

Fixing Broken Neighborhoods: How Police Can Ensure Neighborhood Safety and Community Well-Being

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ABSTRACT

The “broken windows” theory (Kelling & Wilson, 1982) is among the most studied and applied ideas in the United States criminal justice system. Broken windows policing played an important part in getting police to pay attention to physical and social disorder and other lower-level offenses. While it did effect rates of crime and disorder, its misapplications also had detrimental effects on communities most in need of police intervention. This paper reexamines the original exposition of the broken windows theory and explains its misuse. By drawing on theories of procedural justice, police legitimacy, and collective efficacy, as well as recent developments in the use of data to understand the situational correlates of crime and disorder, this paper argues that police should re-commit to their basic order maintenance function to ensure neighborhood safety and increase community well-being.

Keywords: *broken windows, collective efficacy, procedural justice, order maintenance policing*

1. FROM CRIME REACTORS TO CRIME PREVENTERS

The modern Anglo-Saxon policing model is based on maintaining order and preventing crime. But in the decades leading up to a period of massive social, political, and cultural change in the United States in the 1960s, police turned their attention to enforcing the law and retroactively investigating crimes (Kelling & Moore, 1988). Police at the time were viewed as reactive responders to crime whose main responsibility was to arrest wrongdoers and “feed the [criminal justice] system” (Kelling, 1991). Their main preventive tactic (i.e., random, routine patrols in police cars) proved ineffective at reducing crime or effecting citizen satisfaction (Kelling, Pate, Dieckman, & Brown, 1974).

The social discord of the 1960s highlighted the “root causes” of crime (e.g., inequality, under-education, unemployment) made popular by sociological theories (President’s Commission on Law Enforcement and Administration of Justice, 1967). These explanations of crime spurred attempts at social crime prevention by increasing spending on social welfare programs, enhancing public education and expanding employment opportunities. Viewing crime as a symptom of larger societal failings meant police could do little to prevent crime or improve communities.

As police and communities sought ways to deal with rising crime and disorder in America’s cities into the 1980s, the question of what role, if any, police could play in preventing crime again arose. A seminal study of police

foot patrols in Newark, NJ found that increasing contact with citizens via police foot patrols did not have any impact on crime rates, further weakening the ubiquitous police patrol tactic. The foot patrol experiment had another interesting finding—foot patrol did have a positive impact on people’s sense of safety and perceptions of the police (Police Foundation, 1981). The findings from this study led to a new theory of criminal offending that set the country’s police on a four-decade path of engaging in proactive crime prevention. The outcomes of the policing methods it inspired continue to be debated today.

2. A METAPHOR SETS THE SCENE

George L. Kelling, the lead researcher of the Kansas City and Newark policing experiments referenced above, co-authored an article for the March 1982 issue of what was then called *The Atlantic Monthly*. It described how community controls breakdown in neighborhoods with rampant physical and social disorder (Kelling & Wilson, 1981), leading to a “spiral of decay” (Skogan, 1992). They described the powerful “broken windows” metaphor to explain this “developmental sequence”:

If a window in a building is broken and is left unrepaired, all the rest of the windows will soon be broken. This is as true in nice neighborhoods as in rundown ones. Window-

breaking does not necessarily occur on a large scale because some areas are inhabited by determined window-breakers whereas others are populated by window-lovers; rather, one unrepaired broken window is a signal that no

one cares, and so breaking more windows costs nothing (Kelling & Wilson, 1982).

Figure 1 presents the cycle of disorder, fear, and crime Kelling and Wilson (1982) discuss.

