



**REPORT of the
ZERO TOLERANCE COMMISSION**

to

**HONORABLE MARC H. MORIAL
MAYOR**

JUNE 1, 2000

PREPARED BY:

BRIDGET BANE
COMMISSIONER OF CRIMINAL JUSTICE

JULIE SCHWAM HARRIS
ASSISTANT TO THE MAYOR FOR INTERGOVERNMENTAL RELATIONS

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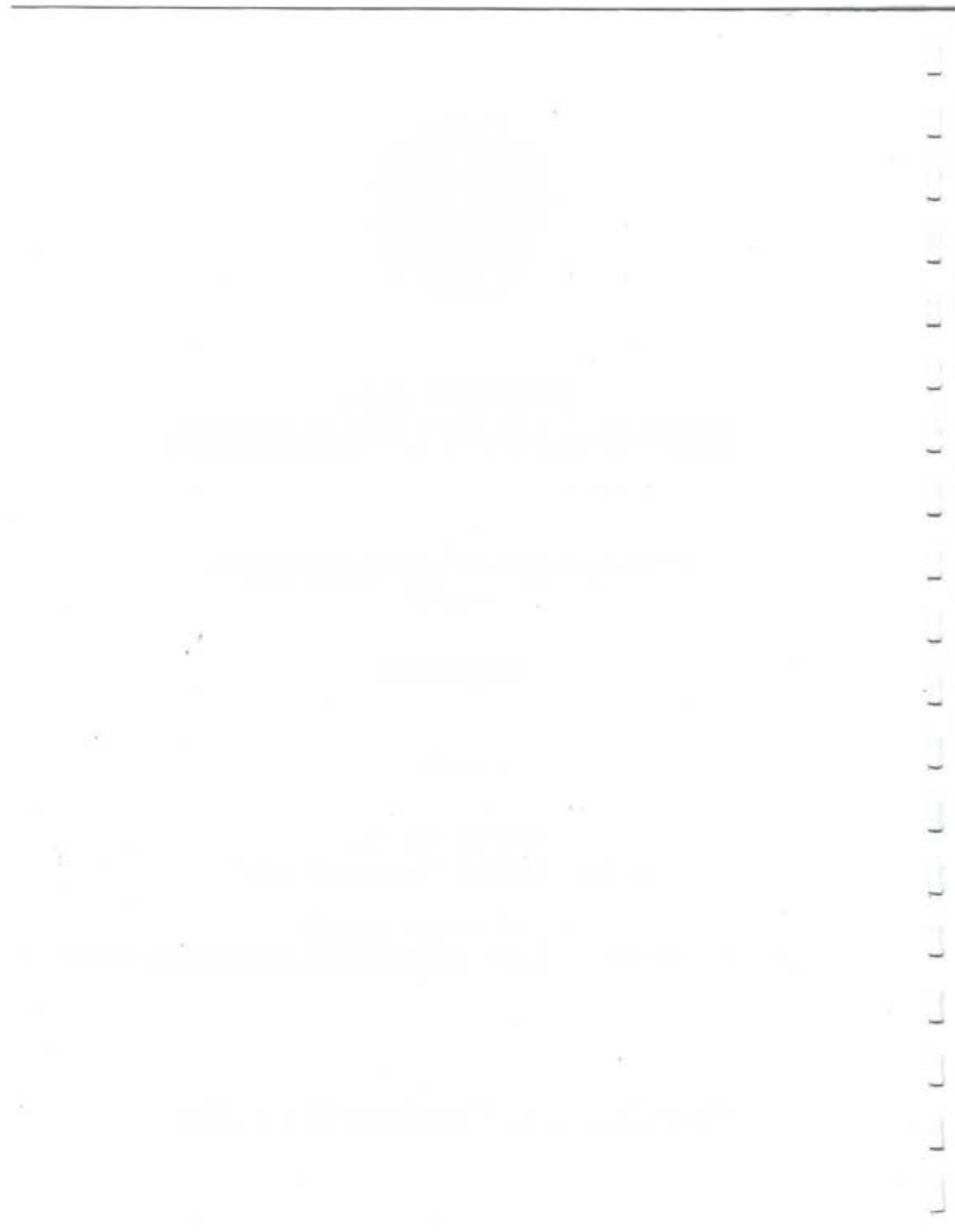


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I. Opening Statement

As members of the Mayor's Commission on Zero Tolerance, we submit the following report to Mayor Marc H. Morial. Our goal was to improve the quality of life for all the citizens and visitors in New Orleans, with a scope that included analyzing the enforcement of quality of life ordinances, discussing strategies to improve their enforcement, and reporting to the Mayor on the Commission's findings.

Our Commission was composed of a full spectrum of the community, from activists in neighborhood and community organizations such as ACT, Jeremiah, and the Irish Channel Improvement Association, to representatives of business organizations such as Louisiana Association of Beverage Alcohol Licensees, and from government agencies to non-profits. Although our commission is entitled "Zero Tolerance" and was established in response to citizens' demands for the Mayor to investigate the implementation of Zero Tolerance strategies in our city, we have come to understand that the term is misleading although the goals are valid. We ask the Mayor to consider the recommendations listed in this report to bring about **more thorough and efficient enforcement of quality of life issues, civil and criminal**. Our desire for tougher enforcement is tempered by a clear understanding that **civil and human rights must always be respected in any enforcement effort**, and that **general tolerance of cultural and individual differences** is and always will be a hallmark of this community.

We recognize that many quality of life problems are intractable, and will take complex solutions and greater resources than might be readily available. We propose our recommendations as steps toward solving these problems.

II. Participants

Zero Tolerance Commission

Chairman

Honorable Paul N. Sens, New Orleans Municipal Court

Vice-Chairman

Judge Paul A. Bonin, New Orleans Traffic Court

Staff Advisor

Ms. Bridget Bane, Commissioner of Criminal Justice, Mayor's Office

Members

Ms. Paula Arceneaux, Network Engineering, Sewage & Water Board

Mr. Harry Connick, Orleans Parish District Attorney, *Represented by Mr. Marc Bitner*

Mr. Demond Brisco, ACT Youth

Mr. Gerry Coleman, Coleman & Associates

Mr. Alvin A. Colomb, Project New Hope

Ms. Carole Dahlem, Crime Prevention & Victim Resources, Department of Public Safety

Mr. Jeff Dorson, Executive Director, League in Support of Animals (LISA)

Mavis Early, City Attorney

Mr. Terry Ebbert, Executive Director, New Orleans Police Foundation

Reverend Willie Gable, Jr., CEO of Ruach, Inc.

Ms. Julie Schwam Harris, Assistant to the Mayor for Intergovernmental Relations

Sister Mary Anne Hebert, St. Peter Clavier

Ms. Mary Howell, Attorney

Mr. Van Jones, The Jeremiah Group, *Represented by Mr. & Mrs. John and Gale Empey*

Ms. Joy Lee, ACT Youth

Mr. James Kojo Livingston, Project Leader, Crescent City Peace Alliance

Mr. Edwin Mazoue, Jr., Administrator, Real Estate and Records

Chief Warren E. McDaniels, Superintendent, New Orleans Fire Department

Chief Richard J. Pennington, Superintendent, New Orleans Police Department

Ms. Avis Marie Russell, Former City Attorney

Mr. Allen T. Stevens, Deacon, All Congregations Together

Mr. Terrence Verigan, President, Board of Directors, League in Support of Animals (LISA)

Mr. Chris G. Young, Attorney, Louisiana Association of Beverage Alcohol Licensees (LABAL)

Other Attendees

Ms. Jennifer Ansardi, *LA Assoc. of Alcoholic Beverage*
Mr. Ernest Alexander, *LA/SPCA*
Lt. Bob Bardy, *NOPD, 6th district*
Mr. Marc Bitner, *District Attorney's Office*
Ms. Elodia Blanco, *New Orleans Police Foundation*
Mr. George Bourgois, *DA's Office*
Mr. Kenneth Burrell, *Civil District Court*
Mr. Norris Butler, *Housing Code Enforcement*
Ms. Kathryn Cargo, *City Planning*
Ms. Carol Carter, *Mortgage Office*
Mr. Cornelius Castain, *Councilmember Eddie Sapir's Office*
Mr. Gerry Coleman, *Coleman & Associates*
Mr. Ralph Brandt, *DA's Office*
Mr. Henry Dillon, *City Attorney*
Sgt. Russel Duquesne, *NOPD Crime Analysis*
Capt. Mike Ellington, *NOPD, 6th district*
Ms. Gail Empey, *Jeremiah Group*
Mr. John Empey, *Jeremiah Group*
Ms. Kristina Ford, *City Planning Commission*
Mr. Ray Giacontiere, *Traffic Court*
Mr. Oscar Goins, *Pontilly Association*
Ms. Kathy Grady, *LA/SPCA*
Mr. Cedric Grant, *Deputy CAO*
Mr. Joan H. Guon, *Pontilly Association*
Ms. Sharon Harrington, *Health Department*
Capt. Clarence Herbert, *NOPD*
Hon. Betty Jefferson, *Assessor*
Hon. Patricia A. Johnson, *Assessor*
Ms. Jennifer Kay, *New Orleans Police Foundation*
Mr. Earl J. Kilbride, *Management Information Services*
Mr. Richard Leemann, *Pontilly Association*
Major Felix Loicano, *NOPD*
Ms. Annette Long, *Assistant District Attorney*
Ms. Chita Manuel, *Crescent City Peace Alliance*
Mr. Tom McGoey, *Real Estate and Records*
Ms. Alana Miller, *ACT*
Mr. Curry Miller, *Department of Public Works*
Mr. Joel Moak, *Irish Channel Improvement Association*
Mr. Darryl J. Montana, *Crescent City Peace Alliance*
Ms. Laura Norman, *L.A.B.A.L.*
Ms. Jovita Padilla, *Project New Hope*
Mr. Earl Perry, *Assistant City Attorney*
Mrs. Carol Riley, *Aurora Gardens Community Association*
Mr. Robert Riley, *Aurora Gardens Community Association*
Off. Malcolm Ross, *NOPD, 6th district*
Mr. Clifford Scineaux, *Department of Public Works*
Ms. Audrey Scott - *ACT*
Mr. Robert Simms, *Pontilly Association*
Mr. Jerome Smith, *Community Activist*
Sgt. Steve Spiegel, *NOPD, 6th district*
Mr. Allen T. Stevens, *ACT*
Ms. Aletha Strong, *Crescent City Peace Alliance*
Mr. Wesley Taylor, *Health Department*
Mr. Joshua Williams, Jr., *Representing Rev. Willie Gable*
Capt. Norman C. Woodridge, Sr., *New Orleans Fire Department*

III. Presentations to the Commission

November 4, 1998: Mayor Marc H. Morial charged the advisory committee to consider the Broken Windows concept of Quality of Life Enforcement, and to consider the problems of Zero Tolerance enforcement in a city like New Orleans with so many different neighborhoods and ideas on acceptable behavior.

December 2, 1998: Mary Howell, a civil rights attorney, spoke against the concept of "Zero Tolerance" as being dangerous to enforce from a civil rights and an abuse of power perspective, and also in light of archaic, forgotten ordinances that no one would want enforced. Major Felix Loicano, Commander of the Public Integrity Division (PID) of the NOPD, felt that the police had the checks and balances in place as regards rights violations, but was not in favor of "Zero Tolerance" as a concept either, but supported stepped up "Quality of Life" enforcement.

January 6, 1999: Julie Schwam Harris, Assistant to the Mayor for Intergovernmental Relations, presented statistics on Quality of Life complaints made to the Mayor's Office of Public Advocacy on Quality of Life issues.

February 3, 1999: Jack Maple, former Commissioner of the New York Police Department and consultant to the Police Foundation of New Orleans, spoke about the reforms he and others spearheaded in New York. He thought the concept of "Zero Tolerance" was a term created by the media, and only applicable in the area of police misconduct. He also urged the commission to support U.S. Attorney Eddie Jordan's efforts to use federal gun statutes more effectively to convict criminals using guns.

March 3, 1999: Shelia Webb, Director of Health and Wes Taylor, Bureau Chief of Environmental Enforcement, who handles health code violations (including junk cars on private lots) and the administrative hearing process for blighting houses and lots, explained their processes and resource constraints. Curry Miller, Parking Administrator in the Public Works Department covered his department's responsibilities, including removing junk and abandoned cars.

April 7, 1999: Gerry Coleman, consultant for Environmental Affairs, presented a draft of a survey for city department heads about the issues they handle, problems with enforcement and resources.

May 5, 1999: Captain Michael Ellington and Lt. Robert Bardy, NOPD, 6th District gave a COMSTAT presentation, a computer statistics procedure that enhances accountability and cooperation, as an example of what other departments could do.

June 2, 1999: Rene Steinkamp, Bureau Chief of Housing Code Enforcement and Lisa Mazique, Executive Director of NORA (New Orleans Redevelopment Authority), the agency that expropriates blighted houses and lots gave presentations of their responsibilities, processes and resource problems.

July 7, 1999: NORA presentation continued, and Richard Leeman, of the Pontilly Neighborhood Association explained the difficulty of finding up to date, easily accessible records of property ownership if citizens want to work on problems.

September 1, 1999: Desiree Charbonnet, Recorder of Mortgages, Gasper Schiro, Register of Conveyances, and Kenneth Burrell, representing Civil District Court, discussed their information systems and the issue of expedient data transfer and sharing. Captain Ellington made another COMSTAT presentation, focused on abandoned cars.

October 6, 1999: Cedric Grant, Deputy CAO and Catherine Cargo, City Planning gave a presentation on the New Orleans Geographic System (NOGIS) and how it will link city departments for handling complaints and other data.

November 3, 1999: Catherine Cargo did a NOGIS demonstration, Assessors Pat Johnson and Betty Jefferson explained how the assessors handle records, and Carol Riley, a member of the Aurora Gardens Neighborhood Assn. Explained the difficulty of trying to get followup on complaints when contact people in the NOPD or different offices change.

December 1, 1999: Canceled

January 5, 2000: Julie Schwam Harris distributed the statistical results of the Quality of Life Survey and the implications that could be drawn. The most salient feature was the desire for stricter enforcement of most quality of life problems.

February 2, 2000: The commission discussed the **first draft** of a report for the Mayor.

March 1, 2000: The commission discussed the **second draft** of a report to the Mayor. Jeff Dorson of Legislation in Support of Animals (LISA) made a report on progress and problems in fighting cruelty to animals.

April 5, 2000: Joel Moak, of the Irish Channel Improvement Association made a presentation on Quality of Life problems in his neighborhood, and the efforts his group is making to overcome them. They ask for stricter enforcement of city ordinances to clear up abandoned property violations, and to make those truly abandoned properties available more quickly for expropriation. **Draft Three** of the Report to the Mayor was discussed.

May 3, 2000: Bridget Bane distributed the final draft of the report to the Mayor for Commission Members to make final comments or changes by May 26, 2000.

IV. Areas of Discussion and Research

Over the course of our meetings this commission has:

1. Conducted a survey of neighborhood groups and individuals on issues that affect the quality of life of our community. Ten thousand surveys were distributed with a citywide response of nine hundred.
2. Analyzed the survey to conclude that with minor statistical differences, neighborhoods and citizens would like stepped up enforcement of quality of life issues (with statistically insignificant numbers claiming enforcement was too strict).¹ The following is a list of key issues or problems that had 45% or more response from any one Council or Police District calling for stricter enforcement:

- Abandoned Commercial Buildings**
- Abandoned Housing (litter, uninhabitable)**
- Abandoned Vehicles**
- Alcoholic Beverage Outlets (ABO's)
- Curfew Violations**
- Cruelty to Animals
- Dumpster Violations
- Garbage put out on Non-Collection Days*
- Graffiti*
- Illegal Drug Activity**
- Illegal Dumping of Trash and/or Garbage**
- Illegal Parking(i.e. cars on neutral grounds, sidewalks)
- Illegal Parking (i.e. large trucks in residential areas)
- Noise Ordinance Violations**
- Solicitation in Intersections
- Tires
- Traffic Enforcement (speeding, red lights)**
- Tree Branches, shrubbery Accumulation
- Vacant Lots (overgrown, litter)**

* Three or more districts had over 45% saying this needs better enforcement

** Four or more districts had over 45% saying this needs better enforcement

¹The retail beverage industry organization LABAL is on record that it feels enforcement of some laws (e.g. open container, parking) is overzealous in certain neighborhoods.

3. Conducted focused discussions on the value of gun arrests and city/federal cooperation on gun charges. This discussion helped bring about more coordination of effort which ultimately resulted in more convictions for longer sentences in federal prison.
4. Researched the issue of information sharing among city and state agencies by inviting representatives to make presentations to and answer questions of the commission. There are plans for a database program that will tie into the Geographic Information System (GIS) and allow for tracking and mapping of problems, but not all departments are involved at this time.
5. Interviewed city department directors and bureau chiefs on issues surrounding neglected, abandoned and blighted houses, lots, and vehicles.
6. Focused in on one issue - abandoned cars- as an example of the complexity of enforcement procedures and the problems posed by inadequate resources.
7. Coordinated extensive discussions on the value of the concept of "tolerance" in a community versus the public demand for "zero tolerance" in an effort to improve quality of life.

