Broken windows theory analysis

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Assessing the theory of “ Broken Windows”

“ Wicked people exist. Nothing avails except to set them apart from innocent people…We have trifled with the wicked, made sport of the innocent, and encouraged the calculators. Justice suffers, and so do we all”

– James Wilson

The basic idea for the Broken Windows theory is that any kind of urban blight – a broken window, graffitied walls, rubbish on the streets, etc. – does no harm to a neighbourhood if it is immediately remedied. However, if left untended, it signifies a lack of care in the community, the kind of environment in which it is acceptable for residents to relinquish any notions of concern. And while the initial damage and disrepair is physical, the next stage is psychological. That is, if it becomes acceptable for people to litter and vandalise at will, why not walk around drunk, or beg for money, or mug others for it? Why not even kill for it? Why follow any kind of rules at all? In sum, the Broken Windows theory postulates that the smallest symptoms can lead to the greatest crimes. This paper will examine the effectiveness of this idea.

The Broken Windows theory first became widely known in 1982, when James Q. Wilson and George L. Kelling published an article in the *Atlantic Monthly* called “ Broken Windows: The Police and Neighborhood Safety.” The article articulated the reasons why minor neighbourhood slights should not be ignored:

“ A piece of property is abandoned, weeds grow up, a window is smashed. Adults stop scolding rowdy children; the children, emboldened, become more rowdy. Families move out, unattached adults move in. Teenagers gather in front of the corner store. The merchant asks them to move; they refuse. Fights occur. Litter accumulates. People start drinking in front of the grocery; in time, an inebriate slumps to the sidewalk and is allowed to sleep it off. Pedestrians are approached by panhandlers” (Wilson and Kelling, 1982).

On the surface, this idea, that small acts of antisocial behaviour can act as catalysts for others, and that a broken window “ sends a signal” to criminals that it okay to break the law, seems perfectly reasonable and logical. The notion that once people begin disregarding the norms that keep order in a community, both order and community unravel, even follows the concept of entropy and the second law of thermodynamics (systems naturally progress from a state of order to disorder). And almost from its inception, the idea took hold.

While the Wilson/Kelling article did the most to publicise the theory, there were some precedents, namely Philip Zimbardo’s 1969 experiment, in which he left two identical 1959 Oldsmobiles in different neighbourhoods, one near the Bronx campus of New York University and one near the Stanford University campus in Palo Alto, California. “ The license plates of both cars were removed and the hoods opened to provide the necessary releaser signals” (Zimbardo, 1969).

In the Bronx, within ten minutes, the car was vandalised, and by the end of the day was stripped bare. In Palo Alto, the car remained untouched for a

week, until Zimbardo himself broke one of its windows with a sledgehammer, at which point others joined in. Within a few hours, the car was completely destroyed. (Gladwell, 1996).

Zimbardo’s focus was on the psychological aspects of authority and anonymity, and his experiment aimed to understand what factors and to what extent human behaviour was governed by environmental and physiological stimuli, a process known as deindividuation:

“…a series of antecedent social conditions lead to a change in perception of self and others, and thereby to a lowered threshold of normally restrained behavior” (Zimbardo, 1969).

Wilson and Kelling’s article, however, was more prescriptive, and was focused on applying the Broken Windows theory to law enforcement procedures. And it is in this way that politicians and police have regarded the theory over the past twenty-five years, paving the way for a slate of reforms aimed at promoting deterrence through arrests, imprisonment and harsh sentencing, with a heavy reliance on the criminal justice system to impart severe and swift penalties (Conklin, 1992).

Within the article, the authors discuss the historical function of police work, which they describe as maintaining public order:

“ From the earliest days of the nation, the police function was seen primarily as that of a night watchman: to maintain order against the chief threats to order – fire, wild animals, and disreputable behavior. Solving crimes was

viewed not as a police responsibility but as a private one” (Wilson and Kelling, 1982).