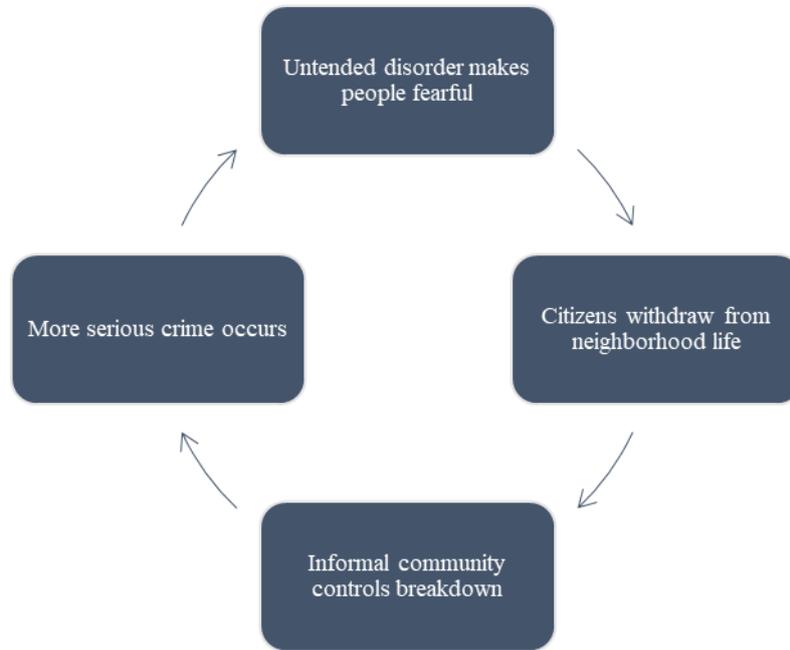


Figure 1 Broken Windows Cycle

Operating with this understanding of the primary relationship between disorder, fear and crime, police began aggressively responding to disorderly conditions in neighborhoods and sought a return to a more community-based orientation of their work.

This reinvigoration of a community-oriented, problem-solving police strategy (Kelling & Moore, 1988) acknowledged:

1. People are concerned about disorderly conditions in their neighborhoods, irrespective of any correlation to actual crime rates;
2. Crime and disorder concentrate in specific areas; and
3. Police could affect fear of crime and disorder and crime.

The broken windows theory offered an intelligible, common-sense and attractive perspective for police and communities to think about how to best tackle rising rates of crime and disorder.

3. BROKEN WINDOWS HITS THE STREETS

Three problems arose as police departments across the country enacted tactics influenced by the broken windows theory. First, police placed too much emphasis on social disorder, focusing on people, rather than on other forms of physical disorder (i.e., litter, graffiti, abandoned properties). This interpretation follows from the initial article and is reinforced (but also expanded on) in Kelling's later work (e.g., Kelling & Coles, 1995).

Except for when citing others' research on graffiti and litter, all of Kelling and Wilson's examples of disorder (1982) are of people's behavior. As late as 2001, Kelling and Sousa used misdemeanor citations and arrests as a measure of the effect of broken windows policing on crime. Kelling and Wilson's (1982) person-focused discussion of neighborhood safety builds on Wilson's prior and concurrent writing on the causes of crime, in which Wilson falls firmly on the side of micro-level, individualistic explanations (Wilson, 1975; Wilson & Herrnstein, 1985). From this perspective, individual criminals or disorderly persons must be punished to deter

them and others from committing unwanted behavior (Hope & Karstedt, 2003).

Where neighbors could not deal with misbehavior, the police would. And they did, by increasing the arrests and citations of persons performing disorderly acts in public spaces (i.e., panhandlers, sex workers, loiterers, boisterous groups of teenagers, and New York City's infamous squeegeemen) (Kelling & Sousa, 2001).

The second concern is that police frequently applied these tactics using a zero-tolerance standard. One form of this is the police crackdown—where police enter a high crime area and issue people citations, summonses, or arrest for every infraction they encounter. Though offering a short-term reduction in criminal behavior (Golub, Johnson, Taylor & Eterno, 2003), these methods limit the discretion of police officers to use other informal ways to deal with disorderly persons. The police focus on people and the zero-tolerance approach also unnecessarily introduced people into the criminal justice system, were applied disproportionately to non-white persons, and damaged police-citizen relationships (Gau & Pratt, 2008).

The most pernicious effect of the broken windows theory was its use as a justification for the widespread use of stopping, questioning, and in some cases frisking persons police deem suspicious. This practice is more often referred to as stop-question-frisk, or a Terry stop, based on the Supreme Court case supporting its legality as a way of ensuring officer safety (Terry v. Ohio, 1968). It too was over-used, to the detriment of primarily Black and Brown communities (LaVigne, Lachman, Rao, & Matthews, 2014).

Aside from its intent to keep officers safe, police learned to use citizen stops to prevent crime. Many police departments sent police to high crime neighborhoods to increase the number of pretextual vehicle and pedestrian stops. Pretextual stops are legally justifiable, when conducted on the basis of reasonable suspicion that someone is or has been involved in a crime (including misdemeanor and summary offenses). Police see three benefits to these stops: letting a community know police care about potential “window breakers;” deterring would-be serious criminals (specifically those who would illegally carry a firearm or drugs); and offering a legal way to interact with individuals to establish probable cause that they are involved in more serious wrongdoing (Jenkins & DeCarlo, 2015).