V. Recommendations

1. Expedite the development of a uniform citywide complaint database system for departments and agencies to more efficiently use the resources available to enforce quality of life ordinances. This database should provide for mapping and tracking of problems in a way similar to the NOPD's Comstat program, and ultimately they should be compatible. Cedric Grant, Deputy CAO and Kristina Ford, then Director of City Planning gave a presentation showing that the process for implementation has begun. The system will initially include a limited number of departments (Public Works, Sewerage and Water Board, Sanitation, NORD, and Public Advocacy) and will add the other departments as applications are developed by December 2000.
2. Have the Mayor request the assessors, the registrars, and city departments to advance data sharing of property owners information by identifying the resources needed and providing them. The goal is to assist city departments in enforcement efforts and to make the information more readily available to citizens and community groups.
3. Require the NOPD, city departments and agencies to review the quality of life survey results and to submit an action plan by November 1, 2000.
4. Convene an in-house task force of city departments and agencies similar to the Mardi Gras Task Force and to be staffed by the Mayor's Office to do the following:
 - a. Compile all ordinances that will comprise what will be called the "Environmental Code"
 - b. Set up subcommittees to analyze and propose changes to the code based on knowledge of local concerns, inconsistencies, or code errors detected, and research model codes from other jurisdictions
 - c. Insure citizen participation by having the task force report back to the Zero Tolerance Commission by February 2001.
5. Convene an interagency task force (Police, District Attorney, Judiciary, Businesses, Civic Group Reps) staffed by the Criminal Justice Office to review criminal ordinances for inconsistencies, errors, inadequacies, and archaic language. This group could be charged with developing a handbook for police officers.

This group should begin with a review of the "Open Container Law" which the commission feels is too broad in scope and problematic in enforcement.

Insure citizen participation by having the task force report back to the Zero Tolerance

Commission by February 2001.

6. Have the Office of Public Advocacy develop a pamphlet by February 2001 that guides citizens and groups on how to effectively deal with quality of life issues - what are the rules and how to report problems effectively.
7. Utilize the Communications Office and NOPD Public Information to coordinate the disbursement of this information to the public. All departments and agencies will be instructed to inform citizens, and this information will be distributed at public meetings, through city staff briefings, and by a mailing to neighborhood and community organizations and non-profits to be done by the Mayor's Office in conjunction with Housing and Neighborhood Development.
8. Direct the Director of Public Works to submit an operational plan that would ensure that any abandoned car on Public Property tagged by the NOPD be removed within 10 days; any abandoned car on private property would be removed in 60 days. The plans should be reported to the Zero Tolerance Commission by September, 2000.

VI. Appendix

- A. Executive Order forming Commission (Revised Version - MHM 99 - 012)
- B. Broken Windows Article
- C. Articles/Handouts from Mary Howell
- D. Departmental Quality of Life/Environmental Code Survey
- E. Citizen/Neighborhood Groups Survey
- F. Survey Results - Statistics & Explanation
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CITY OF NEW ORLEANS
OFFICE OF THE MAYOR

MARC H. MORIAL
MAYOR

EXECUTIVE ORDER
MHM-99- 012

Reconstitution:
Mayor's Zero Tolerance Commission

By the authority vested in me as Mayor of the City of New Orleans by the Constitution of the State of Louisiana and the Home Rule Charter of the City of New Orleans, IT IS HEREBY ORDERED AS FOLLOWS:

The Commission known as the "Mayor's Zero Tolerance", created by my Executive Order MHM 97-007, signed on July 11, 1997 is reconstituted as follows:

1. **Purpose:** The Zero Tolerance Commission is hereby created to address enforcement of all City Ordinances and to assist in the drafting of the new Environmental Code for the City of New Orleans.
2. **Goal:** The goal of this Commission is to improve the quality of life for all the citizens and visitors in New Orleans.
3. **Scope:** This Commission shall:
 - a. Research, review, and analyze:
 - i. quality of life problems by neighborhood in New Orleans;
 - ii. the enforcement of all City ordinances;
 - b. Discuss and develop strategies to improve the quality of life in New Orleans through the application and enforcement of City ordinances;
 - c. Provide a report of its findings to the Mayor; and
 - d. Perform any other related activity assigned by the Mayor.

4. Composition: The Chair(s) and members of this task force are as follows:

- Honorable Marc H. Morial, Co-chairperson
 - Honorable Paul N. Sens, Municipal Court, Co-chairperson
 - Honorable Paul A. Bonin, Traffic Court, Vice-chairperson
- a. A representative named by the Mayor, in writing, from each of the following organizations:
- (1) All Congregations Together;
 - (2) The Jeremiah Group;
 - (3) New Orleans Police Department;
 - (4) New Orleans Fire Department;
 - (5) Crescent City Peace Alliance;
 - (6) New Orleans Police Foundation;
 - (7) Orleans Parish District Attorney;
 - (8) Project New Hope; and
 - (9) League in Support of Animals.
- b. The Mayor may, in writing, appoint representatives from various neighborhood groups dedicated to improving the quality of life in New Orleans to the Commission.
- c. The Mayor may, in writing, add or remove members of this Commission.
- d. The Office of Criminal Justice Coordination, under the direction of Bridget Bane, Commissioner of Criminal Justice, will staff the Commission.
- e. The following City Department heads, directors, and staff shall provide support to the Commission and its staff:
- (1) Bridget Bane, Commissioner, Criminal Justice System
 - (2) Julie Schwam Harris, Assistant to the Mayor, Intergovernmental Relations
 - (3) Curry Miller, Parking Administrator, Parking Division
 - (4) Winston Reid, Director, Housing
 - (5) Bob Rhoden, Deputy Commissioner, Office of Criminal Justice Coordination
 - (6) Mavis S. Early, City Attorney
 - (7) Clifford Scineaux, Administrator, Public Works Department
 - (8) Rene Steinkamp, Administrator, Housing Inspection & Code Enforcement
 - (9) Vincent Sylvain, Executive Assistant to the Mayor, Housing & Neighborhood Development
 - (10) Wesley Taylor, Chief, Environmental Health Division
 - (11) Sheila Webb, Director, Health Department

- (12) Lynn Wiltz, Director, Sanitation Department
- (13) Director of Environmental Affairs

f. All departments, agencies, boards and commissions of the Executive Department shall cooperate with and assist this Commission.

5. **Duration:** The Commission shall have authority to act under the directives of this Executive Order for a period of one year following the signing of this order.

FURTHERMORE, IT IS HEREBY ORDERED that such provisions be designed and formulated so as to effectuate the spirit, intent, and purpose of this Executive Order.

WITNESS MY HAND AND SEAL THIS 8th DAY OF Oct, 1999 AT NEW ORLEANS, LOUISIANA.


MARC H. MORIAL
MAYOR, CITY OF NEW ORLEANS

THIS IS CERTIFIED TO BE
A TRUE AND CORRECT COPY

CHIEF ADMINISTRATIVE OFFICER

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BROKEN WINDOWS

BY JAMES Q. WILSON AND GEORGE L. KELLING

IN THE MID-1970S, THE STATE OF NEW JERSEY announced a "Safe and Clean Neighborhoods Program," designed to improve the quality of community life in twenty-eight cities. As part of that program, the state provided money to help cities take police officers out of their patrol cars and assign them to walking beats. The governor and other state officials were enthusiastic about using foot patrol as a way of cutting crime, but many police chiefs were skeptical. Foot patrol, in their eyes, had been pretty much discredited. It reduced the mobility of the police, who thus had difficulty responding to citizen calls for service, and it weakened headquarters control over patrol officers.

Many police officers also disliked foot patrol, but for different reasons: it was hard work, it kept them outside on cold, rainy nights, and it reduced their chances for making a "good pinch." In some departments, assigning officers to foot patrol had been used as a form of punishment. And academic experts on policing doubted that foot patrol would have any impact on crime rates; it was, in the opinion of most, little more than a sop to public opinion. But since the state was paying for it, the local authorities were willing to go along.

Five years after the program started, the Police Foundation, in Washington, D.C., published an evaluation of the foot-patrol project. Based on its analysis of a carefully controlled experiment carried out chiefly in Newark, the foundation concluded, to the surprise of hardly anyone, that foot patrol had not reduced crime rates. But residents of the foot-patrolled neighborhoods seemed to feel more secure than persons in other areas, tended to believe that crime had been reduced, and seemed to take fewer steps to protect themselves from crime (staying at home with the doors locked, for example). Moreover, citizens in the foot-patrol areas had a more favorable opinion of the police than did those living elsewhere. And officers walking beats had higher morale, greater job satisfaction, and a more favorable attitude toward citizens in their neighborhoods than did officers assigned to patrol cars.

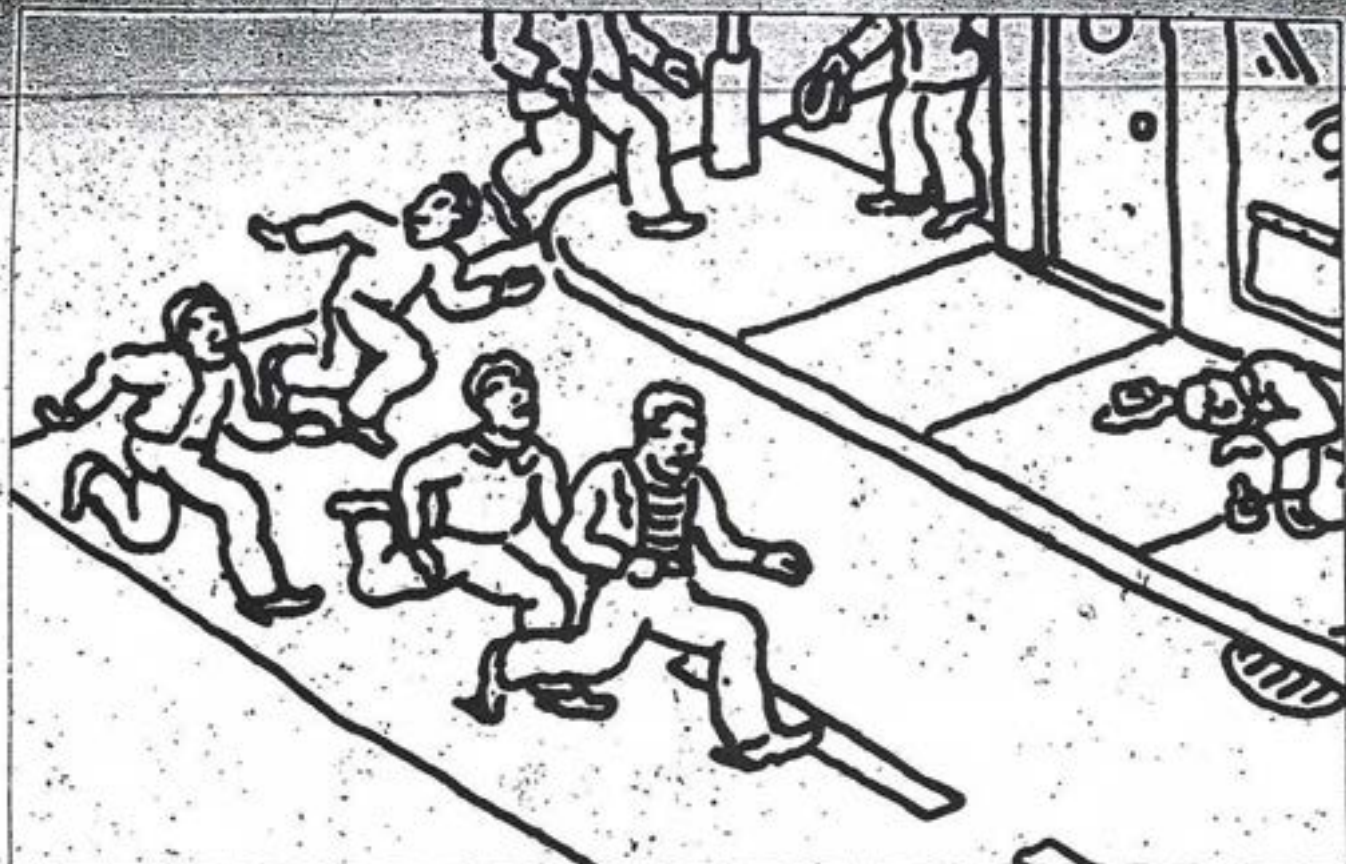
These findings may be taken as evidence that the skept-



tics were right—foot patrol has no effect on crime; it merely fools the citizens into thinking that they are safer. But in our view, and in the view of the authors of the Police Foundation study (of whom Kelling was one), the citizens of Newark were not fooled at all. They knew what the foot-patrol officers were doing, they knew it was different from what motorized officers do, and they knew that having officers walk beats did in fact make their neighborhoods safer.

But how can a neighborhood be "safer" when the crime rate has not gone down—in fact, may have gone up? Finding the answer requires first that 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 or forget another source of fear—

James Q. Wilson is Shattuck Professor of Government at Harvard and author of Thinking About Crime. George L. Kelling, formerly director of the evaluation field staff of the Police Foundation, is currently a research fellow at the John F. Kennedy School of Government at Harvard.



the fear of being bothered by disorderly people. Not violent people, nor, necessarily, criminals, but disreputable or obstreperous or unpredictable people: panhandlers, drunks, addicts, rowdy teenagers, prostitutes, loiterers, the mentally disturbed.

What foot-patrol officers did was to elevate, to the extent they could, the level of public order in these neighborhoods. Though the neighborhoods were predominantly black and the foot patrolmen were mostly white, this "order-maintenance" function of the police was performed to the general satisfaction of both parties.

One of us (Kelling) spent many hours walking with Newark foot-patrol officers to see how they defined "order" and what they did to maintain it. One beat was typical: a busy but dilapidated area in the heart of Newark, with many abandoned buildings, marginal shops (several of which prominently displayed knives and straight-edged razors in their windows), one large department store, and, most important, a train station and several major bus stops. Though the area was run-down, its streets were filled with people, because it was a major transportation center. The good order of this area was important not only to those who lived and worked there but also to many others, who had to move through it on their way home, to supermarkets, or to factories.

The people on the street were primarily black; the officer who walked the street was white. The people were

made up of "regulars" and "strangers." Regulars included both "decent folk" and some drunks and derelicts who were always there but who "knew their place." Strangers were, well, strangers; and viewed suspiciously, sometimes apprehensively. The officer—call him Kelly—knew who the regulars were, and they knew him. As he saw his job, he was to keep an eye on strangers, and make certain that the disreputable regulars observed some informal but widely understood rules. Drunks and addicts could sit on the stoops, but could not lie down. People could drink on side streets, but not at the main intersection. Bottles had to be in paper bags. Talking to, bothering, or begging from people waiting at the bus stop was strictly forbidden. If a dispute erupted between a businessman and a customer, the businessman was assumed to be right, especially if the customer was a stranger. If a stranger loitered, Kelly would ask him if he had any means of support and what his business was; if he gave unsatisfactory answers, he was sent on his way. Persons who broke the informal rules, especially those who bothered people waiting at bus stops, were arrested for vagrancy. Noisy teenagers were told to keep quiet.

These rules were defined and enforced in collaboration with the "regulars" on the street. Another neighborhood might have different rules, but these, everybody understood, were the rules for *this* neighborhood. If someone violated them, the regulars not only turned to Kelly for

help but also ridiculed the violator. 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.

A determined skeptic might acknowledge that a skilled foot-patrol officer can maintain order but still insist that this sort of "order" has little to do with the real sources of community fear—that is, with violent crime. To a degree, that is true. But two things must be borne in mind. First, outside observers should not assume that they know how much of the anxiety now endemic in many big-city neighborhoods stems from a fear of "real" crime and how much from a sense that the street is disorderly, a source of distasteful, worrisome encounters. The people of Newark, to judge from their behavior and their remarks to interviewers, apparently assign a high value to public order, and feel relieved and reassured when the police help them maintain that order.

SECOND, AT THE COMMUNITY LEVEL, DISORDER AND crime are usually inextricably linked, in a kind of developmental sequence. Social psychologists and police officers tend to agree that 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 run-down 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. (It has always been fun.)

Philip Zimbardo, a Stanford psychologist, reported in 1969 on some experiments testing the broken-window theory. He arranged to have an automobile without license plates parked with its hood up on a street in the Bronx and a comparable automobile on a street in Palo Alto, California. The car in the Bronx was attacked by "vandals" within ten minutes of its "abandonment." The first to arrive were a family—father, mother, and young son—who removed the radiator and battery. Within twenty-four hours, virtually everything of value had been removed. Then random destruction began—windows were smashed, parts torn off, upholstery ripped. Children began to use the car as a playground. Most of the adult "vandals" were well-dressed, apparently clean-cut whites. The car in Palo Alto sat untouched for more than a week. Then Zimbardo smashed part of it with a sledgehammer. Soon, passersby were joining in. Within a few hours, the car had been turned upside down and utterly destroyed. Again, the "vandals" appeared to be primarily respectable whites.

"Untended property becomes fair game for people out for fun or plunder, and even for people who ordinarily would not dream of doing such things and who probably consider

themselves law-abiding. Because of the nature of community life in the Bronx—its anonymity, the frequency with which cars are abandoned and things are stolen or broken; the past experience of "no one caring"—vandalism begins much more quickly than it does in staid Palo Alto, where people have come to believe that private possessions are cared for, and that mischievous behavior is costly. But vandalism can occur anywhere once communal barriers—the sense of mutual regard and the obligations of civility—are lowered by actions that seem to signal that "no one cares."