However, this eventually changed, and detective work (solving crimes) took on a greater role, a shift that the authors feel should be reversed:

“ A great deal was accomplished during this transition, as both police chiefs and outside experts emphasized the crime-fighting function in their plans, in the allocation of resources, and in deployment of personnel. The police may well have become better crime-fighters as a result. And doubtless they remained aware of their responsibility for order. But the link between order-maintenance and crime-prevention, so obvious to earlier generations, was forgotten” (ibid).

Another criticism felled by Wilson and Kelling was the lack of “ community policing,” or the “ beat officer” on foot, patrolling the neighbourhood. Instead, there had been a steady shift towards keeping the officers in their squad cards, in which case they were isolated, removed from the people of the neighbourhood and the life on the street, whereas “ what foot-patrol officers did was to elevate, to the extent that they could, the level of public order in these neighborhoods” (ibid). In short, the officer on foot was not only more accessible, and thus a part of the community; he was better able to understand it and serve it.

The majority of the theory, however, has to do with a new focus on smaller crimes – beggars, drunks, teenagers, litter, etc. – rather than big ones. These so-called “ gateway crimes” are where the real offenses take root; eliminate

these, and the major crimes will be stopped before they have a chance to foster and spread:

“ The citizen who fears the ill-smelling drunk, the rowdy teenager, or the importuning beggar is not merely expressing his distaste for unseemly behavior; he is also giving voice to a bit of folk wisdom that happens to be a correct generalization – namely that serious street crime flourishes in areas in which disorderly behavior goes unchecked. The unchecked panhandler is, in effect, the first broken window” (ibid).

But does the theory work? As of yet, there has been no scientific evidence proving it does. Even Wilson himself a few years ago admitted: “ People have not understood that this was a speculation” (Hurley, 2004).

It should be noted that on the very first page of the *Atlantic Monthly* article, where the authors were giving a history of community policing in Newark, NJ, they mentioned a study by the Police Foundation that discovered that while “ foot patrol had not reduced crime rates, residents seemed to feel more secure than persons in other areas” (Wilson and Kelling, 1982).

On the surface, this seems pretty straightforward – because foot patrols did not lead to a drop in crime rates, they didn’t do anything to make neighbourhoods safer. However, Wilson and Kelling use the residents’ testimony to argue that, in fact, the community *is* safer, because disorder itself is something to be feared:

“ We understand what most often frightens people in public places. Many citizens, of course, are primarily frightened by crime, especially crime

involving a sudden, violent attack by a stranger. This risk is very real, in Newark as in many large cities. But we tend to overlook another source of fear–the fear of being bothered by disorderly people” (ibid).

This is all very well and good, that people appreciate not having to deal with aggressive and disorderly people. But how then is safety being measured, if not by crime rates? The authors certainly aren’t implying that it can be measured by residents’ *feelings* of safety? Regardless, the rest of the article makes no mention of this issue, and concentrates primarily on perceived dangers (how to curb a community’s fears of being bothered by disorderly persons), rather than actual ones (curbing crime rates themselves).

The theory had its first test in the early 90s, when the Mayor of New York, Rudy Giuliani, implemented his own version of it to target the city’s high crime rate. This didn’t happen simply by chance; George Kelling was a senior fellow of the Manhattan Institute, and was one of Giuliani’s advisors (DePalma, 2002). The term that was used to describe the new initiative was the “ no tolerance policy.” This phrase, along with another that soon followed (“ quality of life”), acted as the cornerstones for Giuliani’s mayorship. He aimed to aggressively target even minor infractions (no tolerance) in order to clean up the city and make New York a safe place to live (improved quality of life).

Police were given powers that they never before had, and were encouraged to hand out tickets and arrests for anything and everything. “ For the cops,” Chief of Police William Bratton commented, they were “ a bonanza. Every arrest was like opening a box of Cracker Jacks. What kind of toy am I going to

get? Got a gun? Got a knife? Got a warrant? Do we have a murderer here? Each cop wanted to be the one who came up with the big collar. It was exhilarating for the cops and demoralizing for the crooks" (Bratton, 1998).

