

# Police Strategy No. 5:

## Reclaiming the Public Spaces of New York

The Honorable Rudolph W. Giuliani  
Mayor of the City of New York



William J. Bratton  
Police Commissioner



July 6, 1994

## INTRODUCTION

A decent society is one where all people are free to pursue education, enterprise, and entertainment that create a sufficient standard of living for themselves and their families and contribute to an atmosphere of mutual respect for their fellow citizens. A decent society is a society of civility.

New Yorkers have for years felt that the quality of life in their city has been in decline, that their city is moving away from rather than toward the reality of a decent society. The overall growth of violent crime during the past several decades has enlarged this perception. But so has an increase in the signs of disorder in the public spaces of the city.

Public spaces are among New York City's greatest assets. The city's parks, playgrounds, streets, avenues, stoops, and plazas are the forums that make possible the sense of vitality, excitement, and community that are the pulse of urban life.

Over the years, enjoyment and use of these public spaces has been curtailed. Aggressive panhandling, squeegee cleaners, street prostitution, "boombox cars," public drunkenness, reckless bicyclists, and graffiti have added to the sense that the entire public environment is a threatening place.

Mayor Rudolph W. Giuliani has called these types of behavior "visible signs of a city out of control, a city that can't protect its space or its children."

More than ten years ago, James Q. Wilson and George L. Kelling, authors of the ground breaking article, "The Police and Neighborhood Safety" in the March, 1992 issue of The Atlantic, postulated the "broken windows" thesis that unaddressed disorder is a sign that no one cares and invites both further disorder and more serious crime. By examining the Wilson-Kelling hypothesis in more than 40 cities, Wesley Skogan has found that disorder is indeed the first step in what he terms "the downward spiral of urban decay."

Fear exacerbated by disorder causes people to abandon parks, refrain from using public transportation (especially in off-peak hours), lock themselves behind closed doors, and even leave the city altogether.

Surveys conducted in 1992 and 1993 by the Commonwealth Fund and the Manhattan Institute found that:

- 59% of people who left New York City recently did so to improve their quality of life;
- 22% said that if their old neighborhood had been kept free of graffiti, litter, broken signs, and debris, it would have had a major impact on their decision to move;
- 17% said that if the Police Department had taken minor crimes and disturbances more seriously, it would have had a major impact on their decision to move; and
- 3 out of 5 people who still live in New York say that dirt, graffiti, homeless people, noise, panhandlers and beggars have reduced the quality of life for themselves and their families.

In the coming years, *Police Strategy No. 5: Reclaiming the Public Spaces of New York* will emerge as the linchpin of efforts now being undertaken by the New York Police Department to reduce crime and fear in the city.

By working systematically and assertively to reduce the level of disorder in the city, the NYPD will act to undercut the ground on which more serious crimes seem possible and even permissible.

In one sense, this strategy may be viewed as a start toward reversing the trend Senator Daniel Patrick Moynihan has termed "defining deviancy down". Senator Moynihan argues that, as a society, we have become so overwhelmed by crime and disorder that we have "been re-defining deviancy so as to exempt much conduct previously stigmatized." In other words, "we are getting used to a lot of behavior that is not good for us."

In another sense, this strategy may be viewed as an effort at what Police Commissioner William J. Bratton has called "defining decency up." In concert with other public and private agencies, the courts, and all concerned and committed citizens, the NYPD will work to uphold a uniform standard of civility and mutual respect in all the neighborhoods of the city.

Although it will take time to reverse the decline in public order that has occurred over many years, the New York Police Department is

committed to undertake the following actions (some of which are already under way):

- 1) Precinct Commanders, for the first time, will have the authority, methods, and means to respond to an array of disorderly conditions, enabling them to deal with
  - street prostitution by conducting decoy operations using their own precinct personnel (trained by the Public Morals Division) and by initiating their own car-forfeiture operations against patrons of prostitutes (under guidelines developed by the Legal Bureau and the Public Morals Division),
  - "boombox cars" or loud motorcycles by having trained personnel and the necessary equipment to conduct "Operation Soundtrap" or "Operation Cyclecheck" as frequently as needed, and
  - widespread sale of liquor to minors by allowing them, for the first time since the Knapp Commission, to send specially trained uniformed supervisors into licensed establishments.

In addition, Precinct Commanders

- will no longer have to wait for a contingent from the 192-person Public Morals Division to enforce laws against patronizing a prostitute, or to conduct undercover operations against premises selling alcohol to minors,
- will no longer have to wait for the Department of Environmental Protection to address the problem of "boombox cars" or loud discos,
- will no longer have to wait for the Department of Motor Vehicles to enforce motorcycle regulations, and
- will no longer have to wait for the infrequent and lengthy process of the State Liquor Authority to take action against clubs and bars, but will, instead, be authorized to convene meetings with the owners of licensed premises, attended by Legal Bureau and SLA attorneys, to impose a compliance and inspection program.

- 2) The Civil Enforcement Initiative is being doubled, providing a total of 34 attorneys to the city's Precinct Commanders to help close illegal businesses and supply pro-active consultation to Precinct and Division Commanders to help develop innovative legal strategies to address the specific crime and quality-of-life problems facing each community.
- 3) The use of Desk Appearance Tickets and summonses (which allow alleged offenders to go free prior to arraignment) for "low-level" quality-of-life offenses is being significantly limited:
  - by expanding to a precinct per borough and, soon thereafter, making citywide Operation N-Force, a program dealing with nuisance violations now being tested in the 6th Precinct, which requires government-issued photo identification prior to writing a criminal-court summons on the streets; and
  - by not allowing individuals who have a history of misdemeanor arrests, warrants, and low-level imprisonment to receive DATs or summonses.

4) A citywide database of "chronic emotionally disturbed persons" is being created so that repeated outbreaks of behavior that is either criminal or otherwise dangerous can be brought to the attention of judges, prosecutors and psychiatrists.

5) A citywide campaign to secure public help in removing graffiti and preventing its return will be launched.

6) A Quality-of-Life Legislative Agenda is being advanced to enhance the Police Department's ability to respond effectively to disorderly conditions and "lower-grade" criminal activity which exacerbate public fear.

Taken together, these actions will significantly enhance the ability of Precinct Commanders and all police personnel to respond to conditions that impact negatively on the quality of life of neighborhoods. As importantly, these actions will support the Department's other strategies for reducing crime in the city.

Their success will be seen in three ways: in increased use of New York City's public spaces, in reduced levels of fear (as measured by public-attitude surveys), and in a broadening sense, evident in a population become more confident, that decency and civility are on the rise.