arrested leading those higher up to be more careful, particularly about using unreliable sellers and about using violence to control them. Gun deaths brought unwanted police attention to the increasingly organized business of drug distribution. Many gun deaths were *systemically* related to systems of drug supply and distribution (Goldstein 1985; Goldstein *et al.* 1992). That is, deaths occurred when young men employed on the fringes of drug markets got into arguments over things (often unrelated to drugs) and shot each other because guns were so widely available. It is plausible that these deaths would also have continued to decline as a consequence of shifts in the drugs market, but it also seems likely that enforcement activity had an impact on willingness to carry firearms.

However, it cannot be said that aggressive enforcement can succeed alone. An earlier 'Quality of Life Program' was introduced in July 1984 to deal with 'quality of life violations such as loud noise, public intoxication, and other public nuisance violations'. According to a report on the initiative, a total of 1,304 police officers were assigned to this programme, who between July 1984 and September 1987, made 48,960 arrests: 6,952 felonies, 9,684 misdemeanours, and 32,214 violations. In three years, Quality of Life officers also issued 1,263,297 summonses; 67,686 for alcohol consumption, 1,713 for noise and noise violations. The 'result': *homicide increased by 14 per cent* between 1984 and 1987. It may be the case that police intervention can, in the context of other changes, make a significant contribution to crime reduction. However, *aggressive enforcement is neither necessary nor sufficient to produce reductions in crime*. Aggressive policing is not necessary for crime reduction because crime fell in New York between 1990 and 1993

without it. It is not sufficient because was tried in 1984–87, with precisely the opposite ‘result’ to that which was intended.

All of this seems to suggest that changes in distal correlates of homicide which are largely outside the control of the police and criminal justice system—such as the wax and wane of new drug markets—are both necessary *and* sufficient to create increases and decreases in homicide and other forms of crime (Lattimore *et al.* 1997a, 1997b; Baumer *et al.* 1998). Research by the National Institute of Justice suggests that the main reason for the decline in homicide in six cities—Detroit, Washington, Atlanta, Miami, New Orleans, Indianapolis—was the reduction in the use of crack cocaine. The report concludes that ‘in five of the six study communities, homicide rates track quite closely with cocaine-use levels among the adult male arrestee population’. The exception was Indianapolis where crack use and homicide rates have risen sharply in the 1990s (Lattimore *et al.* 1997a, 1997b).

It is also evident from the experience of other jurisdictions that aggressive policing is not necessary to achieve significant reductions in crime. Indeed, crime has reduced in many places across the US, in some cases quite dramatically. Taking the US as a whole, homicide fell 12 per cent in the first six months of 1995. In the nine cities with a population of more than a million inhabitants, the decrease in violent crime averaged 8 per cent, and in each widely different policing styles were employed. Although New York’s homicide reduction in 1995 was striking, homicide dropped even more suddenly in Seattle (down 32 per cent) and San Antonio (28 per cent).

Some strong claims have been made by police chiefs about the ‘success’ of their strategies and tactics, but the fact is that we still do not really know which policing strategies are most effective or why. As one unusually frank police executive in Chicago said of their 12 per cent reduction in homicide: ‘If we knew the reason for success, we’d do a lot more of it . . . We’d bottle it’.<sup>33</sup> Part of the reason for this uncertainty is that too few policing strategies are evaluated, fewer still evaluated properly so that others can learn what works, for whom, and why.

#### *Can the New York Experience Be Replicated Elsewhere?*

The metaphor of the ‘broken window’ appeals to those who are concerned with rebuilding the physical and social fabric of communities affected by poverty and violence. However, Wilson and Kelling’s original paper says little about the role of communities in crime reduction and less about the role of agencies other than the police. Rather, the notion of ‘fixing broken windows’ elaborated in Wilson and Kelling’s papers on order maintenance seems actually to be a euphemism for ‘fixing’ ‘disreputable’ people through the use of aggressive policing. Their main policy recommendation to the police is to ‘kick ass’. However, aggressive enforcement does not hold out the possibility for the repair of communities ravaged by poverty, drug abuse, widespread availability of firearms and the entrenchment of violence. Rather, it represents a superficial palliative to a set of fundamental social problems which are, at best, unaffected by police strategies and, at worst, exacerbated by them.