We suggest that "untended" behavior also leads to the breakdown of community controls. A stable neighborhood of families who care for their homes, mind each other's children, and confidently frown on unwanted intruders can change, in a few years or even a few months, to an inhospitable





table and frightening jungle. 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.

At this point it is not inevitable that serious crime will flourish or violent attacks on strangers will occur. But many residents will think that crime, especially violent crime, is on the rise, and they will modify their behavior accordingly. They 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.

Such an area is vulnerable to criminal invasion. Though it is not inevitable, it is more likely that here, rather than in places where people are confident they can regulate public behavior by informal controls, drugs will change hands, prostitutes will solicit, and cars will be stripped. That the drunks will be robbed by boys who do it as a lark, and the prostitutes' customers will be robbed by men who do it purposefully and perhaps violently. That muggings will occur.

Among those who often find it difficult to move away from this are the elderly. Surveys of citizens suggest that the elderly are much less likely to be the victims of crime than younger persons, and some have inferred from this that the well-known fear of crime voiced by the elderly is an exaggeration: perhaps we ought not to design special programs to protect older persons; perhaps we should even try to talk them out of their mistaken fears. This argument misses the point. The prospect of a confrontation with an obstreperous teenager or a drunken panhandler can be as fear-inducing for defenseless persons as the prospect of meeting an actual robber; indeed, to a defenseless person, the two kinds of confrontation are often indistinguishable. Moreover, the lower rate at which the elderly are victimized is a measure of the steps they have already taken—chiefly, staying behind locked doors—to minimize the risks they face. Young men are more frequently attacked than older women, not because they are easier or more lucrative targets but because they are on the streets more.

Nor is the connection between disorderliness and fear made only by the elderly. Susan Estrich, of the Harvard Law School, has recently gathered together a number of surveys on the sources of public fear. One, done in Portland, Oregon, indicated that three fourths of the adults interviewed cross to the other side of a street when they see a gang of teenagers; another survey, in Baltimore, discovered that nearly half would cross the street to avoid even a single strange youth. When an interviewer asked people in a housing project where the most dangerous spot was, they mentioned a place where young persons gathered to drink and play music, despite the fact that not a single crime had occurred there. In Boston public housing projects, the greatest fear was expressed by persons living in the buildings where disorderliness and incivility, not crime, were the greatest. Knowing this helps one understand the significance of such otherwise harmless displays

as subway graffiti. As Nathan Glazer has written, the proliferation of graffiti, even when not obscene, confronts the subway rider with the "inescapable knowledge that the environment he must endure for an hour or more a day is uncontrolled and uncontrollable, and that anyone can invade it to do whatever damage and mischief the mind suggests."

In response to fear, people avoid one another, weakening controls. Sometimes they call the police. Patrol cars arrive; an occasional arrest occurs, but crime continues and disorder is not abated. Citizens complain to the police chief, but he explains that his department is low on personnel and that the courts do not punish petty or first-time offenders. To the residents, the police who arrive in squad cars are either ineffective or uncaring; to the police, the residents are animals who deserve each other. The citizens may soon stop calling the police, because "they can't do anything."

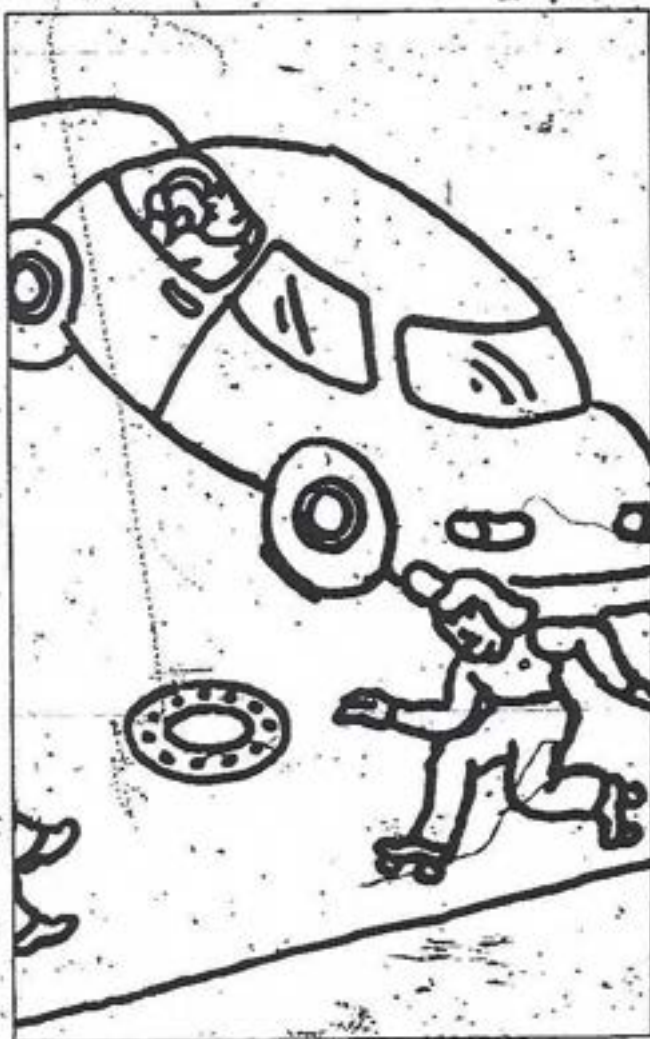
The process we call urban decay has occurred for centuries in every city. But what is happening today is different in at least two important respects. First, in the period before, say, World War II, city dwellers—because of money costs, transportation difficulties, familial and church connections—could rarely move away from neighborhood problems. When movement did occur, it tended to be along public-transit routes. Now mobility has become exceptionally easy for all but the poorest or those who are blocked by racial prejudice. Earlier crime waves had a kind of built-in self-correcting mechanism: the determination of a neighborhood or community to reassert control over its turf. Areas in Chicago, New York, and Boston would experience crime and gang wars, and then normalcy would return, as the families for whom no alternative residences were possible reclaimed their authority over the streets.

Second, 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.

This pattern of policing was not an aberration or the result of occasional excess. 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. In the March, 1969, *Atlantic*, one of us (Wilson) wrote a brief account of how the police role had slowly changed from maintaining order to fighting crimes. The change began with the creation of private detectives (often ex-criminals), who worked on a contingency-fee basis for individuals who had suffered losses. In time, the detectives were absorbed into municipal police

agencies and paid a regular salary; simultaneously, the responsibility for prosecuting thieves was shifted from the aggrieved private citizen to the professional prosecutor. This process was not complete in most places until the twentieth century.

In the 1960s, when urban riots were a major problem, social scientists began to explore carefully the order-maintenance function of the police, and to suggest ways of improving it—not to make streets safer (its original function) but to reduce the incidence of mass violence. Order-maintenance became, to a degree, coterminous with "community relations." But, as the crime wave that began in the early 1960s continued without abatement throughout the decade and into the 1970s, attention shifted to the role of the police as crime-fighters. Studies of police behavior ceased, by and large, to be accounts of the order-maintenance function and became, instead, efforts to propose and test ways whereby the police could solve more crimes, make more arrests, and gather better evidence. If these things could be done, social scientists assumed, citizens would be less fearful.



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.

That link is similar to the process whereby one broken window becomes many. 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. Muggers and robbers, whether opportunistic or professional, believe they reduce their chances of being caught or even identified if they operate on streets where potential victims are already intimidated by prevailing conditions. If the neighborhood cannot keep a bothersome panhandler from annoying passersby, the thief may reason, it is even less likely to call the police to identify a potential mugger or to interfere if the mugging actually takes place.

Some police administrators concede that this process occurs, but argue that motorized-patrol officers can deal with it as effectively as foot-patrol officers. We are not so sure. In theory, an officer in a squad car can observe as much as an officer on foot; in theory, the former can talk to as many people as the latter. But the reality of police-citizen encounters is powerfully altered by the automobile. An officer on foot cannot separate himself from the street people; if he is approached, only his uniform and his personality can help him manage whatever is about to happen. And he can never be certain what that will be—a request for directions, a plea for help, an angry denunciation, a teasing remark, a confused babble, a threatening gesture.

In a car, an officer is more likely to deal with street people by rolling down the window and looking at them. The door and the window exclude the approaching citizen; they are a barrier. Some officers take advantage of this barrier, perhaps unconsciously, by acting differently if in the car than they would on foot. We have seen this countless times. The police car pulls up to a corner where teenagers are gathered. The window is rolled down. The officer stares at the youths. They stare back. The officer says to one, "C'mere." He saunters over, conveying to his friends by his elaborately casual style the idea that he is not intimidated by authority. "What's your name?" "Chuck." "Chuck who?" "Chuck Jones." "What'ya doing, Chuck?" "Nothin'." "Got a P.O. [parole officer]?" "Nuh." "Sure?" "Yeah." "Stay out of trouble, Chuckie." Meanwhile, the other boys laugh and exchange comments among themselves, probably at the officer's expense. The officer stares

harder. He cannot be certain what is being said, nor can he join in and, by displaying his own skill at street patter, prove that he cannot be "put down." In the process, the officer has learned almost nothing, and the boys have decided the officer is an alien force who can safely be disregarded, even mocked.

Our experience is that most citizens like to talk to a police officer. Such exchanges give them a sense of importance, provide them with the basis for gossip, and allow them to explain to the authorities what is worrying them (whereby they gain a modest but significant sense of having "done something" about the problem). You approach a person on foot more easily, and talk to him more easily, than you do a person in a car. Moreover, you can more easily retain some anonymity if you draw an officer aside for a private chat. Suppose you want to pass on a tip about who is stealing handbags, or who offered to sell you a stolen TV. In the inner city, the culprit, in all likelihood, lives nearby. To walk up to a marked patrol car and lean in the window is to convey a visible signal that you are "tink."

The essence of the police role in maintaining order is to reinforce the informal control mechanisms of the community itself. The police cannot, without committing extraordinary resources, provide a substitute for that informal control. On the other hand, to reinforce those informal forces the police must accommodate them. And that is the problem.

SHOULD POLICE ACTIVITY ON THE STREET BE JUDGED in important ways, by the standards of the neighborhood rather than by the rules of the state? Over the past two decades, the shift of police from order-maintenance to law-enforcement has brought them increasingly under the influence of legal restrictions, provoked by media complaints and enforced by court decisions and departmental orders. As a consequence, the order-maintenance functions of the police are now governed by rules developed to control police relations with suspected criminals. This is, we think, an entirely new development. For centuries, the role of the police as watchmen was judged primarily not in terms of its compliance with appropriate procedures but rather in terms of its attaining a general objective. The objective was order, an inherently ambiguous term but a condition that people in a given community recognized when they saw it. The means were the same as those the community itself would employ, if its watchmen were sufficiently determined, courageous, and authoritative. Detecting and apprehending criminals, by contrast, was a means to an end, not an end in itself; a judicial determination of guilt or innocence was the hoped-for result of the law-enforcement mode. From the first, the police were expected to follow rules defining that process, though states differed in how stringent the rules should be. The criminal-apprehension process was always understood to involve individual rights, the violation of which was unac-

ceptable because it meant that the violating officer would be acting as a judge and jury—and that was not his job. Guilt or innocence was to be determined by universal standards under special procedures.

Ordinarily, no judge or jury ever sees the persons caught up in a dispute over the appropriate level of neighborhood order. That is true not only because most cases are handled informally on the street but also because no universal standards are available to settle arguments over disorder, and thus a judge may not be any wiser or more effective than a police officer. Until quite recently in many states, and even today in some places, the police make arrests on such charges as "suspicious person" or "vagrancy" or "public drunkenness"—charges with scarcely any legal reasoning. These charges exist not because society wants judges to punish vagrants or drunks but because it wants an officer to have the legal tools to remove undesirable persons from a neighborhood when informal efforts to preserve order in the streets have failed.

Once we begin to think of all aspects of police work as involving the application of universal rules under special procedures, we inevitably ask what constitutes an "undesirable person" and why we should "criminalize" vagrancy or drunkenness. A strong and commendable desire to see that people are treated fairly makes us worry about allowing the police to rout persons who are undesirable by some vague or parochial standard. A growing and not-so-commendable utilitarianism leads us to doubt that any behavior that does not "hurt" another person should be made illegal. And thus many of us who watch over the police are reluctant to allow them to perform, in the only way they can, a function that every neighborhood desperately wants them to perform.

This wish to "decriminalize" disreputable behavior that "harms no one"—and thus remove the ultimate sanction the police can employ to maintain neighborhood order—is, we think, a mistake. Arresting a single drunk or a single vagrant who has harmed no identifiable person seems unjust, and in a sense it is. But failing to do anything about a score of drunks or a hundred vagrants may destroy an entire community. A particular rule that seems to make sense in the individual case makes no sense when it is made a universal rule and applied to all cases. It makes no sense because it fails to take into account the connection between one broken window left untended and a thousand broken windows. Of course, agencies other than the police could attend to the problems posed by drunks or the mentally ill, but in most communities—especially where the "deinstitutionalization" movement has been strong—they do not.

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.

Consider the case of the Robert Taylor Homes in Chicago, one of the largest public-housing projects in the country. It is home for nearly 20,000 people, all black, and extends over ninety-two acres along South State Street. It was named after a distinguished black who had been, during the 1940s, chairman of the Chicago Housing Authority. Not long after it opened, in 1962, relations between project residents and the police deteriorated badly. The citizens felt that the police were insensitive or brutal; the police, in turn, complained of unprovoked attacks on them. Some Chicago officers tell of times when they were afraid to enter the Homes. Crime rates soared.

Today, the atmosphere has changed. Police-citizen relations have improved—apparently, both sides learned something from the earlier experience. Recently, a boy stole a purse and ran off. Several young persons who saw the theft voluntarily passed along to the police information on the identity and residence of the thief, and they did this publicly, with friends and neighbors looking on. But problems persist, chief among them the presence of youth gangs that terrorize residents and recruit members in the project. The people expect the police to "do something" about this, and the police are determined to do just that.

But do what? Though the police can obviously make arrests whenever a gang member breaks the law, a gang can form, recruit, and congregate without breaking the law. And only a tiny fraction of gang-related crimes can be solved by an arrest; thus, if an arrest is the only recourse for the police, the residents' fears will go unassuaged. The police will soon feel helpless, and the residents will again believe that the police "do nothing." What the police in fact do is to chase known gang members out of the project. In the words of one officer, "We kick ass." Project residents both know and approve of this. The tacit police-citizen alliance in the project is reinforced by the police view that the cops and the gangs are the two rival sources of power in the area, and that the gangs are not going to win.

None of this is easily reconciled with any conception of due process or fair treatment. Since both residents and gang members are black, race is not a factor. But it could be. Suppose a white project confronted a black gang, or vice versa. We would be apprehensive about the police taking sides. But the substantive problem remains the same: how can the police strengthen the informal social-control mechanisms of natural communities in order to minimize fear in public places? Law enforcement, per se, is no an-

swer. A gang can weaken or destroy a community by standing about in a menacing fashion and speaking rudely to passersby without breaking the law.

WE HAVE DIFFICULTY THINKING ABOUT SUCH MATTERS, not simply because the ethical and legal issues are so complex but because we have become accustomed to thinking of the law in essentially individualistic terms. The law defines *my* rights, punishes *his* behavior, and is applied by *that* officer because of *this* harm. We assume, in thinking this way, that what is good for the individual will be good for the community, and what doesn't matter when it happens to one person won't matter if it happens to many. Ordinarily, those are plausible assumptions. But in cases where behavior that is tolerable to one person is intolerable to many others, the reactions of the others—fear, withdrawal, flight—may ultimately make matters worse for everyone, including the individual who first professed his indifference.

It may be their greater sensitivity to communal as opposed to individual needs that helps explain why the residents of small communities are more satisfied with their police than are the residents of similar neighborhoods in big cities. Elinor Ostrom and her co-workers at Indiana University compared the perception of police services in two poor, all-black Illinois towns—Phoenix and East Chicago Heights—with those of three comparable all-black neighborhoods in Chicago. The level of criminal victimization and the quality of police-community relations appeared to be about the same in the towns and the Chicago neighborhoods. But the citizens living in their own villages were much more likely than those living in the Chicago neighborhoods to say that they do not stay at home for fear of crime, to agree that the local police have "the right to take any action necessary" to deal with problems, and to agree that the police "look out for the needs of the average citizen." It is possible that the residents and the police of the small towns saw themselves as engaged in a collaborative effort to maintain a certain standard of communal life, whereas those of the big city felt themselves to be simply requesting and supplying particular services on an individual basis.

If this is true, how should a wise police chief deploy his meager forces? The first answer is that nobody knows for certain, and the most prudent course of action would be to try further variations on the Newark experiment, to see more precisely what works in what kinds of neighborhoods. The second answer is also a hedge—many aspects of order-maintenance in neighborhoods can probably best be handled in ways that involve the police minimally, if at all. A busy, bustling shopping center and a quiet, well-tended suburb may need almost no visible police presence. In both cases, the ratio of respectable to disreputable people is ordinarily so high as to make informal social control effective.

Even in areas that are in jeopardy from disorderly elements, citizen action, without substantial police involvement may be sufficient. Meetings between teenagers who like to hang out on a particular corner and adults who want to use that corner might well lead to an amicable agreement on a set of rules about how many people can be allowed to congregate, where, and when.