In addition to the usual list of offenders – drunks, panhandlers, juvenile delinquents – were added jaywalkers and " squeegee men," those homeless men and women who aggressively and without asking would clean a car's windshield while the driver was stuck in traffic, and then demand payment. The effect of the new procedures was instant and irrevocable: crime dropped to its lowest figures in four decades, and stayed there. At the present moment, New York City is the safest big city in America. However, whether this decline can solely or even partially be attributed to Broken Windows is up for debate. At the same time the police were implementing harsh " no tolerance" crackdowns, the crack cocaine market bottomed out, which resulted in less drug deals, fewer addicts on the street and a reduction in violent turf wars, all of which at one time were responsible for numerous muggings and murders (Harcourt, 2002). In addition, over the same time period, there were dramatic improvements in emergency response capabilities and medical care, which ended up saving the lives of countless people who previously would have died (Lizza, 2002).

There were also important changes at the New York Police department during this time that could have explained the drop in crime, including a significant increase in the number of police officers. In 1992, Giuliani's predecessor, David Dinkins, hired over two thousand new officers under the Safe Streets, Safe City project, and Giuliani himself hired another four thousand, and merged another six thousand Transit and Housing Authority

officers into the ranks of the New York Police Department (Harcourt, 2002). Because of this, the department increased from 26, 856 in 1991 to 39, 779 in 2000, giving New York the largest police force in the country, with the highest ratio of officers to civilians of any major city (U. S. Department of Justice, 1992).

Another argument against the success of Broken Windows is that the 1990s were generally a “ boom time.” The stock market, employment and wages were all at record highs throughout the United States, and crime rates are usually more prevalent when times are hard. For example, crime fell in many large cities – San Francisco, San Diego, Los Angeles, Houston, Boston and others – at exactly the same time, and in some cases in an even more dramatic fashion:

“ One study found that New York City’s drop in homicides, though impressive, is neither unparalleled nor unprecedented. Houston’s drop in homicides of 59 percent between 1991 and 1996 outpaced New York City’s 51 percent decline over the same period. Another study looked at the rates of decline in homicides in the seventeen largest U. S. cities from 1976 to 1998 and found that New York City’s recent decline, though above average, was the fifth largest, behind San Diego, Washington, D. C., St. Louis, and Houston” (Joanes, 1999).

And many of these cities did not implement the kind of order-maintenance procedures that New York did. For example, the San Diego police department instilled a model based on community-police relations. Their strategy was one of sharing the responsibility of identifying and solving

crimes with neighbourhood residents. Because of this, San Diego not saw a marked decrease in crime, but experienced a 15 percent drop in arrests, and an 8 percent drop in complaints of police misconduct (Greene, 1999).

In addition, San Francisco made community involvement a priority, and felony incarcerations dropped from 2, 136 in 1993 to 703 in 1998, and rape, robbery, aggravated assault and total violent crime decreased more than the rate in New York over the same period (Khaled and Macallair, 2002).

Other cities, including Los Angeles, Houston, Dallas, and San Antonio, also experienced significant decreases in crime without adopting as coherent a policing strategy as New York or San Diego.

The fact is that there was a remarkable drop in crime in many major cities in the United States during the 1990s, many of which used a variety of different strategies. To attribute New York’s declining crime rates to merely their implementation of more aggressive initiatives is overly simplistic. However, New York’s success got the most publicity, and much of the country wanted to learn from Giuliani and to implement their own “ no tolerance” policies. And its popularity in the U. S. was only matched by its appeal abroad. In 1998, representatives from over 150 police departments from around the world visited New York to learn about order-maintenance policing, and in 2000, another 235 police departments, the vast majority from overseas, followed suit (Gootman, 2000).

However, even if the Broken Windows theory is correct, it has still never been fully explained as to how it works. It could be argued that those who choose to commit crimes, denied the signals they would normally receive

from low-grade disorder, move on to different locales. But where do they go? And if such places existed, couldn't they implement their own Broken Windows initiatives? One possible answer comes from writer and social theorist Malcolm Gladwell, who suggests that crime actually does increase or decrease much like an epidemic, and at certain thresholds will turn, rather than rise and fall in a typical linear fashion (Gladwell, 1996).