There are two main factors underlying the issues discussed above—broken windows tactics was oriented towards fighting crime as the ultimate goal, rather than serving the public or reducing people's fear. And, following from this, there was an over-emphasis on measuring outputs (i.e., arrests and citations) rather than outcomes (i.e., reduced fear, improved police-citizen relationships, or perceptions of justice). Officers were expected to produce numbers; police leaders were expected to produce crime declines. This made it difficult for police to see the unintended, negative consequences of their work on community well-being.

Broken windows policing as previously implemented did have its benefits: it decreased levels of disorder, crime and

fear of crime (Distler, 2011; Braga, Welsh & Schnell, 2019; Hinkle & Weisburd, 2008), it reduced the number of felons in prison (Vera Institute of Justice, 2013), and reinforced the informal social control mechanisms of neighborhoods (Xu, Fiedler & Flaming, 2005; Ren, Zhao & He, 2019). There are also other police-led programs informed by the disorder-fear-crime connection. Examples include neighborhood beautification projects and other ways of reducing signs of physical disorder to reduce fear and incidence of more serious crime (see: Heinze, Krusky-Morey, Vagi, Reischl, Franzen, Pruett, Cunningham & Zimmerman, 2018; Jay, Miratrix, Branas, Zimmerman & Hemenway, 2019; Branas, South, Kondo, Hohl, Bourgois, Wiebe & MacDonald, 2018).

Despite recent calls to limit the role of police in responding to community disorders (Vitale, 2017), this paper argues that police should recommit to their basic order maintenance function as a way of ensuring neighborhood safety and community well-being. An application of recent research on police legitimacy, procedural justice, and conceptions of the environmental correlates of crime will be used to support the utility of this proposed policing model.

4. A DATA-INFORMED FOCUS ON PLACES

The most infamous implementations of broken windows policing focused on the micro-level tactics of arresting and deterring individual offenders (i.e. social disorder and incivility). Kelling and Wilson's (1982) broken windows exposition, however, could just as reasonably be applied to physical cues in the immediate environment that contribute to fear or invite more serious offending.

Kelling recalls anti-graffiti work in the New York City subway system (Sloan-Howitt & Kelling, 1990) as one of the first examples of the preventive capacity of police. Notably, the project involved a zero-tolerance approach in which no subway car was allowed to leave the train yard with graffiti on them, and it did not require any interaction between police and citizens. To Ranasinghe (2011), Kelling notes the large-scale problem-solving exercise that resulted in reclaiming the standards of civility in the NYC subway as more proof of the efficacy of broken windows policing. Kelling and Bratton (1998) referred to this turnaround as “certainly on a par with the graffiti eradication” (p.1222).

The research on the success of neighborhood beautification projects (cited in the previous section) offers unequivocal support for the importance of maintaining physical order in communities. The new police model suggests police lead similar environmental change efforts, alongside an improved person-based application that is discussed below. The focus is on the used drug needles and baggies littering the sidewalks, the graffiti covering a store wall, or an overgrown front yard, first. When other community agencies or controls cannot effectively attend to a drug-using, littering, or graffiti artist neighbor, police

will employ proven community-based, problem-solving tactics. These are geared towards prevention, rather than punitive, citation- or arrest-driven tactics, as were typical in the broken windows policing model. Furthermore, when people reach out to police to request their service (e.g. to respond to issues of disorder) and are treated well, it improves their view of the police as well as each other (Cheurprakobkit, 2000).

Developments in the analysis of environmental correlates to behavior (see, for example, the potential for Risk Terrain Modeling in Caplan, Kennedy, Barnum, & Piza, 2015) improve a police response to physical disorder. While the police role in mediating the disorder-fear connection is well established (Gau, Corsaro & Brunson, 2014; Oh, Ren & He, 2019), there remains a need for police to use data and systematic analysis to inform definitions of community disorder and refine reasonable solutions. Possible sources of such data might come from systematic social observations (Sampson & Raudenbush, 1999), observations from public CCTV systems (Sytsma & Piza, 2018), Google Street View (Fujita, 2017), or Compstat 2.0, the community-centered performance management system (Shah, Burch & Neusteter, 2018).