Where no understanding is possible—or if possible, not observed—citizen patrols may be a sufficient response. There are two traditions of communal involvement in maintaining order. One, that of the "community watchmen," is as old as the first settlement of the New World. Until well into the nineteenth century, volunteer watchmen, not policemen, patrolled their communities to keep order. They did so, by and large, without taking the law into their own hands—without, that is, punishing persons or using force. Their presence deterred disorder or alerted the community to disorder that could not be deterred. There are hundreds of such efforts today in communities all across the nation. Perhaps the best known is that of the Guardian Angels, a group of unarmed young persons in distinctive berets and T-shirts, who first came to public attention when they began patrolling the New York City subways but who claim now to have chapters in more than thirty American cities. Unfortunately, we have little information about the effect of these groups on crime. It is possible, however, that whatever their effect on crime, citizens find their presence reassuring, and that they thus contribute to maintaining a sense of order and civility.

The second tradition is that of the "vigilante." Rarely a feature of the settled communities of the East, it was primarily to be found in those frontier towns that grew up in advance of the reach of government. More than 350 vigilante groups are known to have existed; their distinctive feature was that their members did take the law into their own hands, by acting as judge, jury, and often executioner as well as policeman. Today, the vigilante movement is conspicuous by its rarity, despite the great fear expressed by citizens that the older cities are becoming "urban frontiers." But some community-watchmen groups have skirted the line, and others may cross it in the future. An ambiguous case, reported in *The Wall Street Journal*, involved a citizens' patrol in the Silver Lake area of Belleville, New Jersey. A leader told the reporter, "We look for outsiders." If a few teenagers from outside the neighborhood enter it, "we ask them their business," he said. "If they say they're going down the street to see Mrs. Jones, fine, we let them pass. But then we follow them down the block to make sure they're really going to see Mrs. Jones."

THOUGH CITIZENS CAN DO A GREAT DEAL, THE POLICE are plainly the key to order-maintenance. For one thing, many communities, such as the Robert Taylor Homes, cannot do the job by themselves. For another, no citizen in a neighborhood, even an organized one, is like-

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ly to feel the sense of responsibility that wearing a badge confers. Psychologists have done many studies on why people fail to go to the aid of persons being attacked or seeking help, and they have learned that the cause is not "apathy" or "selfishness" but the absence of some plausible grounds for feeling that one must personally accept responsibility. Ironically, avoiding responsibility is easier when a lot of people are standing about. On streets and in public places, where order is so important, many people are likely to be "around," a fact that reduces the chance of any one person acting as the agent of the community. The police officer's uniform singles him out as a person who must accept responsibility if asked. In addition, officers, more easily than their fellow citizens, can be expected to distinguish between what is necessary to protect the safety of the street and what merely protects its ethnic purity.

But the police forces of America are losing, not gaining, members. Some cities have suffered substantial cuts in the number of officers available for duty. These cuts are not likely to be reversed in the near future. Therefore, each department must assign its existing officers with great care. Some neighborhoods are so demoralized and crime-ridden as to make foot patrol useless; the best the police can do with limited resources is respond to the enormous number of calls for service. Other neighborhoods are so stable and serene as to make foot patrol unnecessary. The key is to identify neighborhoods at the tipping point—where the public order is deteriorating but not unreclaimable, where the streets are used frequently but by apprehensive people, where a window is likely to be broken at any time, and must quickly be fixed if all are not to be shattered.

Most police departments do not have ways of systematically identifying such areas and assigning officers to them. Officers are assigned on the basis of crime rates (meaning that marginally threatened areas are often stripped so that police can investigate crimes in areas where the situation is hopeless) or on the basis of calls for service (despite the fact that most citizens do not call the police when they are merely frightened or annoyed). To allocate patrol wisely, the department must look at the neighborhoods and decide, from first-hand evidence, where an additional officer will make the greatest difference in promoting a sense of safety.

One way to stretch limited police resources is being tried in some public-housing projects. Tenant organizations hire off-duty police officers for patrol work in their buildings. The costs are not high (at least not per resident), the offi-

cer likes the additional income, and the residents feel safer. Such arrangements are probably more successful than hiring private watchmen, and the Newark experiment helps us understand why. A private security guard may deter crime or misconduct by his presence, and he may go to the aid of persons needing help, but he may well not intervene—that is, control or drive away—someone challenging community standards. Being a sworn officer—a "real cop"—seems to give one the confidence, the sense of duty, and the aura of authority necessary to perform this difficult task.

Patrol officers might be encouraged to go to and from duty stations on public transportation and, while on the bus or subway car, enforce rules about smoking, drinking, disorderly conduct, and the like. The enforcement need involve nothing more than ejecting the offender (the offense, after all, is not one with which a booking officer or a judge wishes to be bothered). Perhaps the random but relentless maintenance of standards on buses would lead to conditions on buses that approximate the level of civility we now take for granted on airplanes.

But the most important requirement is to think that to maintain order in precarious situations is a vital job. The police know this is one of their functions, and they also believe, correctly, that it cannot be done to the exclusion of criminal investigation and responding to calls. We may have encouraged them to suppose, however, on the basis of our oft-repeated concerns about serious, violent crime, that they will be judged exclusively on their capacity as crime-fighters. To the extent that this is the case, police administrators will continue to concentrate police personnel in the highest-crime areas (though not necessarily in the areas most vulnerable to criminal invasion), emphasize their training in the law and criminal apprehension (and not their training in managing street life), and join too quickly in campaigns to decriminalize "harmless" behavior (though public drunkenness, street prostitution, and pornographic displays can destroy a community more quickly than any team of professional burglars).

Above all, we must return to our long-abandoned view that the police ought to protect communities as well as individuals. Our crime statistics and victimization surveys measure individual losses, but they do not measure communal losses. Just as physicians now recognize the importance of fostering health rather than simply treating illness, so the police—and the rest of us—ought to recognize the importance of maintaining, intact, communities without broken windows. []

BRUCE SHAPIRO

Zero-tolerance gospel

Law and order evangelists are out on the streets of New York brutally tidying away crime and indigence. They claim a high rate of success -- but theirs is not the only way

At lunchtime on 20 June, New York City police descended on Washington Square Park, the bustling Greenwich Village oasis at the foot of Fifth Avenue. Seeking to serve warrants on small-scale marijuana dealers who quietly hawk their product at passers-by from park benches, the police sealed off the park's exits, trapping hundreds of law-abiding citizens inside. A Rutgers University professor was detained in handcuffs when he tried to leave to make an appointment. 'There were a lot of mothers with baby carriages and children,' one witness told the *New York Times*. The total haul from 58 people arrested for sale or possession: a mere pound and a half of marijuana.

Welcome to zero-tolerance policing, the strategy New York's Mayor Rudolph Giuliani claims is responsible for a reduction in crime so drastic that the city is now among the safest in the US. After being elected in November 1993, Giuliani appointed a new police commissioner named William Bratton, and declared that no offence was too small — not begging in doorways, single-joint marijuana sales in public parks, squeegee hustles in traffic — and no offender too low-level to escape police attention. More than a strategy, their approach has become a law-enforcement faith, variously known as zero-tolerance policing, broken-windows policing, or quality-of-life policing (depending on whether the speaker wants to appear tough, intellectual or socially concerned). It is emulated by police departments from New Orleans to New Hampshire.

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Now the zero-tolerance gospel has gone international: in Britain, Labour Home Secretary Jack Straw is one convert; so is Ireland's incoming prime minister, Fianna Fail party leader Bertie Ahern, who in May took the zero-tolerance pledge at a campaign press conference with Bratton's Irish-born deputy John Timoney at his side.

Yet the zero-tolerance movement has a darker side, hinted at by that mass detention in Washington Square. In New York, civilian complaints of excessive force — police brutality, in other words — have risen 41 per cent since Giuliani put the policy into effect. Three-quarters of those complaints are filed by African-American or Latino citizens, against a police department which remains 75 per cent white. Amnesty International last year reported that court settlements and judgments paid out by New York City to compensate police brutality victims rose from US \$13.5 million in 1992 to more than US\$24 million last year; Amnesty charges that under Bratton and his successor many cases of police violence in New York violate basic human rights standards. It's the same in other cities that have adopted zero-tolerance policies: in Houston, for instance, black ministers have repeatedly charged police with openly racist neighbourhood sweeps; in Pittsburgh, police violence became so rampant that the US Justice Department's civil rights division filed a lawsuit and voters this year enacted a civilian review board. Even while zero-tolerance policing enjoys the embrace of ever-growing numbers of politicians on both sides of the water, evidence in the US has gradually accumulated that the strategy has unleashed a wave of police misconduct unseen in decades.

The zero-tolerance faith has its founding document, its Sermon on the Mount: a 1982 article in the *Atlantic Monthly* entitled 'The Police and Neighborhood Safety', written by James Q Wilson, a conservative political scientist, and George Kelling, a criminologist who had studied foot patrols in Newark. Wilson and Kelling's central argument was simple, centred on what they called their 'broken windows' hypothesis: if a factory or office window is left broken, passers-by will conclude that no-one cares, no-one is in charge — and will soon shatter the other windows as well. Soon that decay will extend to the surrounding street, which will become menacing and hostile. Say Wilson and Kelling, it is the small, seemingly insignificant signs of disorder — graffiti, loitering by the homeless, subway fare-

Right: New York 1997: Lexington Avenue, Upper East Side — Credit: Sylvia Macky

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jumping by teenagers — which lay the groundwork for more serious street crime and social decay. The graffiti artists and fare-jumpers themselves, getting the message that social norms will not be enforced, become likely candidates for more dangerous law-breaking; while citizens, feeling threatened by homeless beggars and squeegee-men, withdraw from the civic arena. So police, Wilson and Kelling argued, should go back into the business of aggressive order maintenance.

With its vivid central image and its implied rejection of economic or social explanations of crime, the broken windows hypothesis proved instantly appealing in politics. And it is grounded in a sensible core perception: an environment of physical safety is one important element of any civil society. Few urban dwellers have not raged against the absentee landlord down the block whose crumbling tenement shelters crack dealers in the cellar, have not felt some relief when a police officer quietly intervenes with a deranged, intoxicated stranger talking to himself on the stoop while children play nearby. Prior to 'The Police and Neighborhood Safety', few US police departments paid attention to what Jane Jacobs calls the 'small change' of urban life; their crime-fighting strategy consisted of cruising: trees in squad cars, waiting for trouble. As Kelling writes with attorney Catherine Coles in his most recent book, *Fixing Broken Windows* (Free Press): 'Most police considered themselves too busy responding to calls for service and dealing with serious crime to give attention to disorder.'

In the 1980s the broken windows hypothesis found its first great test in New York City's subway system. William Bratton, then head of the transit police, decided to take on the fare-jumpers and graffiti artists his officers had previously ignored. The results were notable: robberies dropped, passengers felt safer in a cleaner, more orderly system, and Bratton's transit indeed found some of their minor public-order arrests snaring higher-level offenders. (The most famous such case came last year, when a mentally ill multiple-murderer who was terrorising the affluent Upper East Side was arrested for turnstile-jumping.)

But enforcing a strict public-order philosophy in the confined, fare-paying venue of a subway is one thing; in the open air of city neighborhoods, quite another, as that Washington Square crawl and New York's police brutality figures suggest. The brutality figures in particular are to a large extent inevitable with the zero-tolerance approach. As studies by the US Justice Department and university researchers have

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documented, police brutality is most likely to begin with a citizen's casual defiance of an officer on a minor public-order matter — say, a traffic stop, which led to the police shooting of Johnny Gammage in Pittsburgh last year, or intoxication, the condition in which Anshie Elliot of Prince George's County, Maryland was shot 14 times in the back while handcuffed in police custody. For many police officers, 'zero tolerance' and 'public order maintenance' are seen as a mandate to assert their authority at any cost. 'Is the level of complaints an appropriate trade-off?' Bratton recently said in *Newsweek*. 'I think so.'

And this is not just a matter of a few excesses on the street but of deliberate obfuscation by zero-tolerance theorists. In *Fixing Broken Windows*, Kelling and Coles don't even mention police brutality as a policy issue, though they attack civil libertarians for trying to restrict police conduct. In one particularly telling omission, Kelling and Coles elaborately praise a public campaign that took back New York's Grand Central Station from the legion of homeless people who sought shelter there in the 1980s. They offer not even a footnote acknowledging that beatings by a notoriously brutal goon squad — documented on the front page of the *New York Times* — did much of the tiding back.

The zero-tolerance crowd also ignore a longer-term consequence of their neighbourhood sweeps and other minor-violation round-ups: the erosion of police legitimacy. Prior to Giuliani's election, New York City police under Commissioner Lee Brown (the man Bratton replaced) worked hard to build trust between police and neighbourhoods throughout the city. Bratton and Giuliani discarded that approach. 'The larger concern about zero tolerance,' warned a recent study commissioned by the decidedly law-and-order US Congress, 'is its long-term effect on people arrested for minor offenses.' The study goes on:

Even while massive arrest increases, such as those in New York City, may reduce violence in the short run...they may also increase serious crime in the long run. The negative effects of an arrest record on labor market participation are substantial. The effects of an arrest experience over a minor offense may permanently lower police legitimacy, both for the arrested person and their social network of family and friends.

Indeed, if the US zero-tolerance policing is really an extension of a national zero-tolerance policy towards low-level drug users and similar

offenders which has tripled the national prison population since 1985 to 1.6 million, including one-third of all African-American men under 25; according to a new study from the Sentencing Project of Washington, DC, the US incarceration rate is now matched only by Russia. This is zero tolerance with a vengeance. As Nicholas Pastore, former police chief of New Haven, Connecticut, has observed, the US has an entire generation growing up 'prison-educated and prison-behaved'. The public consequences may prove disastrous, since sooner or later all but the most violent of these offenders reach the end of their sentences and will wind up back on the streets.

If zero-tolerance evangelists underplay the policy's dangers, they equally overstate its contributions to the declining crime rate. Their case is unquestionably aided by the coincidence of Mayor Giuliani's mayoralty and the declining crime rate in New York City. But few serious scholars attribute that radical decline principally to the mayor's police reforms. There's a strong case to be made that some of New York's precipitous drop in crime is owed to policies enacted by Giuliani's predecessor, Mayor David Dinkins, who Giuliani, a former federal prosecutor, campaigned against as a soft-on-crime liberal. It was Mayor Dinkins and his police commissioner, Lee Brown, who returned crime-prone teenage truants to school in large numbers, who added 3,000 new officers to the force and shifted hundreds of others from desks to the street. Other likely factors: increased employment, with even marginal low-wage jobs siphoning off young people from the underground economy; a natural levelling of the crack market, source of so much wild-west violence in the late 1980s and early 1990s; and regional demographic shifts, with fewer people of the most crime-prone age out there, period.

Furthermore, there are other schools of police reform which effectively encompass quality-of-life issues without recourse to the heavy-handed zero-tolerance approach. In New Haven, one of the nation's most impoverished and violence-plagued cities, police chief Pastore saw crime fall just as far after he took the polar opposite approach: he invited neighbourhoods to work with police in defining enforcement priorities; made his department a front door for access to social services; put a domestic-violence advocate in charge of all police training and required all new officers to spend three months studying child social development; and recruited officers from city neighbourhoods with the slogan POLICE OTHERS AS YOU WOULD HAVE OTHERS POLICE YOU. In

Boston, homicide has dropped just as dramatically as in New York: the city had not a single murder by a teenager in 1996 after running over 100 annually in the past — without any zero-tolerance sweeps. Police relied instead on careful computer tracking of the handgun supply line, aggressive follow-up with paroled offenders and carrot-and-stick negotiations with teenage gangs to persuade them to keep their guns at home. The point is that zero tolerance is hardly the only effective police reform to emerge from the US in recent years.

Zero-tolerance policing unquestionably makes for effective campaign rhetoric, and the original Wilson and Kelling broken window hypothesis is an easy sell to any society frightened by seemingly uncontrollable crime. On its deepest level, however, it is not about crime at all, but a vision of social order disintegrating under glassy-eyed liberal neglect. Much of Wilson and Kelling's original argument, and Kelling and Cole's recent book, is devoted not to crime policy but to repeated attacks on civil libertarians, advocates for the homeless and social liberals. Disorder, Kelling and Cole write, 'proliferated with the growth of an ethos of individualism and increasing legislative and judicial support for protecting the fundamental rights of individuals at the expense of community interest'. Over and over, Kelling and Cole blame the 1960s for that ethos: 'the expression of virtually all forms of non-violent defiance came to be considered synonymous with the expression of individual, particularly First Amendment or speech-related, rights.' Civil libertarians even got the blame for the proliferation of the homeless mentally ill in American streets — as if the Reagan administration had not cut their community support programmes and eliminated public housing construction, as if real estate speculators had not gentrified thousands of formerly affordable single-room housing units.

The course of violent crime is complex, and inextricable from the fate of cities and the poor. Here is the real danger of the zero-tolerance gospel: it severs crime from context, and instead of a clear vision of a safe society offers only an illusory obsession with order at all costs. □

Bruce Shapiro is a contributing editor at the Nation, where he writes the 'Law and Order' column. His book One Violent Crime will be published next winter in the US by HarperCollins

CLEVELAND DRUG HOUSE TASK FORCE

PROGRESS REPORT

August 7, 1998

ACCOMPLISHMENTS TO DATE

The Cleveland Drug House Task Force has been in full operation for approximately seven years. During this time period, a grand total of 1,090 structures have been closed, which reflects an average of thirteen drug house closings each month. These closings have resulted from 1,214 narcotic searches which have been responsible for a total of 2,504 arrests which included the seizure of significant quantities of cocaine, heroin, marijuana, pills, weapons and money.