Wilson and Kelling for their part fail to talk much about the specifics by which public disorder turns into crime. They simply say it does, as do most of the theory's supporters. However, some seem to have taken the idea to illogical extremes, such as a Lancaster, Pennsylvania reporter commenting on the city's new " quality of life" initiatives: " If you put a couch out in a backyard, somebody could get raped on that couch" (Van Nguyan, 2001).

Bernard Harcourt, who has written extensively on the issue, believes that the aggressive prosecution of disorderly behaviour has had little effect on crime rates dropping. His argument is that the increased number of arrests, searchers, surveillance, and police officers on the streets has had the fairly straightforward effect of bringing more small offenses to light, and that no provable connection has ever made between disorder and crime (Harcourt, 2002). His worry is that this sets a dangerous precedent, and that the unfounded power of the police will only lead to more drastic action against less drastic offenses, especially minorities:

" Incidents like the NYPD's alleged torture of a Haitian naturally reinforce minority citizens' distrust of the police. This mistrust has been boosted of late by numerous television videotapes showing police officers beating up

unresisting citizens. In most cases, the cops were white and those on the receiving end of their clubs were black or Latino” (McNamara, 1997).

However, this is exactly in line with what Wilson and Kelling argue for, this “ bygone era” of policing:

“ The police in this earlier period assisted in that reassertion of authority by acting, sometimes violently, on behalf of the community. Young toughs were roughed up, people were arrested ‘ on suspicion’ or for vagrancy, and prostitutes and petty thieves were routed. ‘ Rights’ were something enjoyed by decent folk, and perhaps also by the serious professional criminal, who avoided violence and could afford a lawyer” (Wilson and Kelling, 1982).

Kelling himself spent some time accompanying an officer (“ Kelly”) on his beat, the experience of which again illustrates a strange tolerance for lawlessness on the part of the police:

“ Sometimes what Kelly did could be described as enforcing the law, but just as often it involved taking informal or extralegal steps to help protect what the neighborhood had decided was the appropriate level of public order. Some of the things he did probably would not withstand a legal challenge” (ibid).

After all, what can “ extralegal” possibly mean other than “ illegal?” It seems odd that this is the sort of behaviour the authors advocate, one in which officers are allowed to take the law into their own hands, but anyone who commits even the smallest of trespasses – jaywalking, littering, urinating in public – needs to be several punished. It certainly doesn’t put much faith in

the fairness of the model. And, in fact, the Broken Windows model is far from fair. One of its constant critiques is that the kinds of offenses it targets are primarily those carried out by the poor. There is no mention of embezzlement, crooked accountants, insurance scams, loan sharks or slumlords, crimes typical of the wealthy. And these offenses, certainly, can have just as detrimental effect on a community as a host of unsightly behaviours, if not more so.

The “ broken windows” metaphor is interesting in that it is actually up to landlords to fix real-life broken windows, while it is often those who are not in a position to do so, the community, who are held responsible for the damage. Aside from more people being arrested and subsequently incarcerated, the theory doesn’t actually do much to aid a neighbourhood. If the aim is improved public order, couldn’t that be achieved with homeless shelters, urban renewal projects and social workers? (Harcourt, 2002). In many ways, the philosophy behind it is almost “ out of sight, out of mind.” And, in fact, this seems to be the view expressed by Kelling and his wife Catherine Coles in *Fixing Broken Windows* , a book-length exploration of the policing strategies first advocated in 1982:

“ Kelling and Coles take a tough-minded view of who the street denizens we frequently label ‘ the homeless’ really are and what they are doing, sidestepping the politically constructed images of claimants like ‘ the homeless’ that little resemble the aggressive, conniving, often drug-crazed schemers that Kelling and Coles see populating the streets” (Skogan, 1997).