5. A JUST FOCUS ON PEOPLE

Both the negative and positive outcomes of broken windows policing on crime, disorder, and fear have already been established. Research suggests that even when admitting the damage that frequent, negative police-citizen interactions (or broken windows policing done badly) has on a community, citizens still desire additional police presence in their neighborhoods (Gau & Brunson, 2009; Hynynen, 2011; Rengifo & Slocum, 2016). The maintenance of physical and social order falls first to a neighborhood's residents, not its police. The police institution, however, is alone in its responsibility to give full time attention to a community's needs. When necessary, and as a last resort, police are also uniquely authorized to use force or an arrest to resolve an immediately violent situation. When neighborhood conditions require police to lead its disorder response, the interactions that police have with residents are an invaluable aspect of reinforcing community controls and reducing crime and fear. Research on police legitimacy and procedural justice shed light on this.

Police legitimacy refers to the general sense of trust in law enforcement and one's obligation to obey the law. Police procedural justice is the fair and respectful application of the law. Tyler and Huo (2002) posit that even when the outcome of specific interactions result in a formal sanction (e.g., arrest or citation), if police act in procedurally just ways, they gain further legitimacy and trust in the community. Walters and Bolger's (2019) meta-analysis of the factors related to compliance with the law finds strong evidence for the relationship between perceived police procedural justice and beliefs about police legitimacy. Bolger and Walter's (2019) meta-analysis focused on

procedural justice, legitimacy, and cooperation with the police, and again found strong relationships among them. Davis, Whyde & Langton (2018) find that motorists viewed traffic stops more legitimately when police gave them a reason for the stop, even though those stops were also more likely to result in the driver receiving a ticket (as opposed to those stops in which no reason or ticket was given) and motorists were more likely to view police action less positively. This is especially important in light of findings that procedurally just policing and perceptions of legitimacy had a greater effect on the cooperation of younger participants and racial minorities (Bolgers & Walters, 2018), and were also more influential on younger person's compliance with the law (Bolgers & Walters, 2018). Since people aged 18-24 and nonwhites have disproportionately more police-initiated contacts and higher victimization and offending rates (Davis et al., 2018), communities most in need of strengthening communal bonds and reducing serious criminal offending could benefit from procedurally just broken windows policing.

The new model of broken windows policing requires police to interact with people who are acting disorderly (e.g., illegal driving behavior, public intoxication, or threatening loiterers). By following procedurally just practices in such stops, police can reinforce the community control mechanisms, as suggested by the broken windows theory. This also holds true when police are responding to violations of more serious laws, such as those against drug dealing or illegally carrying a weapon.

Similar to the compliance and cooperation outcomes of procedural justice and police legitimacy, research supports another mechanism by which police attention to disorderly offenses improves neighborhood safety—informal social control mechanisms. Sampson, Raudenbush and Earls (1997) add informal social control (or, neighbors' "willingness to intervene on behalf of the common good" (p. 918) to their concept of social cohesion in defining collective efficacy. They found informal social control to be an important factor in predicting lower levels of violence. More recently, Ren, Zhao and He (2019) showed the effects of actual and perceived disorder on fear and collective efficacy, further supporting the need to attend to disorder. Grant (2015), calling for more non-police involvement in controlling crime and disorder, refers to collective efficacy as an "important new social layer" in crime control (p. 24).

Kelling and Wilson (1982) note the importance of this new social layer. Signs of physical and social disorder increase citizens perceptions that more serious crime is on the rise too. Then, the following occurs:

"[People] will use the streets less often, and when on the streets will stay apart from their fellows, moving with averted eyes, silent lips, and hurried steps. 'Don't get involved.' For some residents, this growing atomization will matter little, because the neighborhood is not their 'home' but 'the place where they live.' Their interests are elsewhere; they are cosmopolitans. But it will matter greatly to other people, whose lives derive meaning and satisfaction from local attachments rather than worldly

involvement; for them, the neighborhood will cease to exist except for a few reliable friends whom they arrange to meet.”

Public space becomes less usable, collective efficacy breaks down, and the area becomes vulnerable to more serious criminal invasion.

A goal of broken windows policing should not be to simply reduce disorder (or crime). As the past has shown, police can do that effectively through heavy handed tactics, but at a high cost to communities. Rather, police should use their response to physical and social disorder to build legitimacy and enhance the informal social controls in neighborhoods.

The increasing political support for police reform and non-criminal justice responses to social problems, a sustained period of all-time low crime rates, and supportive economic conditions facilitate a police department’s decision to make the proposed changes. Police are no longer bound by the false sense of full enforcement; they are increasingly less tied to the demands placed on them by 9-1-1 calls; they are selected and trained in ways that acknowledge the role of police as guardians of the neighborhoods they serve; and there are concerned residents, well-organized neighborhood groups, and numerous social service agencies willing to work with them to ensure neighborhood safety and community well-being.

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