Since the inception of the program on July 15, 1991, a total of 937 structures were condemned and boarded pursuant to serious violations of city building, health and safety ordinances, which made continued habitation hazardous to the health and safety of the residents. Another 130 of these structures were closed pursuant to the Nuisance Abatement statute provided under State Law, in conjunction with the Ohio Attorney General's office. Twenty three additional structures were closed pursuant to the Nuisance Abatement statute filed by the City of Cleveland.

PROGRAM OBJECTIVE

The objective of the Cleveland Drug House Task Force is to identify and take aggressive enforcement action to abate the nuisance created by homes and businesses that have a documented history of sales of controlled substances through condemnation and boarding of these structures. The approach of the Drug House Task Force is to bring together the combined efforts of several city, county and state agencies in order to mount a coordinated offensive to abate the nuisance of drug sales by effectively eliminating the operational base of the criminal element.

Previous narcotic control efforts have focused on the offender, who routinely is released on bail soon after arrest and is back on the street committing additional crimes while awaiting trial. This initiative effectively eliminates the base of operations and increases the "cost" of continued illegal activity.

PROGRAM OPERATIONS

Coordinated Drug House abatement can occur in one of two ways:

- **Nuisance Abatement Closure Filed in Cooperation with the Ohio Attorney General or by the City Law Department** - This method involves civil action utilizing existing State Law regarding nuisance abatement. This litigation is initiated and conducted by the Ohio Attorney General's Office or by the Law Director of the City of Cleveland.
- **Condemnation of the Structure Pursuant to City Ordinances** - Various departments and divisions of city government act in a coordinated approach to conduct an inspection designed to enforce existing health, safety and building codes at target locations.

The Cleveland Police Narcotics Unit or District Vice and Strike Force Units normally initiate program activities by conducting routine investigations of identified drug houses. Drug houses are identified through enforcement experience which may include confidential informants, citizen complaints as well as referrals from the Ohio Attorney General's Office. These Narcotic and Vice Units may conduct raids and execute search warrants on target locations, making arrests where appropriate.

Subsequent to the entry of target locations, a cursory inspection of the premises is conducted by narcotics officers and a structured abatement checklist is completed which identifies obvious health, safety or building code violations which may be addressed by the Drug House Task Force inspection team. The abatement checklist is immediately forwarded to the Project Administrator in the Department of Public Safety.

In August of 1992, the Drug House Task Force program was modified to include a formal notification component. This component involves immediate notification by the Chief of Police to property owners that drug activity has occurred on their property. Letters are sent by certified mail as well as first class mail, and in some cases notification is made by personal service. This notification indicates that potential code violations have been observed and provides the property owner 72 hours to contact the Division of Building and Housing to schedule a housing inspection of the premises. Failure of the property owner to respond during the 72 hour time period may result in the obtaining of an administrative search warrant from the Housing Court and the scheduling of a Drug House Task Force inspection.

In the event that the property owner schedules a housing inspection within the 72 hour period, the inspection is performed by a condemnation inspector from the Division of Building and Housing. If the conditions of the structure do not constitute an emergency situation, the property owner is given a period of five working days from issuance of the violation notices to obtain appropriate permits. Failure of the property owner to obtain permits during this time period may result in criminal or civil action to abate the nuisance.

If the conditions of the property pose an immediate danger to human life or health, the City has the authority to immediately condemn and board the structure, as well as direct the immediate vacation of all persons who reside in that structure. The property owner is notified of this action during the inspection, and is served with a written copy of each violation noted. The property owner will be required to hire a licensed contractor and obtain permits from the Division of Building and Housing in order to correct the deficiencies.

In the event that the property owner fails to bring the structure up to appropriate building and safety codes, the city actively seeks community group participation to purchase and revitalize the property. In order to provide for continued security of the property during the period of condemnation, members of each police district have instituted routine patrols to ensure that the boarded homes remain secure. Any entry of a structure is reported and immediately reboarded. City workers routinely maintain the appearance of the property during the process of rehabilitation or demolition.

Once structures identified through this process are identified, members of the Drug House Task Force meet at a predetermined staging area and respond to the target in a coordinated manner accompanied by a sufficient number of uniform personnel to maintain security and effect additional arrests if appropriate. Once on-site, each inspector addresses their respective area of responsibility, issuing citations or referrals as deemed appropriate. At the termination of the inspection, team members consult and determine if the structure is eligible for condemnation and immediate boarding.

In this instance, residents are permitted a reasonable period of time to gather immediate belongings after which the structure is boarded and padlocked. In the event that residents of the structure are without immediate housing, appropriate shelter is located by members of the team. Subsequent to the inspection, team members perform individual follow-up activities in their respective area of responsibility. All activities are recorded and unit files are centralized with the DHTF Administrator in the Department of Public Safety.

Property owners of the condemned structures are notified of the specific code violations which led to the condemnation of the structure. These individuals are instructed to obtain proper permits and to commence rehabilitation of the structure. In the event that the property owner fails to bring the structure up to appropriate building and safety codes, the city actively seeks community group participation to purchase and revitalize the property.

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AGENCY RESPONSIBILITIES

The participating agencies and their particular responsibilities are as follows:

Public Safety Administration: The DHTF Administrator in the Department of Public Safety oversees and coordinates all aspects of the program, maintains all unit files, prepares reports, conducts appropriate research and represents the program in various court proceedings. Upon receipt of the abatement checklist, the Administrator immediately notifies and hand delivers a copy to the Building & Housing Project Leader.

Division of Police: The Narcotic Unit identifies target houses through ongoing investigations and citizen tips. They obtain search warrants and make appropriate arrests and seizures of contraband. They record the names of occupants during the initial enforcement operation and run background checks on these individuals to determine their status within the criminal justice system. When conducting searches, they complete an abatement checklist of obvious household conditions which could cause the structure to be condemned and boarded. The abatement checklist and relevant historical information is forwarded as soon as possible by FAX to the Drug House Task Force Coordinator in the Department of Public Safety. They also videotape a property inventory of contents and arrange for securing any valuables if closure is imminent. They also provide follow up enforcement action on an as needed basis as soon as possible upon

notification that a target property has been re-established as a drug sales location and report any complaints received or actions taken to the Project Coordinator.

Individual Police Districts make sworn personnel available to accompany the team during the time of inspection. Among other duties, they investigate the status of vehicles at the property, issue citations and impound illegally parked vehicles as deemed appropriate. They identify occupants and perform warrant checks on persons not identified during the Narcotic Unit investigation. They also provide special attention to target locations, notifying the Project Coordinator of any changes in the status of the property to include efforts to reoccupy, remove boards or reinstall drug sales activity.

Division of Building & Housing: The Division of Building and Housing is responsible to coordinate all building, electrical, heating, plumbing, and condemnation inspectors to participate in team operations. Upon receipt of the checklist from the DHTF Administrator, the Building and Housing Project Leader notifies other team members and boarding contractor of the time and location of the staging area for each operation. This Division initiates and follows up on all eviction, boarding condemnations and demolition procedures on target properties.

Division of Fire: One representative, normally a Fire Prevention Bureau inspector in whose area the target property is located, participates in the team inspection. The fire inspector will, as deemed appropriate, consults with other team members during the determination that the structure should be condemned and issues fire citations regarding hazardous conditions observed.

Division of Environmental Health: One Sanitarian is assigned to the team to conduct health inspections on target sites upon notification. This person completes necessary reports, files necessary actions, and refers cases as appropriate in cooperation with the Division of Building and Housing.

Department of Public Utilities: One member of the Department of Public Utilities security Division accompanies the team in order to determine if any public utilities have been tampered with.

Division of Parks Maintenance: A crew is provided to supply appropriate post-raid clean-up services to target sites. One representative is assigned to the team in order to ascertain those actions to be taken and initiate whatever procedures are necessary.

Cuyahoga County Department of Human Services: One representative is assigned to take coordinating action with County Services in the event that a family with children or an elderly resident is forced to vacate the premises due to closure by the team. If, during the premises inspection, it is determined that any child or elderly person is living in endangered circumstances, the appropriate contact in the Welfare Department, Adult Protective Services, or Child Welfare is accessed by the Division of Health representative. Referral in the cases of children will be immediate and include reporting through the 696-KIDS hotline.

Community Relations Board: The Community Relations Board will have the appropriate district coordinator participate in team efforts by distributing informational literature to neighboring residences to enhance community cooperation in these and other anti-drug efforts.

City Prosecutor's Office: The prosecution of individuals regarding municipal ordinance violations initiated through team efforts will be monitored and prosecuted through this office.

STATISTICAL INFORMATION

- The frequency of Drug House closings has averaged 13 closings per month since program inception in July of 1991.
- Program activities have been concentrated primarily on the East side, with 77% of all closures occurring in the 4th, 5th and 6th Police Districts.
- As of this date, 57% of all property owners have taken some remedial action such as obtaining permits, filing appeals or settling with the City.
- 65% of all closings have resulted by searches conducted by the six individual District Vice and Strike Force Units while the remaining 35% have been accomplished by the Central Narcotics Unit.
- Since the implementation of the formal notification process, 65% of property owners notified by letter have responded and scheduled a voluntary inspection.

CLOSINGS BY POLICE DISTRICT

POLICE DISTRICT	TOTAL	PERCENT OF TOTAL
District 1	79	7%
District 2	119	11%
District 3	47	4%
District 4	377	36%
District 5	204	19%
District 6	248	22%

CLOSINGS BY CURRENT STATUS

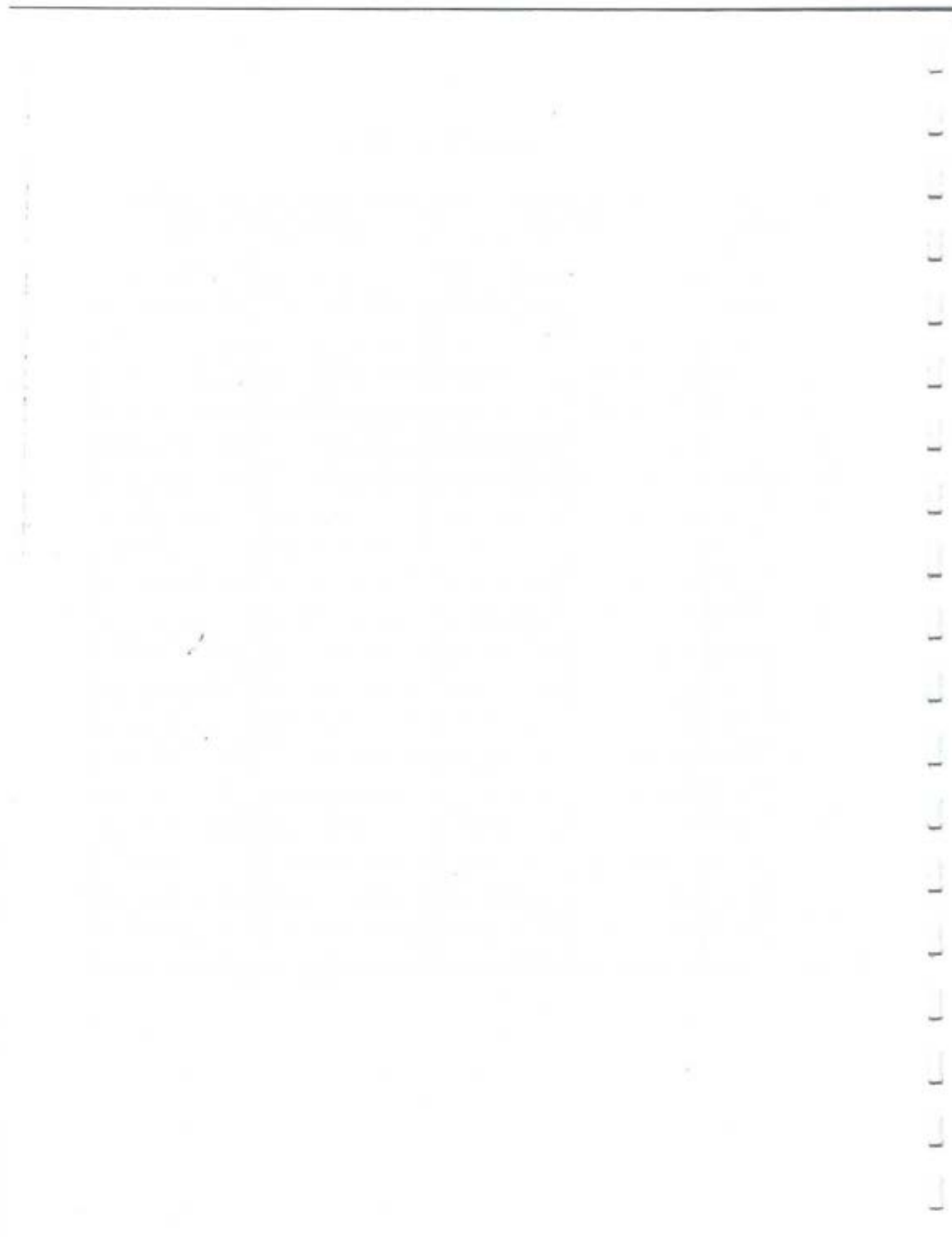
STATUS	TOTAL	PERCENT OF TOTAL
Closed	304	25%
Permits Issued	210	20%
Demolished	164	16%
Appeal Filed	22	2%
Settled	370	36%

CLOSINGS BY STRUCTURE TYPE

STRUCTURE TYPE	NUMBER	PERCENT OF TOTAL
Single Family	457	42%
Double Family	363	35%
Multi-Residential	177	17%
Business	62	5%
CMHA Estates	13	1%

CLOSINGS BY WARD

WARD	NUMBER	PERCENT OF TOTAL
1	54	6%
2	82	9%
3	106	11%
4	71	7%
5	85	6%
6	82	8%
7	96	10%
8	83	8%
9	64	6%
10	72	5%
11	12	1%
12	24	2%
13	55	6%
14	64	5%
15	15	1%
16	3	-%
17	58	5%
18	26	2%
19	14	1%
20	7	1%
21	1	-



In America

HOB HERBERT

Dismantle The Barriers

Rowing to rising anger and plunging poll numbers, Mayor Rudolph Giuliani told several hundred police recruits last week that they should go out of their way to treat people with respect. He told the cadets that they would do a better job and would reap "tremendous respect" for the Police Department if they dealt with people politely and conducted themselves with dignity.

At times he seemed to get carried away with his message, suggesting, for example, that officers were, in some sense, "civil rights workers" and that they should remember to say "Yes, sir" and "No, sir" while making arrests. Odd images come to mind: officers chasing a fleeing suspect while shouting, "Sir, please stop!" Or hard-nosed cops urging armed, drug-crazed individuals to please come to their senses.

But the Mayor's message was a good one, especially as it applies to encounters between the police and people who have committed no offense, or only minor offenses. Was the Mayor serious? Was he signaling a change in the way the police are expected to interact with New Yorkers?

History suggests no. The Mayor has kept his eyes carefully averted as large numbers of officers have gone into certain neighborhoods and used their badges and their guns to suspend the civil rights of the people who live there.

"We own the night" is the motto of the gung-ho Street Crimes Unit, which is charged with, among other things, taking illegal guns off the street. The Times's David Kocieniewski reported last week that 45,081 people were stopped and frisked by officers from the unit in 1997 and 1998. But the unit made only

That means that more than 35,000 people were, as Mr. Kocieniewski wrote, "stopped and frisked during the last two years simply because a street crimes officer mistakenly thought they were carrying guns."

This is the United States of America, not South Africa under apartheid. The police are not supposed to search people on a whim, and most Americans are not subjected to such searches. But it's a different story in black and Latino neighborhoods in New York City. As Richard Coram, a high school student in Brooklyn told me recently, "If you resist, you will get the beating of your life."

There are indications since the death of Amadou Diallo that public support for Mayor Giuliani is eroding, and that there is growing dissatisfaction with some of the tactics being employed by the Police Department. The Mayor's poll ratings have dropped sharply. And criticism of misconduct by the police can now readily be heard in most neighborhoods across the city.

A page 1 headline in The Times on Friday said: "After Shooting, an Eroding Trust in the Police."

No one is denouncing the department as a whole, but there is a growing sense of revulsion at some of its parts.

Ellie Weiss, a Brooklyn high school teacher whose students are frequently harassed by the police, said, "It really, really bothers me that my kids think this is a normal thing."

Tai Strickland of Jamaica, Queens, was quoted in Friday's Times as saying of the Diallo shooting, "The horror is these things just keep happening and piling up on each other."

I have interviewed many white New Yorkers who said they would have joined recent protests against police abuses if the protests had been led by someone other than the Rev. Al Sharpton.

"You think I like what's going on with the police?" said Audrey Rose, a resident of Park Slope in Brooklyn. "I hate it. But march with Sharpton? No."

Whether Mayor Giuliani is getting the message or not, it is time for leaders from the many different groups across the city to determine how to continue the fight against crime without trampling on the rights and the dignity of the innocent.