<sup>33</sup> Reported in ‘Law and Order’, *Time*, 15 January 1996, pp. 48–56.

If aggressive policing contributed to the reduction in homicide in New York City, it is certainly only one factor among many. Other factors outside the control of policing or governmental intervention (e.g. changes in drug-use, supply and distribution), and non-policing interventions (e.g. community crime prevention and youth activism) may have made an equal, perhaps greater contribution to the reduction in homicide, but have largely been ignored by the media and criminology.

Certain unwanted consequences have resulted from aggressive policing strategies in New York and are even more likely in other contexts. Among these are the generation of hostility between the police and community, and increases in police brutality. Examples include the case of Amadou Diallo who was shot dead on 4 February 1999 in the foyer of an apartment building by police officers who fired 41 bullets at him even though he was unarmed.<sup>34</sup> Such extremes of police violence, which may be encouraged by chiefs demanding more aggressive public encounters, hold the potential for violent disorder and foster the idea that violence is the solution to violence. Ultimately, increases in the allocation of resources to the police implies a decrease in resources to other agencies and a continuing depletion of social and economic resources to the poorest communities.

Despite cautious and partial credit to the NYPD for implementing desperate measures to a desperate situation (and there is no doubt that this involved serious personal risk to individual officers), the nature of crime and policing there is utterly different from that which exists anywhere in Britain, for example.

The extent of homicide in New York during the late 1980s and early 1990s was quite exceptional, both historically and compared with most other places. The total of 2,262 murders, including 1,572 resulting from shootings in 1990 is completely unlike anything that many places outside the USA have experienced in 'peacetime'. In 1990 there were 12 times fewer murders in London than in New York. Even after the 'end of crime as we know it' in 1995 there were 8 times as many killings in the former 'murder capital of the USA' than the 147 occurring in the British capital. But it is not only volume that distinguishes murder in the two cities. In Britain, the method of killing is most often stabbing, hitting or strangling and only rarely shooting. The most likely victim is under a year old, killed by someone known to the child. Young men shoot each other with pistols on street corners very rarely. Consequently, the capacity for London police to impact on the murder rate in the way of New York is negligible.

A New York solution will not help to solve the problem of violence in British cities and it may be counter-productive. New York is a more aggressive city than London or any other in the UK, and so are its police. So, although civilian complaints against the police have increased sharply and there are campaigns against repressive policing and police violence, voices calling for restraint were muted until quite recently.<sup>35</sup> It is very doubtful that New York-style policing could be sustained for very long in most places before physical confrontations between police and people broke out on the streets. A Superintendent visiting from England said of New York's policing: 'it sounds like Operation Swamp '81' (see Scarman 1981). Other police officers have gone further,

<sup>34</sup> *The Economist*, 3 April 1999.

<sup>35</sup> The shooting of Amadou Diallo has led to an increasingly intense campaign against police brutality. *The Economist*, 3 April 1999.

comparing New York aggressive policing to fascism. George Kelling himself now says that he did not mean to suggest that saturation policing was the solution to the problem of disorder and distances himself from 'zero tolerance' which is, he says, not a credible policing strategy.<sup>36</sup>

The smart policing baby should not be thrown out with the aggressive policing bathwater, however. As Eli Silverman argues, many aspects of New York policing have improved (Silverman 1996). 'Compstat' meetings, for example, clearly hold possibilities for effecting major change in policing. Better management, sharper strategic direction and greater accountability of local commanders seem necessary to take the British police service into the twenty-first century. Part of this change is to examine more carefully the question of the relationship between the police and crime rates.

The view that 'blaming the police for a rise in crime is like blaming doctors for an increase in disease' had become something of an orthodoxy in the 1980s. Leaving aside for a moment the problems with medical analogies for crime and policing, this statement actually seems to be incorrect: doctors are frequently blamed for ill health. Avoidable errors in diagnosis and treatment often result in worsening health or even death. Careless surgeons infect their patients (even whole hospitals) as a result of errors of omission and commission. Misdiagnosis by physicians or medical technicians can create or exacerbate health hazards. The medical profession as a whole (as well as government) are rightly held culpable when early warnings of health risks—such as HIV-infected blood or BSE-infected beef—go unheeded. Conversely, doctors are and should be credited for reductions in disease within individuals and populations. Obviously, doctors cannot take either entire credit or entire blame, but the suggestion that they have no influence on sickness and health is wrong. The analogy can be applied to the police. While they are not responsible for all the social conditions which give rise to violence that does not mean that they can neither be blamed when it increases nor given the credit when it decreases.

