

BRATTON'S BROKEN WINDOWS POLICING: ONE MORE TIME?



Dec 2013: The *New York Times*, *New York Magazine* and others are reporting that William Bratton is Mayor-elect Bill DeBlasio's most likely choice for New York City's Police Commissioner. Bratton has long been a supporter and practitioner of *broken windows policing* which first established the stop and frisk practices and numerous arrests for minor offenses which reformers have sought to curb here in New York City.

Whether or not Bratton becomes head of the NYPD, it is worth recalling the kind of aggressive misdemeanor-focused policing that he has advocated for and put into practice in New York City, Los Angeles, and, as a consultant, in many other cities.

Attached are three news stories quoting Bratton and his approach to policing -- from the *New York Daily News*, the *Sydney (Australia) Morning Herald*, and the *Los Angeles Times*.

This document is on the web at:

http://marijuana-arrests.com/library/Brattons_Broken_Windows_One_More_Time_three_news_stories.pdf

A document with more news stories, longer journalism, and academic articles is at:

http://marijuana-arrests.com/library/Broken_Windows_and_Bratton_links_and_excerpts.pdf

Harry Levine and Loren Siegel
The Marijuana Arrest Research Project
<http://marijuana-arrests.com/>

NEW YORK DAILY NEWS / November 24, 2013

Bill Bratton Expanded Stop And Frisk When He Ran Los Angeles Police Department:

By Jennifer Fermino / New York Daily News City Hall Bureau Chief

<http://www.nydailynews.com/new-york/bratton-article-1.1527258>

Bill Bratton, a leading candidate to become Bill de Blasio's top cop, dramatically expanded the use of stop and frisk when he ran the LAPD.

But many more of those police stops led to arrests than under the NYPD's use of the controversial tactic, which de Blasio has vowed to curb.

In 2002, the year Bratton began his tenure at the Los Angeles Police Department, cops conducted 587,200 stops of pedestrians and drivers. Six years later, that number skyrocketed to 875,204 stops — a 49% spike, according to a little-noticed May 2009 report from the Harvard Kennedy School.

As in New York, where critics like de Blasio have accused the NYPD of racial profiling, the stops focused heavily on minority groups.

At its peak under Bratton in 2008, 23% of all individuals stopped by L.A. cops were black, the Harvard study found. African-Americans made up about 9% of the city's population at the time. Non-Hispanic whites — who accounted for around 30% of L.A. residents — were stopped 15% of the time. And Hispanics were stopped 48% of the time, which roughly corresponded with their percentage of the city's population.

That same year in New York, when civil rights groups launched a class action lawsuit against the city over stop-and-frisk, 540,302 people were stopped. Over half — 53% — of those stopped were black. African-Americans make up about a quarter of New York's population. Eleven percent of those stopped were white and 32% were Hispanic. Whites are about 44% of the city population and Latinos 28%.

In a stark contrast to New York, the number of L.A. stops that led to arrests climbed as the number of stops rose, according to the study. In 2002, only about 15% of L.A. stops led to an arrest. That number doubled to 30% in 2008, the study

found. On average, from 2002 to 2012, only about 6% of NYPD stops led to an arrest, according to the New York Civil Liberties Union.

“The pattern (in L.A.) suggests that police officers stopped people for good reasons and were willing to have the district attorney scrutinize those reasons,” the study found.

De Blasio, who interviewed Bratton to be the city’s next top cop, has repeatedly accused the NYPD of using stop and frisk to racially profile communities of color. Neither de Blasio nor Bratton responded to requests for comment.



Sydney Morning Herald, Australia / August 14, 2011

BRATTON'S ZERO TOLERANCE ADVICE

<http://www.smh.com.au/action/printArticle?id=2555624>

NEW YORK: Young thugs and gang members should be made to "fear" the police and the prospect of serious punishment for acts such as looting, British Prime Minister David Cameron's new crime adviser [William Bratton] says.

Bill Bratton, the former New York police chief, said many young people, especially gang members, had been "emboldened" by over-cautious policing tactics and lenient sentencing policies.

Losing public confidence in its ability to provide security -- through force if necessary -- created "incredible difficulty" for a police force, Mr Bratton said.

To be effective, a police force should have "a lot of arrows in the quiver", Mr Bratton said, advocating a doctrine of "escalating force", where weapons including rubber bullets, Tasers, pepper spray and water cannon were available to police.

Mr Cameron is an admirer of Mr Bratton's approach to policing and has asked the American to advise him on gangs and urban violence, following this week's riots in English cities.

Mr Bratton has run police forces in New York and Los Angeles, winning both plaudits and criticism from his "zero tolerance" approach.

Speaking in New York, Mr Bratton, 63, said police forces should be more assertive in their dealings with offenders, leaving no doubt that crime would always meet a firm response.

"You want the criminal element to fear them, fear their ability to interrupt their own ability to carry out criminal behaviour, and arrest and prosecute and incarcerate them," he said.

"In my experience, the younger criminal element don't fear the police and have been emboldened to challenge the police and effectively take them on."

Some critics believe that British forces have been cowed by threats of legal action and a lack of political support for robust policing. Mr Bratton said officers

should leave no doubt that they were ready and willing to use force when required.

In particular, he said, gangs must "understand that provocation will be met with appropriate response".

More than 1600 people have now been arrested in connection with last week's events, and 796 have been charged.

Mr Bratton's comments may intensify the debate about how forces responded to the riots, a debate that has angered some police chiefs.

He insisted that he was not criticising the metropolitan police or other forces, saying he made a point of "not critiquing other agencies" until he had intimate details of how they worked.