If the Mayor's comments to the police cadets were meant to be a step in that direction, terrific. If not, others need to take up the slack. New Yorkers need to be talking to one another — and with the many fair-minded members of the Police Department — to resolve some of these matters. There are ways to dismantle the barriers of mistrust. They need to be found. Few things are more important to this city. □

Let's find a way
to fight crime
without
trampling on
civil rights.

Dazzling Crime Statistics Come at a Price

By Richard D. Emery

The killing of Amadou Diallo should make us question New York City's continuing zeal to reduce crime and the so-called zero tolerance policy toward minor offenses. The political pressure on a mayor (especially one who may be aiming for higher office) to keep the bold line on the crime graph from leveling off is enormous, but the mathematics is unforgiving: once the crime rate drops to a certain point, police officers become like fishermen in fished-out waters, frequently catching not their prey, but hapless innocent victims.

New York's street crimes unit, four of whose officers were involved in the Diallo shooting, has almost tripled in size in the last several years, to 389 officers from 138, and Police Commissioner Howard Safir sees this unit as a major tool for keeping crime statistics going down. Mr. Safir has said he would like to bottle its enthusiasm and

Richard D. Emery, a civil rights lawyer in private practice, represents the Public Advocate's office and other clients in suits against the New York City Police Department.

force other officers to drink it.

The Commissioner's edict, however, has in the last two years resulted in 45,000 street searches to net fewer than 10,000 arrests. Thus 35,000 of those searches came up empty — that is, 35,000 degraded, humiliated people are part of the cost of "zero tolerance" and Mayor Rudolph Giuliani's

Tough policing is hurting too many innocent people.

single-minded quest to improve "the quality of life" in the city.

Regrettably, the bottled enthusiasm of the street crimes unit has spread to many street officers. This unit is not alone in the department's militant push to "own the night" and the streets. The drive to continue to achieve newsworthy crime reduction is encouraging officers to act on hunches and intuition; search, manhandle and insult anyone they suspect; brook no questioning of authority and assume that the people they

single out will understand and respect their swagger and commands.

Five years ago, when crime was rampant, oppressive tactics were not necessary to reduce crime dramatically. Good policing worked just fine. Commissioner William Bratton reinvigorated a lethargic department, which for the first time began checking warrants, allocating officers by crime geography, employing regular early morning meetings to gain supervisory control and deploying special units for specific problems.

With all these techniques, crime plummeted. Every year the statistics showed dramatic drops.

But what to do now? Mayor Giuliani and Commissioner Safir seem as if they will not let up despite unqualified successes. Apparently, for them to see a leveling of the graph's bold line is some form of surrender. Their philosophy of crime control is effectively sacrificing quality of life rather than preserving it.

In fact, zero tolerance is unacceptable in a free society. Zero tolerance means that only obsequious people, people willing to be searched and manhandled, can walk the streets. The essence of freedom is tolerance, not zero tolerance.

A balance must be struck that protects Amadou Diallo and other innoc

ent people. Crime control cannot become citizen control that deprives, first, members of minority groups and then the entire society of liberty.

The Diallo shooting crystallizes the point: overzealous policing leads inexorably to tragedy and backlash. Zero tolerance should be the catchphrase applied to police excesses, not crime control. □

Behind Police Brutality: Public Assent

By FRANK BRUNI

TO the extent that language provides cues for behavior, the errors that American governors, mayors, police chiefs and black associations have been giving cops on the beat in big cities over the past few years are unambiguous.

As James Alan Fox, dean of the College of Criminal Justice at Northeastern University, notes, these officers have been told that they form the front line in a "war" on crime and a "war" on drugs, that they have been called in special "operations" and drafted for bold new "offensives."

"We use all these paramilitary terms," Mr. Fox said, "and we have pronounced somewhat of a siege mentality among police: The enemy is out there, and there are more of them than we thought."

Mr. Fox passed, sighed and added, "When you have this sort of mentality, excessive brutality and improper actions are more likely to occur."

Mr. Fox's comments root set what is indisputably a dirty little secret embedded in the public angst over police brutality: many Americans have come not only to tolerate a degree of it from their police officers but also, in ways subtle and measurable, to encourage it.

That is not to say that Americans are untouchable by such glaring examples of excessive force as the beating of Rodney King by police officers in Los Angeles; the torture of Alton Louisma by police officers in a Brooklyn station house or, most recently, the killing of Amadou Diallo, an unarmed African immigrant, in a hailfire of police fire this month in the Bronx. In each case race became an issue.

Just about everybody would agree that if these flagrant episodes were the unintended consequences of aggressive policing — and it is by no means certain that they



Tension on the street: Police hunt for clues to an officer's shooting in 1997 in the Washington Heights section of Manhattan. Like many in the city, the officer was shot.

were — then the price for such a modest operation is exorbitant in the extreme.

But too frequently omitted from discussions of police brutality that attend these cases is the fact that many Americans have tacitly blessed a more vigorous, aggressive, belligerent brand of policing. And the line between law enforcement that is applied forcefully and law enforcement that is unapplied or abusive can be thin indeed.

"Sometimes, it's in the eye of the be-

holder," acknowledged William J. Bratton, former Police Commissioner of New York City. "That's part of the dilemma that police find themselves in."

The problem is not confined to the nation's police departments. It also confronts the politicians who help supervise them and the taxpayers who fund them. Under-

lying it is the age-old tension between public safety and civil liberties. The ques-

tion now is, can the "zero-tolerance"

crime policies that have come into vogue over the last decade be executed or achieved without the trampling of innocent people's rights?

The "zero tolerance" policy, which has been given a showcase in New York City holds that no crime — not the breaking of a window, not the jangling of a siren — is too insignificant to capture the swift, ef-

Continued on Page 2

Continued From Page 1

sive attention of the police. Proportionate more petty offenders and offenses today, goes the reasoning, and you will have fewer hard-core criminals and crimes tomorrow.

But as the police were being schooled in this new religion, Mr. Bratton said, they were also being taught a new zealotry.

"In wartime, which we were engaged in for a few years in this city, 'required certain strategies,'" Mr. Bratton said. Among those strategies, he said, was to be less timid in the investigation of crimes and the use of force, so long as the force was justified by the circumstances.

Those sorts of instructions, however, call for judgments that are bound to be imperfect. Take, for example, the statistics concerning the activities of the department's street forces unit. In 1997 and 1998, officers with the unit frisked more than 45,000 people thought to be carrying guns, but they arrested fewer than 3,000. The rest — the vast majority — were mistakenly detained.

Is that acceptable? The answer depends not only on the sensibilities of the person answering the question but also, in many cases, the race. Black leaders and civil libertarians said that when the police put more emphasis on preventive strategies, they inevitably lean on broad profiles in stopping and interrogating possible criminals, and those profiles are racist.

"When you rely on hunches, you rely on prejudices, and the people most likely to be stopped are black or Hispanic," said Ira Glasser, executive director of the American Civil Liberties Union. "When you start throwing around phrases like zero tolerance, you get those kinds of excesses. And if the cops can stop you at will, where's the public assent in that?"

David H. Diskin, Mayor Rudolph W. Giuliani's predecessor in New York, said that there was a certain blindness among white people who respond in the reduction in crime simply by chasing the ends without scrutinizing the means.

"That's what they'll say," Mr. Diskin said, "until one day, this white middle-class family has a son who comes home from Harvard or

Princeton or whatever university, and he comes home with his black classmates. And they, dressed as young people will dress, get into some altercation with cops" — and become victims of police brutality.

When it comes to force, there is not a police department in the country that expressly commands its officers to use it indiscriminately. Mayor Giuliani told police academy graduates last week that "in a very special sense, you are civil rights workers" whose job of public protection entails an "equal emphasis on treating everyone with respect."

But the broader goals that officers are asked to pursue, the fire ignited in them and the messages that the culture outside of police departments broadcast can easily coax them toward unjustified violence.

The heroes in televised police dramas like "N.Y.P.D. Blue," "Law and Order," and "Homicide: Life on the Street" regularly slash suspects against concrete walls, twist their arms behind their backs, even bloody their noses.

And yet there has not been a popular protest of the possible danger of such examples to match the outcry over, say, the chastely rendered beakings of a lesbian who owes a bookstore in the situation comedy "Ellen."

Some experts say that if Americans want to glorify violence, ratchet up the mandates of police officers and cut crime rates to ever lower levels, they must own up to the tradeoffs they are bound to be making.

"The more aggressive the police get, the safer the streets can be," Mr. Fox said, "but there's a price in terms of individual freedoms, civil liberties, civil rights."

"The essence of freedom is tolerance, not zero tolerance," Richard D. Husery, a civil rights lawyer, wrote in an Op-Ed article in *The New York Times* on Friday.

Thomas Rappetto, president of the Citizens Crime Commission of New York City, a watchdog group, said he did not want to believe that the opposition was that tiny.

"I see no inherent conflict between good crime control and respect for people's rights," he said.

But, he added with a note of pessimism, "It's very hard to apply to practice."

Policing Where the Crime Is

CODEFOR is Minneapolis' comprehensive approach to reducing crime by putting resources where the criminals are, and increasing the gathering and sharing of information.

Recent FBI statistics show that serious crime has been dropping steadily in U.S. cities since 1990. Certainly, some of the decline can be attributed to continued economic growth, perhaps reinforcing the maxim that a rising tide lifts all boats. But other factors are involved. Social programs funded by block grants and combined with joint public-private-sector partnerships are addressing some of crime's underlying causes. At the other end, aggressive law enforcement and improved police methods are taking more criminals off the streets.

This seems to be the story in Minneapolis. The city has had a strong economy and a broad range of social programs in place for five years. These factors — combined with community-oriented policing, proactive law enforcement and a GIS application called CODEFOR (Computer Optimized Deployment Focus) — have significantly reduced crime. In 1998, CODEFOR's

first year in operation, serious crime in the city was down 16 percent from the previous year.

According to Amy Phenix, press secretary to Mayor Sharon Sayles Belton, the city's strategy has been to tackle crime from both sides. "On the one hand, aggressive law enforcement on the other, intervention at the human level, helping more people to achieve self-sufficiency, helping those with chemical dependencies to get into treatment — focusing on the human condition underlying criminal activity."

Social Programs

The city and county are administering a wide range of social programs, often in collaboration with

the private sector. The Minneapolis Employment and Training Department works with employers to help bring the most-difficult-to-employ people — those with felony records, no work history, little education, and those who speak little English — into the workforce. A Youth Coordinating Board, with representatives from the respective city, county, library, school and park boards, provides free programs for young people, all operated by non-profits. To find out about the programs and activities, parents and kids can call a youth information line staffed by young people.

The mayor also pushed for later first classes in the morning to reduce unsupervised after-school time for

stronger emphasis on community policing. Through the national Police Athletic League, police officers, young people and families build community ties and positive relationships around athletic and recreational activities that include football, basketball, volleyball, roller skating, and a baseball league held in partnership with the Minnesota Twins.

CODEFOR

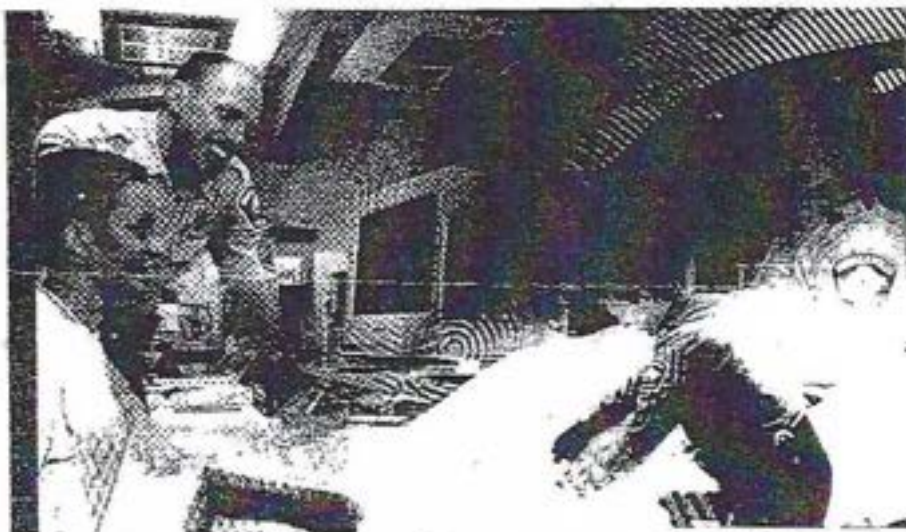
Olson also instituted many of the now widely adopted law enforcement measures promoted by former New York Police Commissioner William J. Bratton, including tougher anti-gang, anti-drug measures, the application of GIS technology to support proactive policing, and seeking longer sentences for chronic offenders, in cooperation with the city attorney's office.

Using Bratton's approach, the Minneapolis police put together CODEFOR,

first in New York City.

CODEFOR uses GIS technology to support four operational elements — accurate and timely intelligence, rapid deployment of personnel and resources, effective metrics and relentless follow-up and assessment. The GIS is MapInfo Professional, a Windows-compliant desktop system used in conjunction with MapMarker Plot, for geocoding, and MapMetric, which enables developers to create a simplified graphic user interface. For the department, a big advantage is being able to access, carve out and scale data from disparate sources — large DVI mainframes, Oracle, Access, Paradox, Excel, etc. — then pull the data into an application. CODEFOR runs on a client-server system with a local area network.

The technology makes accurate and timely intelligence possible in near-realtime. As crimes are reported,



middle-school students. For the chronically homeless and those with no income and few work skills, a special task force in the early 1990s created 108 transitional housing units, along with various support services.

One of the major changes Police Chief Robert Olson brought to the Minneapolis Police Department was a

crime-reduction strategy, partly based on methods instituted by the New York City police in 1993. One of the major differences was community response. Despite a 60 percent increase in arrests in the first year, complaints against Minneapolis officers dropped by one third. According to Minneapolis Sgt. Robert Allen, this was not the

via 911 and other channels, they are immediately plotted. All five precincts, and every unit and office on the force — patrol officers, investigators, administrators, special units and support services — can pull up a computerized map to see the types and locations of crimes almost as they occur. An area of a park, for example,

Solutions Summary

Problem: Minneapolis Police Department needed a way to analyze crime data and identify hot spots in the city.

Solution: The Minneapolis Police Department implemented CODEFOR, a GIS application that allows officers to view crime data on a map and identify hot spots.

Benefits: CODEFOR has helped the Minneapolis Police Department reduce crime by 16 percent in the first year of operation. It has also helped officers identify hot spots and allocate resources more effectively.

Former NYPD map master Jack Maple
puts his money where his
crime stats are.

Maple

BETTING ON INTELLIGENCE

Short of stature — about 5-foot-7 — and rotund, 46-year-old Jack Maple is given to wearing two-tone shoes, striped shirts, bow-ties and a homburg hat. But don't let his taste in clothing fool you. He cut his stylistic teeth in New York City's hot lunch spots, while cutting his professional teeth underground, in what New York's finest delicately refer to as the caves.

The caves are the New York subways — once considered as dangerous a place as any in the world. In the 1980s, Maple was an aggressive transit cop who moved up to the rank of transit lieutenant. When he got tired of responding to crime instead of fighting it, he went home and put his unshoaled but analytical mind to work.

"I called them the Charts of the Future. On 35 feet of wall space, I mapped every train station in New York City and every train," Maple recently explained. "Then I used crayons to mark every violent crime, robbery and grand larceny that occurred. I mapped the solved vs. the unsolved."

Later, when William Bratton was hired by the Transit Police to cut crime, Maple showed him the charts, and between 1990 and 1992 they cut felonies in the caves by 27 percent and robberies by a third.

In 1994, when Bratton was appointed by Mayor Rudolph Giuliani to head the NYPD, the new commissioner made the samboyeur Maple his second-in-command. The move,

ill-fated to promoting a Newburgh to admiral, ruffled many feathers. But using computerized Charts of the Future, precinct commanders were held accountable for crimes in their area. For the first time that anyone could remember, crime in New York City began to decline.

COMSTAT was born. COMSTAT is a process by which crime statistics are collected, computerized, mapped and disseminated quickly. Officers are held responsible for the crime in their area, and all crimes, including the "quality of life" infractions like loitering or public intoxication, are pursued aggressively. The program has become the talk of squad rooms nationwide.

Today, Maple is a high-paid consultant, with his partner John Linder, being hired by major cities, including New Orleans, Birmingham, Ala., Philadelphia, Newark, N.J., and Jackson, Miss., to break the grip of criminals. In every case, they are seeing results similar to those in New York City, while other communities are adapting the process without Maple's help.

Still, there are detractors who claim COMSTAT's dramatic success in what was once the country's most corrupt and dangerous city has more to do with a decline in the numbers of homicides nationwide, heavy-handed prosecution policies and the increase in the number of cops on the street, than with Maple's computerized strategies.

For those detractors, Maple provided a typically smart answer and a challenge.

By Raymond Dussault, Justice & Technology Editor
Photography by David Jennings

Q: A lot of people don't want to give COMSTAT full credit for the dramatic decline in crime rates in New York City. What is your response?

A: Across the nation, murder is down 21 percent. In New York, murder is down 70 percent. Everyone thinks crime is down a lot in America. Well, guess what? Across the nation, with New York removed, crime is down 3 percent. Whoopie. In 1961, murder, rape and robbery was 158 per 100,000. Now it is 570 per 100,000 — three-and-a-half times higher. Sometimes people build a fool's paradise.