Skogan, in fact, is so skeptical of the motives of the poor that he cannot even use the word “ homeless” without quotation marks, as if they all have houses somewhere. The problem with this kind of thinking is that it leads to a dangerous “ two worlds” model, where people are either decent and respectable or disingenuous and “ no good.” And, naturally, all the problems in neighbourhoods arise from the actions of the latter. This kind of precedent was set down by Wilson as far back as 1968:

“ The teenager hanging out on a street corner late at night, especially one dressed in an eccentric manner, a Negro wearing a ‘ conk rag’ (a piece of cloth tied around the head to hold flat hair being ‘ processed’ – that is, straightened), girls in short skirts and boys in long hair parked in a flashy car talking loudly to friends on the curb, or interracial couples – all of these are seen by many police officers as persons displaying unconventional and improper behavior” (Wilson, 1968).

If the police are allowed to restore public order according to their own beliefs and judgments, what is to stop them from carrying out whatever action they deem necessary against the “ unconventional” and “ improper,” including using “ extralegal” measures?

Unfortunately, cultural hegemony is nothing new, and many neighbourhoods have enforced rules that govern the actions and abodes of its residents. In every community there is a house that doesn’t conform to the aesthetic principles of the rest, a lawn that is never tended or strewn with toys or trash, a derelict car that doesn’t meet environmental standards, all of which raise resident ire. But should these things be dealt with under the Broken

Windows theory? For example, the town of Lancaster, Pennsylvania, adopted Broken Windows measures in the late 90s, and in 2002, the local newspaper received this letter:

“ This being almost mid-April, shouldn’t homeowners have had sufficient time to remove their December holiday decorations? Icicle lights hung year round give the impression of a homeowner with an aversion to work and negatively impacts on neighborhoods” (Kelly, 2002).

While there are obvious differences between public drunks and icicle lights, in other cases the line is much finer, and the potential for abuse is obvious. Wilson and Kelling, for their part, are aware of the problem, and speak out against it:

“ The concern about equity is more serious. We might agree that certain behavior makes one person more undesirable than another but how do we ensure that age or skin color or national origin or harmless mannerisms will not also become the basis for distinguishing the undesirable from the desirable? How do we ensure, in short, that the police do not become the agents of neighborhood bigotry? We can offer no wholly satisfactory answer to this important question. We are not confident that there is a satisfactory answer except to hope that by their selection, training, and supervision, the police will be inculcated with a clear sense of the outer limit of their discretionary authority. That limit, roughly, is this – the police exist to help regulate behavior, not to maintain the racial or ethnic purity of a neighborhood” (Wilson and Kelling, 1982).

Unfortunately, their only solution is to again have the community put its faith in the integrity and judgment of the law enforcement officer, a notion that does little to quell the doubts of those who might be wrongly typecast as “ criminal” because of their race, age or class. In such a subjective atmosphere, with so much at stake, it seems dubious to give one party the last word, or the ability to render judgment (especially if that party is the one with the gun). By taking the focus off the community, and putting it on the individual, a dangerous precedent is being set.

However, not everyone agrees with this line of thinking. In fact, many people, including police officers, understand that the only way for Broken Windows or any other community enforcement project to succeed is by people working together:

“ Without the full cooperation of the community, local government and the courts community policing will not work” (police officer Daniel Jenkins, 2002).

Unfortunately, the authors themselves don’t focus too much on this notion of “ working together,” and, if anything, since the *Atlantic Monthly* article, have gone even further to highlight the vast differences between people. For example, in 1985, Wilson co-authored with Richard Herrnstein a book called *Crime and Human Nature* , which describes the various traits by which to classify and identify criminals. The book deals not only with age, class and race but body types, painstakingly sorting and measuring these and other attributes into definable composites of law-abiders and law-breakers. The authors’ conclusions are fairly predictable, describing those prone to commit crimes as an:

" Unattached, young, most often racialized ' other.' The youth or young adult, threatening, defiant, suspicious, often black, wearing distinctive designer-label clothes. Or the down-and-out street person in a dirty oversized coat. Or the squeegee man, the panhandler, the homeless person, the turnstile jumper, the public drunk" (Harcourt, 2002).