The view that 'nothing works' in policing is obviously challenged by the New York experience where it has been claimed that the police 'can and do' reduce violence. To summarize the points made above, however, violence has reduced for reasons other than policing and to the extent that policing has helped, we do not know which changes contributed most. Unfortunately, no rigorous evaluation either internal or external was conducted in New York.<sup>37</sup> Despite the absence of rigorous evaluation and an awareness among senior police officers and government officials that the New York story has been oversold, 'New York style' policing has been announced in parts of Britain, and in Germany,<sup>38</sup> Italy,<sup>39</sup> Japan, Norway, Brazil, China, Hungary, Switzerland, Portugal, the Netherlands and Israel (Bratton 1998: 287–8).

There are two key recommendations which arise from this paper. First, the language and 'philosophy' of zero tolerance should be abandoned. The phrase oversimplifies the New

<sup>36</sup> Personal communication, American Society of Criminology presentation, November 1996. Interview with George Kelling 'Kelling's Law', *Policing Today*, December 1997.

<sup>37</sup> A limited and superficial internal evaluation of the Crime Strategies was published in November 1995. See New York City Police Department (1995d).

<sup>38</sup> *Christian Science Monitor*, 30 September 1997. 'Can US Fix Berlin's Broken Windows?'

<sup>39</sup> 'Mayor of Milan tackles crime New-York style', *Sunday Telegraph*, 21 February 1999.

York story and has been roundly rejected by its supposed originators.<sup>40</sup> Moreover, it is conceptually inappropriate. Intolerance, the ‘state of being unable or unwilling to endure difference of opinion’<sup>41</sup> or ‘persecuting’,<sup>42</sup> cannot be the driving philosophy of democratic policing (see Dennis 1997; Bowling 1998). Although there is widespread debate over the meaning of such philosophies as ‘community policing’ or ‘problem-oriented policing’, they have a conceptual core which is obviously more compatible with such tenets of democratic policing as accountability (rather than autonomy), consent (rather than coercion) and service (rather than force).

Secondly, there is an urgent need for the crime reduction initiatives that are springing up to be evaluated rigorously both quantitatively and qualitatively. We need to know which practices are chosen and how they are adapted to their new context. We need to know how they are implemented from statement of intent, through strategic development, management, and leadership at all levels. We need to know how police officers and people on the streets—‘respectable’ and ‘disreputable’—experience the delivery of changed policing styles. And we need to know what happens as a result: including such *outputs* as changes in arrest and summons activity; *outcomes* such as fluctuation in crime; and such *unwanted outcomes* as displacement, disaffection, disorder, corruption and human rights abuses.

#### Conclusion

When crime rises no one wants to take the blame, but when it falls everyone wants to take the credit. In New York, only a circumstantial case has been made for the link between aggressive policing and falling crime, and yet the media and politicians have already reached a verdict, ignoring other credible suspects. Among the most convincing explanations for the rise and fall of New York murder in the last decades of this century is the simultaneous rise and fall of crack cocaine. This changing social context, together with the combined effect of preventive work among local communities and a rejection of crack cocaine and guns by a new generation of young people provides a credible alternative account to that generated by media-smart police. When violent crime falls (as I suspect it will in Britain), we need rigorously collected *evidence* to explain what unfolds. Without such evidence, we will be stuck with sound bites of powerful people with a political interest in claiming that they are responsible for improving the ‘quality’ of city life.

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<sup>40</sup> George Kelling said recently, ‘the idea of zero tolerance is not credible . . . I worry a lot about phrases like zero tolerance, which imply intolerance’, *Policing Today*, December 1997, p. 19; see also Dennis (1997: 1); Bratton (1997a, 1998).

<sup>41</sup> *Chambers English Dictionary*.

<sup>42</sup> *ibid.*

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