The juvenile population from 1990 till now went up in New York. They have their statistics wrong, as usual. Between 1980 and 1990, while crime was going up, the juvenile population went down. In the 1990s, when we were implementing COMSTAT, it was the opposite. So they don't know what they're talking about. And I'd like to know how demographics change within a single year. In 1995, New York City accounted for 48 percent of the crime decline in America, even though they only have 3.3 percent of the crime.

When the ball went down in Times Square on New Year's Eve 1994, did all the 15-year-olds suddenly turn 50? Was there a mass exodus of juveniles overnight? They are uninformed.

I would be very happy to go into any city in the world with my partner, and any of the naysayers that have the guts can advise the chief of the department on half the city, with any of the commanders they want under them, and we will take the other half and advise them there. I'll put up \$100,000 of my own personal money against theirs that our strategies will reduce crime dramatically more. We'll see where the crime goes down. The winner can donate the money to the widows and orphans fund. I'll go up against any takers.

Q: How much credit do you give the whole COMSTAT process?

A: Let's say crime is going down, on its own, by 2 or 3 percent. COMSTAT will make it go down 15 percent. Let's say crime is going up by 20 percent all over. COMSTAT will keep it to 2 or 3 percent. The more intel you have, the better deployed you are, and if you hold people accountable, crime will go down.

Q: You pretty much created COMSTAT.

A: Yes, that's correct. COMSTAT can be boiled down to four fundamental principles:

1. Accurate, timely intelligence clearly communicated to all.
2. A rapid deployment that is concentrated, synchronized and focused.
3. Effective tactics and strategies.
4. Relentless follow-up and assessment.

Now what does No. 1 mean in the police world? It means that you have to get the crimes every day, the day they happen, and you've got to map them. You've got to map them in every precinct, every district, every squad room. Then everybody has to know about it.

The narcotics people have to know about the murders, the detectives have to know where the crack houses are, everybody needs to know where the fences [who move stolen merchandise]

are, where the chop shops are, where the quality-of-life problems are happening. Then you map everything.

You need to map the parolees. For instance, in New York there are 48,000 people on parole at any given time. About 4,500 of them have a warrant on them at any given time. You've got to map them. There are nonparolees with warrants on them. You have to map them.

Q: How does this change traditional policing?

A: One of the big problems in policing is, for example, you call up the police department and say there are two guys on the corner dealing drugs. They send a radio car. The guys see the radio car and what do they do? They map back into the doorway. The radio car keeps going. In police work, nobody memorializes that complaint. It drops right off the CAD screen. What should happen is that those complaints should go to narcotics in the local district or precinct to be worked on to see if it's a chronic condition.

That is why you hear people say that they keep calling and calling and calling, and the cops never do anything. It is because that simple complaint is never memorialized and the cops, from one day to the next, don't see that it is a chronic condition.

So you have to map everything, even the simple complaints. You map where the schools are, where the parks are, where the kids hold drug races, the prostitution places. Then you take those maps and lay them over each other; you do overlays.

Q: How does the mapping help?

A: The beauty of the mapping is that it poses the question, "Why?" What are the underlying causes of why there is a certain cluster of crime in a particular place. Is there a shopping center here? Is that why we have a lot of pickpockets and robberies? Is there a school here? Is that why we have a problem at three o'clock? Is there an abandoned house nearby? Is that why there is crack-dealing on the corner?

By looking at this, you can figure out where you need to be and when. You can figure out what time the pickpockets are working. You can look at stolen cars — where they are being stolen from and where they are being recovered. If only the bones are being found, you know there is a chop shop nearby.

A map can give you all this. Then you can start looking at patterns and chronic conditions.

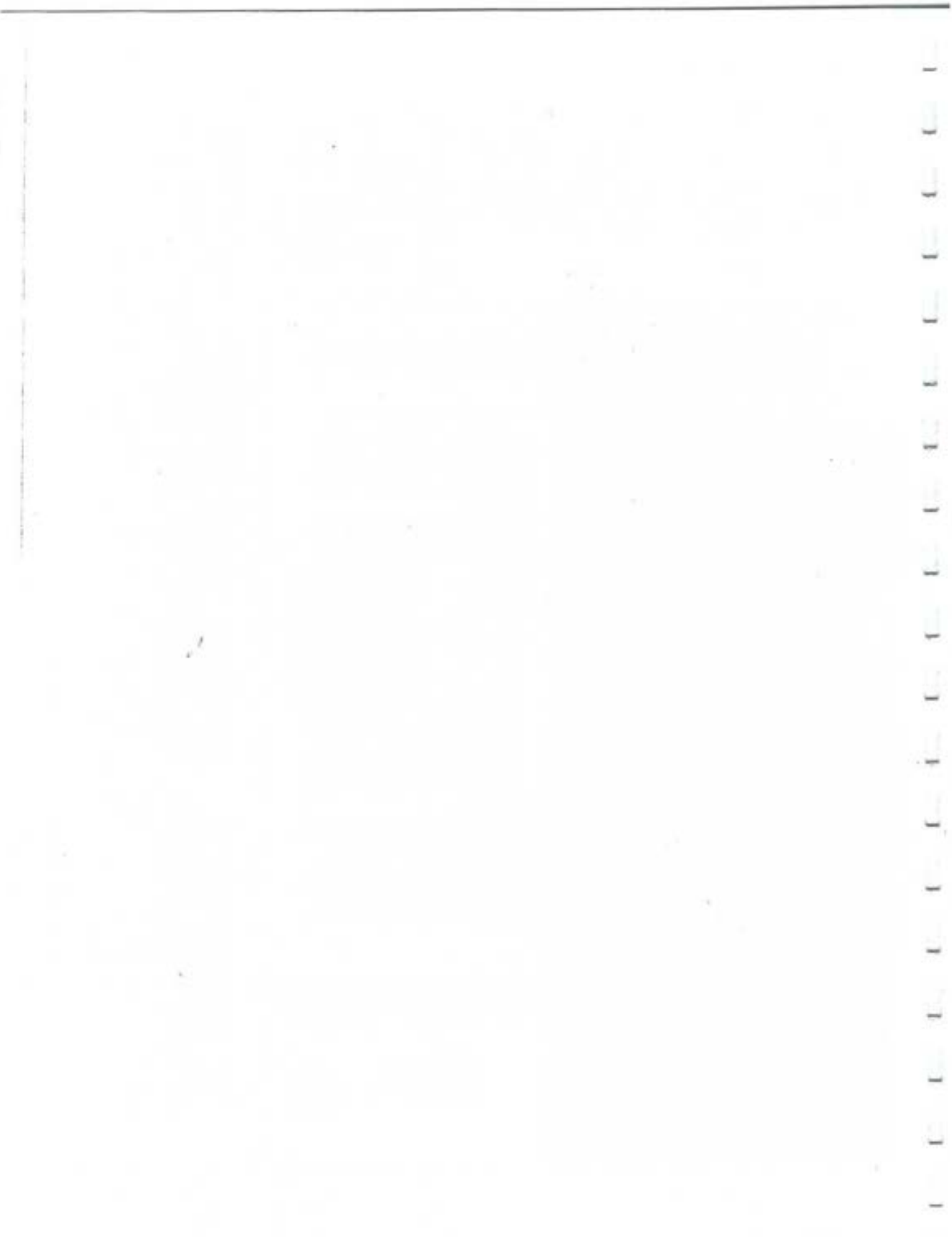
Q: Is this what you are doing in New Orleans?

A: Yes — accurate and timely intelligence clearly communicated to all. New Orleans now has a Web site. They put a map out every week. They have all the crimes for the week, every district, on the map.

Q: And this is more than just the COMSTAT meetings; it is public access, right?

A: Public access. Accurate and timely intelligence communicated to all. They put homicides year-to-date, they put shootings year-to-date, they put stranger rapes year-to-





Brutality Isn't Part of New Tactics

Don't Blame Police Anticrime Strategy for the Louima Case

By JACK MAPLE

THE case of Abner Louima, the Haitian immigrant who prosecutors say was brutalized on Aug. 9 in the basement of the 70th Precinct station house in Brooklyn, has many New Yorkers complaining that Mayor Giuliani's assertive anticrime strategies cause police brutality. But Mr. Giuliani is about as much to blame for what happened to Mr. Louima as Jodie Foster was in John Hinckley's shooting of President Reagan.

Since 1994, all New York Police Department strategies, including those of the Internal Affairs Bureau, have been based on four fundamental principles that I developed: accurate, timely intelligence; rapid deployment of forces; effective tactics; and relentless follow-up and assessment.

That means crimes are mapped daily to pinpoint where to deploy the police. Precinct commanders report to the Police Commissioner and executives of the department at monthly meetings where their efforts are scrutinized. Civilian complaints of police misconduct are also examined at these meetings and at similar Internal Affairs Bureau meetings. At both gatherings, commanders are questioned in excruciating detail on street crime and civilian complaints.

The overriding theme is this: You cannot break the law to enforce the law. Police brutality was not invented, encouraged or condoned by anticrime strategies put in place under the administration of Mayor Giuliani and his two Police Commissioners, Bill Bratton and his successor, Howard Safir.

From Teddy Roosevelt in 1895 to Mr. Safir today, the city's Police Commissioners have grappled with police corruption and brutality. Chronic corruption and brutality was uncovered in the 1860's and early 90's in many precincts, including the 75th and 77th in Brooklyn, the 30th in Manhattan, the 46th and 48th in the Bronx and the 104th in Queens. At that time the Police Department had no organized, assertive plan to reduce crime, as it does under Mayor Giuliani. Still, the seemingly never-ending reports of police abuse led Mayor DeWitt to appoint Judge Milton Mollen to head a panel to investigate.

The Mollen Commission reported

that most officers were honest and hard-working. It also exposed, identified and memorialized organized corrupt and brutal activities among the police before Mr. Giuliani was sworn in on Jan. 1, 1994.

Since the Mayor took office, crime overall has been reduced by 41 percent and homicide by more than 60 percent. Staffing on the city, transit and housing police departments was increased to 38,000 in 1994 from 36,600 in 1993. This led to a substantial increase in contacts with civilians. Arrests rose about 80 percent and summonses issued by officers went up by about 100 percent.

There were 2,095 civilian complaints against the police from July through December 1993, according to



A dismissed officer testifying before the Mollen Commission.

the first report filed by the Civilian Complaint Review Board. Basically, that works out to one complaint for every 91 arrests and summonses. For July through December 1996, there were 2,717 complaints, or one for every 146 arrests and summonses. The 1993 figure does not reflect complaints against the transit police, which was merged with the New York Police Department in 1995.

In that three-year period, civilian complaints rose along with a sharp increase in civilian contacts, the hiring of 2,000 Police Department officers and the inclusion of complaints against the 3,600-member transit police force. Still the ratio of complaints per arrests and summonses went down.

I cannot emphasize too strongly the number of civilian complaints against officers is still too high. What the police need is an internal quality-of-life strategy. By following the same fundamentals used to fight

The Civilian Complaint Review Board and the New York Police Department trial room, which officers view with a mixture of disdain and amusement, must become as focused, well-managed and relentlessly effective as the department has become against crime.

It can take up to two years for a civilian complaint to wend its way through the system, and only about 1 percent of those filed result in a disciplinary. That is unacceptable.

The caseload of the review board, which investigates police misconduct in the areas of force, abuse of authority, discourtesy and obscenity, is about 5,400 a year. It must be ordered to complete investigations within 45 days. The trial room must also finish within 45 days. This would insure swift punishment for guilty officers and timely exoneration for innocent officers. It would also deter future abusive behavior.

In addition, the Internal Affairs Bureau and the Civilian Complaint Review Board must constantly monitor officer conduct through undercover operations. These stings would expose excessive force, abusive behavior and discourtesy. These stings must be run relentlessly. Cops who commit bad acts will be forced to change for the better — or face termination — the same way that the quality-of-life strategy has forced a change in criminal behavior.

Weekly meetings between the Civilian Complaint Review Board and the Internal Affairs Bureau would guarantee coordination of integrity stings as well as identifying patterns and trends of abusive officers. At these meetings, city and Federal officials should be required to report any lawsuits or other complaints filed against the city that week. That would insure timely, accurate information for the combined agencies to act on and to be held accountable for.

The Police Department has gained 7,000 officers since 1991. It is imperative that more supervisors be hired, especially on late shifts, to insure professional conduct at all times. These supervisors must be informed of, and within reason, held accountable for civilian complaints against subordinates.

To the men and women of the New York Police Department: do not take any action you would not be proud for your family to see on the evening news. The entire department will be judged on your individual actions, as shown by the Louima case.

To the citizens of New York City: remember that New York is the safe-

Jack Maple was the New York Police Department's deputy commissioner for operations from 1964 to 1996. He

The New York Story: More Luck Than Policing

Evidence suggests that Mayor Giuliani was simply in the right place at the right time

By Richard Moran

New York Mayor Rudolph Giuliani and his former police commissioner, William Bratton, have seized credit for the abrupt drop in New York City's murder rate. They claim that their policing strategy of "zero tolerance" for minor lawbreakers like squeegee men has made New York safe again; now other cities, including Washington, D.C., are heralding their tactics as the best way to combat crime.

But while the argument that the police deserve all the credit for the drop in homicides sounds plausible, no solid scientific evidence supports their claims of omnipotence. Indeed, the weight of the evidence suggests that the mayor and his commissioner were simply in the right place at the right time.

The most significant thing one needs to know about the annual homicide rate is that it fluctuates. Look at the figures for New York City over the past 20 years, and you'll find that the homicide rate has twice gone down and twice gone up. From 1981 to 1985, murder fell by 24 percent (from 1,832 to 1,392), and from 1991 to 1996 murders declined by 55 percent (from 2,161 to 984). On the other hand, from 1978 to 1981, murders jumped 21 percent (from 1,518 to 1,832), and from 1985 to 1990 they soared 63 percent (from 1,392 to 2,262). Like the decline in snowfall in New England this winter after years of unusually high amounts, homicides in New York City also have returned to more normal levels.

The "broken windows" theory is a cornerstone of New York's policing strategy. It purports to explain how disorder, incivility and urban decay lead to crime: If a window is broken and remains unfixed, before long more windows will be broken. Because such transgressions proclaim that no one is in charge, official tolerance for nuisances such as graffiti and panhandling hastens a neighborhood's decline and animates serious crime. Aggressive enforcement of minor legal violations is the presumed remedy. By fixing broken windows, and arresting window breakers, the theory goes, a city sends criminals the message that law-abiding citizens retain control of the streets.

The contention that "grime leads to crime by attracting slime" is a seductive hypothesis. The empirical support for it, however, is weak. Improving a neighborhood's economic profile is at least as important. Ralph Taylor of Temple University has conducted one of the most extensive studies of the "grime, slime, crime" hypothesis. For 30 neighborhoods in Baltimore,

he analyzed three decades of crime and census information, conducted on-site assessments of neighborhood deterioration in 1981 and 1994, interviewed residents in 1982 and 1994 and talked to community leaders in 1994. In short, he explored the ability of natural variations in neighborhood deterioration to predict changes in crime. After accounting for a neighborhood's socioeconomic standing, racial makeup and community stability, he found that deterioration did result in some changes in subsequent crime rates.

But his principal conclusion remains: Crime leads to grime more than vice versa.

IN TRUTH, WHAT NEW YORK CITY PROVIDES IS AN interesting but essentially unprovable correlation between police practices and declining homicide rates. Unfortunately, the city's new policing strategies were implemented in a way that makes it impossible to evaluate their supposed effectiveness on the violent crime and homicide rate. If they had been introduced in some precincts and not in others, or if they had been part of a carefully controlled scientific experiment, then it might have been possible to evaluate the strategies scientifically.

A close and careful look at the data, however, reveals one indisputable fact that cannot be reconciled with the argument that the change in police methods is solely responsible. The decline in the murder rate began in 1991, three years before Giuliani and Bratton took office. Although the decline did accelerate shortly after they took office, this was only to be

Not surprisingly, experienced criminologists have been reluctant to endorse the claims of Giuliani and Bratton. Over 30 years of criminological research has shown that the ability of the police to influence crime is extremely limited.

expected. All trends take a while to gain momentum, whether we are talking about economic recovery, global warming or homicide rates.

And although New York City experienced the most dramatic decline, murder and violent crime have declined nationwide. Some cities that experienced a drop in crime adopted no policing practices, but many did not. For instance, East St. Louis, Ill., one of the most economically depressed cities in America, experienced a 60 percent decline in the homicide rate over the same period, from 67 homicides in 1991 to 27 homicides in 1996. During this time no new police practices were introduced. Rather, East St. Louis was so deep in debt that police layoffs were common. Most police cars did not have functioning two-way radios, and many remained idle due to a lack of money for gas. Nonetheless, proportionately the homicide rate declined more dramatically in East St. Louis than did in New York City.

Not surprisingly, experienced criminologists have been reluctant to endorse the claims of Giuliani and Bratton. Over 30 years of criminological research has shown that the ability of the police to influence crime is extremely limited.

For example, neither the number of police in a community nor the style of policing appears directly related to the crime rate. In 1991, San Diego and Dallas had about the same ratio of police to population, yet twice as many crimes were reported in Dallas. Meanwhile, Cleveland and San Diego had comparable crime rates even though Cleveland had twice as many police officers per capita. And in 1992, the District of Columbia had both the highest homicide rate and the most metropolitan police per square foot of any city in the nation.