In stark opposition to this are the ideas of Felton Earls and his colleagues, who conducted a large-scale study of street crime in Chicago in 1997. The study's main focus was on " collective efficacy," which was defined as " social cohesion among neighbors and their willingness to intervene on behalf of the common good" (Sampson, Raudenbush and Earls, 1997). The concept, according to the study, is the greatest predictor of street crime, and not Broken Windows or any form of disorder:

" Testing ' broken windows' was not the point of the Project on Human Development in Chicago Neighborhoods, the study planned and conducted by Dr. Earls and colleagues to unravel the social, familial, educational and personal threads that weave together into lives of crime and violence… Nonetheless the data gathered for it, with a precision rarely seen in social science, directly contradicted Dr. Wilson's notions" (Hurley, 2004).

Thus, the seemingly obvious and incontestable connection between crime and disorder may, in fact, not exist at all. Community presence and action may actually be what ultimately fells crime. According to Earls:

" It's not so much that broken glass or disarray in neighborhoods is the source or root of crime, it's really in the social relationships that exist among neighbors, among people who work in neighborhoods, among services and

so forth, that the social conditions are there to engage or not to engage citizens, neighbors in watching out for crime or crime-related activity in the neighborhoods" (Earls, 2004).

And in another no less extensive study two years later, Sampson and Raudenbush found that disorder and predatory crime were moderately related, but that, when antecedent characteristics were added (such as poverty and neighbourhood trust), the connection between the two " vanished in four out of five tests – including homicide, arguably our best measure of violence" (Sampson and Raudenbush, 1999). In addition, they discovered that while disorder may have indirect effects on crime by influencing " migration patterns, investment by businesses, and overall neighborhood viability…attacking public order through tough police tactics was politically popular but an analytically weak strategy to reduce crime" (ibid).

In short, the central tenets of Broken Windows – that disorder leads to crime, and that said crimes are generally carried out by individuals belonging to a " criminal class" – are questionable. This is not to say that the entire theory is at fault; certainly the notion that a safe neighbourhood is one in which the residents feel secure enough to participate in its defense still holds water. In addition, Wilson and Kelling are correct in urging the community to work with police, and for police to become a part of the community. What they seem to have missed is that the focus of this kind of relationship should rest on there being a real and active presence in the community, and not on crime and disorder.

One related irony is that, in the use of Broken Windows policing in New York, “ for all their effectiveness in cracking down on a wide range of antisocial behaviors, the New York City police never repaired a single broken window, fixed up a single house, or cleaned one vacant lot” (Grogan and Proscio, 2000). Furthermore, because of the new aggressive tactics, the city experienced illegal strip searches, extensive sums lost to police misconduct charges, clogged courts and countless traumatic encounters for innocent, ordinary individuals (Harcourt, 2002). In addition, the implementation of a “ policy of arrest” may have had unintended consequences:

“ Someone arrested for turnstile jumping may be fired for missing work; and strained police-civilian relations can create friction between the community and the police force that may be detrimental to solving crimes” (ibid).

However, this has not stopped cities across the world from emulating Broken Windows procedures, or, for that matter, Giuliani and the Manhattan Institute from exporting their policing philosophies to places like Latin America (despite reservations that what worked in an economic boom in the U. S. may not do as well in extremely poor cities undergoing violent crime and corrupt police) (*Village Voice* , 2002).

The truth of the matter is that Broken Windows is not applicable everywhere, and even within the theory itself there are vagaries, namely the categories of “ disorder” and “ the disorderly.” The concepts are not well-defined; while we identify certain acts as disorderly – panhandling, public drunkenness, litter, prostitution – others – police brutality, tax evasion, accounting fraud – we do not. In addition, the acts themselves are sometimes ambiguous. For

example, while people loitering on a building's front steps or the presence graffiti may signify that a community is disorderly, it is only if they are seen as such. In some neighbourhoods, people loitering may represent strong community bonds, and graffiti may be seen as an art form, or as political or social commentary. The darker truth about Broken Windows is that it attempts to enforce an aesthetically sterile and " safe" environment, in which one community looks like the next looks like the next. While no one can argue that panhandlers, prostitutes and homeless people, along with litter, dirt and broken windows themselves are not eyesores, their removal is not necessarily a sign of " progress." And for those subject to countless and unnecessary searches, acts of intimidation, arrests, imprisonments and the like, it is anything but.

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