Mr Cameron intends to use him as a personal adviser and will meet him in London next week.

Los Angeles Times

<http://articles.latimes.com/2006/apr/20/opinion/oe-harcourt20>

Bratton's 'broken windows'

By Bernard E. Harcourt, April 20, 2006

AT A MEETING of the world's top cops in San Francisco today, the first topic on the agenda will be whether the "broken windows" theory on which Los Angeles Police Chief William J. Bratton has built his career is, in fact, an effective crime-fighting technique.

The theory was first articulated by James Q. Wilson and George L. Kelling in the Atlantic magazine in 1982. They argued that minor forms of disorder -- such as graffiti, litter, panhandling and prostitution -- will, if left unattended, result in an increase in serious criminal activity. Clean up minor disorder, they said, and a reduction in major crime will follow.

Lately, "broken windows" policing has returned to the front burner because of two new initiatives. Two months ago, Boston Mayor Thomas Menino announced a crackdown on such minor misdemeanor offenses as loud house parties, public drinking and improperly disposed trash. "For those of us familiar with the 'broken window' theory and reality," Menino said, "we know that these kinds of community-disorder issues are the precursors to the violent crimes that may follow."

At about the same time, Kelling was on hand to help launch a "broken windows" program in Denver's Westwood area, which local officials said would target graffiti removal, among other things.

Bratton has been on board the "broken windows" bandwagon for many years, since long before he arrived in L.A. As New York's police chief in the mid-1990s, he implemented a quality-of-life initiative to much acclaim, and he campaigned for the top job in L.A. on a "broken windows" platform.

In October 2002, after being selected to head the Los Angeles Police Department, Bratton told the media he would "make graffiti a top priority for all officers." Bratton identified L.A.'s skid row as one of the main areas where he would target and test "broken windows" policing, and since then, he has aggressively enforced misdemeanor violations in L.A.'s central district.

Over the years, however, "broken windows" policing has been controversial. Many reputable social scientists have suggested that there is no reliable evidence of a "broken windows" effect whatsoever. But Bratton hasn't wavered -- arguing instead, according to the Boston Globe, that the academics are simply revealing an anti-cop bias.

"What particularly galls police," Bratton wrote in a *National Review Online* article he co-authored with Kelling this year, "is that ivory-tower academics -- many of whom have never sat in a patrol car, walked or bicycled a beat, lived in or visited regularly troubled violent neighborhoods or collected any relevant data of their own 'on the ground' -- cloak themselves in the mantle of an empirical 'scientist' and produce 'findings' indicating that 'broken windows' has been disproved. Worse, they allege that police have had little to do with the declines in crime."

On this score, Bratton is just flat wrong. The debate about maintaining order is not about being pro-cop or anti-cop. Nor is it about an anti-policing bias in the social sciences. It's about relying on solid empirical evidence to allocate scarce police resources more intelligently. It's about smart policing.

Everybody agrees that police matter. The question is how to allocate scarce police dollars. Should cops be arresting, processing and clogging the courts with minor-disorder offenders or focusing on violence, as well as gang and gun crimes, with the help of increased computerized crime tracking? The evidence, in my view, is clear: Focusing on minor misdemeanors is a waste.

I recently concluded a study with my colleague, Jens Ludwig, of 1990s New York crime data. We found no evidence for the proposition that disorder causes crime or that "broken windows" policing reduces serious crime. Rather, the pattern of crime reduction across New York precincts during the 1990s, when Bratton was first experimenting with "broken windows" policing, is entirely consistent with what statisticians call "mean reversion." Those precincts that experienced the largest drops in crime in the 1990s were the ones that experienced the largest increases in crime during the city's crack epidemic of the mid- to late-1980s. What goes up must come down -- and it would have come down even if New York had not embarked on its quality-of-life initiative....

Our findings are consistent with research in 1999 on Chicago neighborhoods by Robert Sampson and Stephen Raudenbush showing that, when neighborhood poverty and collective trust are taken into account, the connection between disorder and crime essentially vanishes. It also tracks with Jeffrey Fagan's research in New York linking the drop in crime to gun patterns, and Steven Levitt's study tracing the drop to four factors (including the increased prison population and the decline in crack use) -- none of which include "broken

windows" policing. As David Thacher at the University of Michigan notes: "Social science has not been kind to the 'broken windows' theory."

The dirty little secret is that Bratton knows all this. Despite promising to make "broken windows" a top priority in L.A., Bratton actually disbanded the 11-member undercover LAPD transit police anti-graffiti unit six months after taking office. This despite the fact that the unit made more than 500 graffiti-related arrests the previous year.

Why did Bratton disband the unit? Because those arrests -- and their associated costs in officer salaries, benefits, overhead, precinct expenses and judicial resources -- were a waste of money compared to what he could do with 11 cops fighting serious gang crime.

The question the top cops need to address at their San Francisco meeting is how to allocate scarce street-crime-fighting dollars in a new policing environment that is focused more and more on international terrorism. The answer to this question is clear -- and it has nothing to do with graffiti, trash removal or being anti-cop.

BERNARD E. HARCOURT is a law professor at the University of Chicago and author of "Policing L.A.'s Skid Row: Crime and Real Estate Redevelopment in Downtown Los Angeles." His new study, "Broken Windows," appears in the Winter 2006 issue of the University of Chicago Law Review.

*Harcourt is also the author of **Illusion of Order: The False Promise of Broken Windows Policing.** Harvard University Press, 2005*

http://www.amazon.com/Illusion-Order-Promise-Windows-Policing/dp/0674015908/ref=cm_cr_pr_pb_t