If more police do not mean less crime, what about foot patrols? After all, they are another one of the cornerstones of the new policing strategy. The most thorough study ever of a 1981 analysis of police beats in Newark, N.J., found that patrols had virtually no effect on crime rates. Cops walking beat did make people, especially shopkeepers, feel safer, they did not lower the crime rate.

Even if a foot patrol officer manages to restore a small measure of order and civility to the urban landscape, the officer remains powerless to affect the social and economic forces that shape the lives of people in the inner cities. Poverty, lack of education, addiction and the paucity of jobs for unskilled workers are the real causes of crime and neighborhood deterioration.

1/6/99

TO: MAYOR'S ADVISORY COMMISSION ON ZERO TOLERANCE
FROM: MARY E. HOWELL
RE: SELECTED EXAMPLES OF CITY ORDINANCES WHICH REQUIRE REVIEW

154-1414 One-handed steering

Every rider of a bicycle, tricycle or other vehicle propelled by hand or foot must keep at least one hand on the handlebars of his machine when riding it. (Would cover child riding a "big wheel"; tricycle)

98-70 Animals and pets

Prohibits "fowl" in a mobile home park (pet birds)

54-482 Sound trucks prohibited

(Violation of freedom of speech;)

54-487 Misrepresentation of name, age or residence-Generally.

Prohibits using any id card, birth certificate or similar identification (Driver's license would be included) that contains erroneous or incorrect information. (mis-spellings would be incorrect). Doesn't require any intent to deceive or defraud.

38-12 Disturbing cemeteries

Prohibits use of "profane" or "improper" language while on premises of a cemetery. (Violation of freedom of speech; language in ordinance is vague and overbroad. What is "improper" language? Doesn't require any intent to disturb others).

38-13 Unlawful to play music in commercial establishments near cemeteries

(No requirement anyone be disturbed); Mere playing of "radio, phonograph or sound producing instrument in any commercial establishment located within 1,000 feet of the outer boundary line of any cemetery or burial ground between the hours of 9:00 a.m. and 6:00 p.m." is a violation. (Jazz brunch at Commander's Palace?)

54-313 Masks or disguises in public

(No exemption for Halloween; Would prohibit tourists wearing feathered masks on Bourbon St.)

82-113 Parents to notify school principals of contagious diseases

Covers "any contagious diseases occurring in their families." (Would include AIDS, other sexually transmitted diseases, flu, etc. of family members, must be disclosed to school principals)

90-38 Police news media pass; failure to return

Violation of holder of media pass fails to turn in pass within 5 days of termination of employment by the media agency named on the pass.

106-215 Animals, use of vehicles

"No person shall....(6) play a game on neutral grounds unless designated as a playground by the parkway and park commission" (Would cover kids playing football, people playing cards, checkers; children playing "tag")

54-412 Unauthorized public habitation

Unlawful to sleep on any public property in city or sleep in car parked on city street after police officer told to stop. (Previous ordinance "sleeping in public" held unconstitutional; defects not cured in this ordinance;)

54-404 Carrying of opened containers prohibited

(Covers metal and glass containers)

14-14 Obscene, etc. entertainments

Includes prohibition of "impure" and "immoral" show or any show "Manifestly tending to corrupt morals" (Terms of what is prohibited are vague and overbroad under numerous U.S. Supreme Court decisions as violating free speech).

14-15 Showing obscene pictures prohibited

Prohibits showing any "vulgar" picture, etc. (Terms of what is prohibited are vague and overbroad under numerous U.S. Supreme Court decisions as violating free speech).

cause acts of violence by the person to whom, individually, the remark is addressed.

- (3) To interrupt any lawful assembly of people by the use of words where such words, by their very utterance, inflict injury or have a direct tendency to cause acts of violence.
- (4) To address language to any person that makes reference to the person addressed as having sexual intercourse with himself or with another where such language inflicts injury, insults or causes acts of violence by the person to whom the language is addressed or is intended to inflict injury, insult or cause acts of violence.
- (5) To engage in a fistic encounter.
- (6) To act in a violent or tumultuous manner toward another whereby any person is placed in fear of safety of his life, limb or health.
- (7) To act in a violent or tumultuous manner toward another whereby the property of any person is placed in danger of being destroyed or damaged.

(Code 1956, § 42-77)

State law reference—Similar provisions, R.S. 14:103.

Sec. 54-404. Carrying of opened containers prohibited.

(a) It shall be unlawful for any person to carry or drink from any opened glass or opened metal container in or on any public street or sidewalk in the city.

(b) An opened glass or opened metal container is:

- (1) Any drinking vessel made of metal or glass, excluding drinking glasses, which are packaged and contain no liquid; or
- (2) Any container made of metal or glass upon which the seal has been broken.

(c) It shall be unlawful for any person to carry or drink from any opened glass or opened metal container in or on the following areas: any public park, playground, square or unenclosed public

place in the area bounded by the downtown side of U.S. Highway 90 (Business)—Mississippi River Bridge, the river side of North and South Claiborne Avenues, the uptown side of Iberville Street, the river side of North Rampart Street, the uptown side of Esplanade Avenue and the Mississippi River; Palmer Park bounded by South Carrollton Avenue, North Claiborne Avenue, Dublin Street and Panola Street; Samuel Square being 150 feet in depth on both sides of Napoleon Avenue bounded by Saratoga and Loyola Streets.

(d) The owner of every establishment which sells beverages in glass or metal containers in the city shall post two copies of this section in their establishments. Failure to post such copies shall be unlawful. These copies may be obtained from the department of finance.

(Code 1956, §§ 42-96, 42-97; M.C.S., Ord. No. 17,388, § 1, 1-18-96)

Sec. 54-405. Public drunkenness, drug incapacitation.

It is unlawful for any person to appear in a public place manifestly under the influence of alcohol, narcotics or other drugs, not therapeutically administered, to the degree that he may endanger himself or other persons or property.

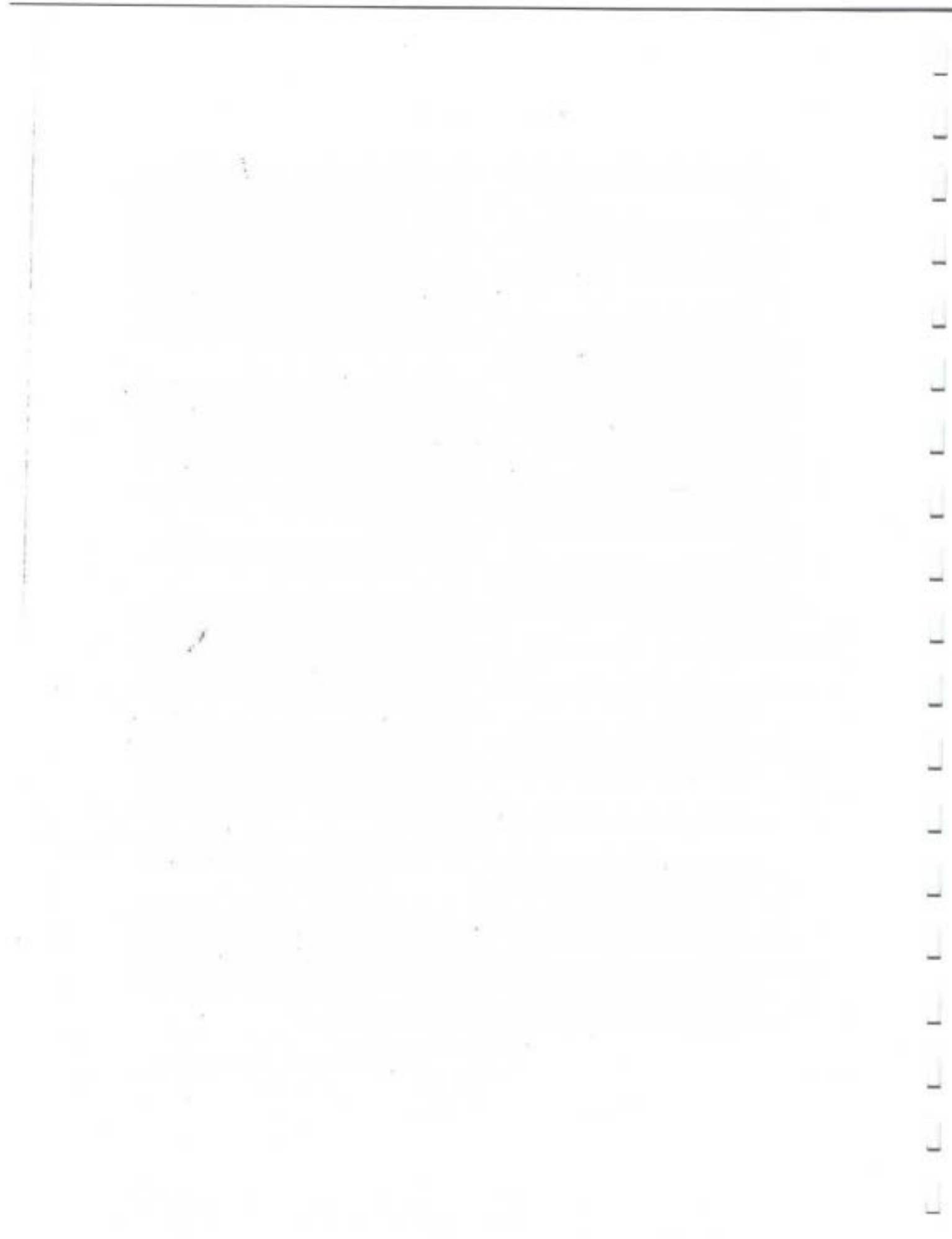
(Code 1956, § 42-76; M.C.S., Ord. No. 17,389, § 1, 1-18-96)

Editor's note—M.C.S., Ord. No. 17,387, § 1, adopted Jan. 18, 1996, repealed § 54-405, which pertained to posting of notice relative to the provisions of § 54-404; such provisions derived from § 42-97 of the city's 1956 Code and were effectively moved to subsection (d) of § 54-404. M.C.S., Ord. No. 17,389, § 1, adopted Jan. 18, 1996, added new provisions as herein set out.

Sec. 54-406. Opened containers to remain in establishments.

It shall be unlawful for owners of establishments which sell beverages in glass or metal containers in the city to knowingly allow any person to leave the premises of such establishment carrying an opened glass or opened metal container.

(Code 1956, § 42-98)



I N T E R

O F F I C E

MEMO

To: Sharon Carr Harrington
Captain Clarence Hebert
Keith Johnson
Marina Kahn
Chief Warren McDaniels
Curry Miller

Avis MarieRussell
Rene Steinkamp
Cynthia Sylvain-Lear
Wesley Taylor
Elrhei Thibodeaux

From: Bridget Bane, *Commissioner of Criminal Justice, Assistant to the Mayor*
Sharon Carr Harrington, *Director, Department of Sanitation*
Julie Schwam Harris, *Assistant to the Mayor for Intergovernmental Relations*

Subject: Environmental Code Survey

Date: May 25, 1999

Copy: Chief Richard Pennington
Winston Reid
Clifford J. Scineaux
Chief Ron Serpas
Shelia Webb

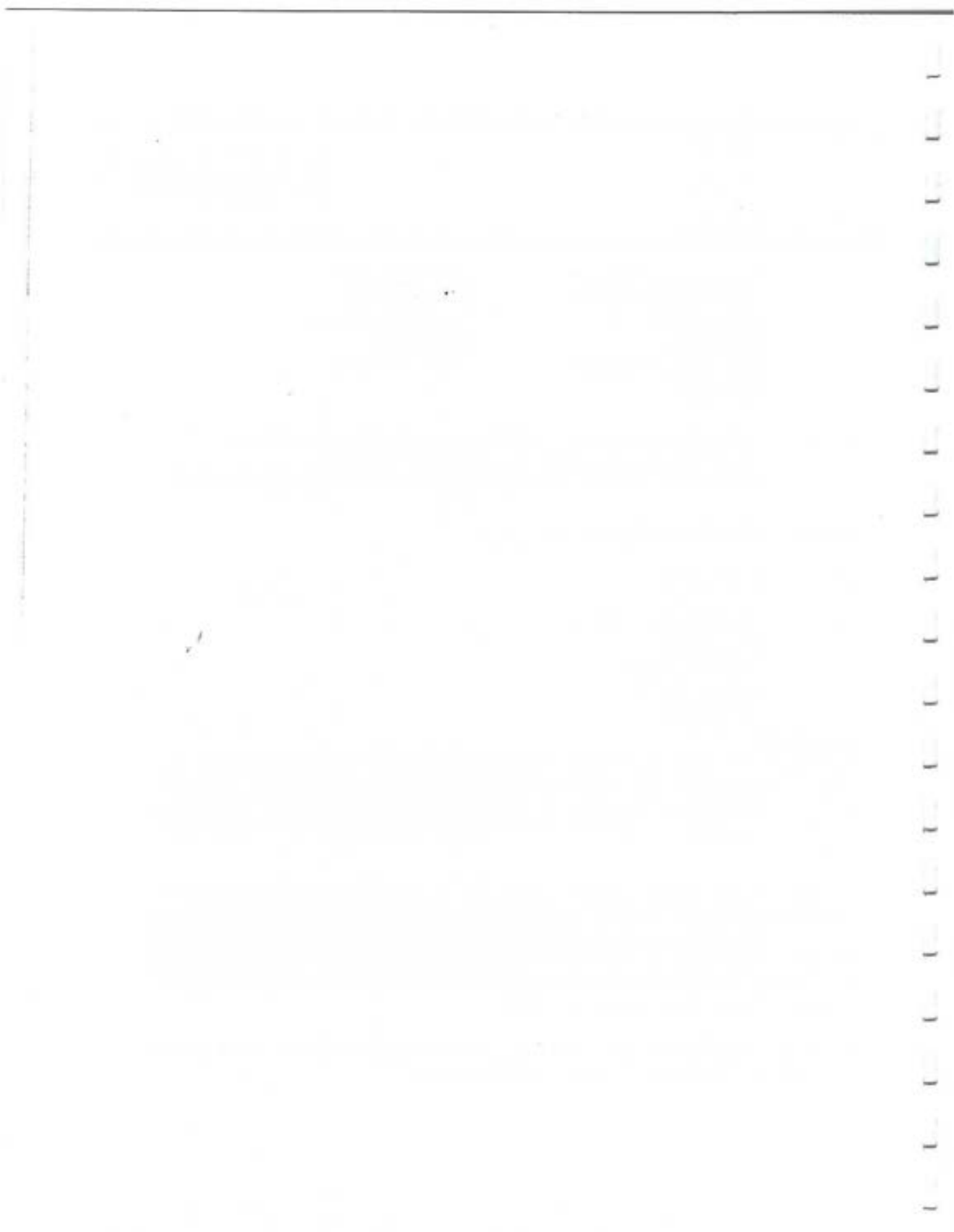
MESSAGE:

The City, in conjunction with the Zero Tolerance Commission, is developing a uniform environmental City code with comprehensive ordinances and effective penalties. As you know, many of the environmental sections of the code are outdated and/or ineffective. Our goal is to update and rewrite key sections of the code over the next six months with your department's input.

Your assistance is requested in determining your agency's needs and concerns relative to an effective environmental City Code. Please fill out the attached survey and include any specific environmental code issues that your department deals with that may have been omitted. Please return the survey to Julie Schwam Harris, City Hall, Room 2E04, by Friday, May 28, 1999. A member of the revision team will be contacting you soon to set up a meeting to discuss your department's city code concerns in more detail.

Please contact Sharon Harrington at 826-1803 or Julie Schwam Harris at 565-7987 if you have any questions. Thank you in advance for your cooperation.

Attachment



DEPARTMENTAL QUALITY OF LIFE/ENVIRONMENTAL CODE SURVEY

1. In your department, what division(s) is (are) responsible for enforcement of quality of life/environmental ordinances? How many employees does it have (please list by category of position--i.e. inspector, clerical, etc.)? Who is the department head or bureau chief?
-
-
-
-
-

2. Check which of the following issues your agency covers:

- Abandoned commercial buildings
- Abandoned housing (litter, uninhabitable, etc.)
- Abandoned vehicles
- Alcoholic beverage outlets (ABO)
- Basketball goals in the street
- Blocking the sidewalk
- Curfew violations
- Cruelty to animals (i.e. dog fighting, abandonment, violence, negligence, etc.)
- Dumpster violations
- Garbage placed out on non-collection days
- Gas tanks
- Graffiti
- Illegal activity and/or Drug activity
- Illegal dumping of trash and/or garbage on public property/streets
- Illegal Parking (i.e. cars on neutral ground, sidewalks)
- Illegal Parking (i.e. large trucks in residential areas)
- Junkyards (see Chapter 130, Article IV)
- Noise ordinance violations
- Open container law violations
- Solicitation in intersections

(#2 continued, check which of the following issues your agency covers)

- Tires
- Traffic enforcement (speeding, red lights)
- Tree branches, shrubbery accumulation
- Underage drinking
- Vacant lots (overgrown, litter, etc.)
- Zoning violations (e.g. illegal car repair operations)

Other: _____

Other: _____

Other: _____

Other: _____

Other: _____

3. What chapters and sections of the city code do you use? _____

4. How do you adjudicate violations? _____

5. Do you experience any of the following problems with respect to your adjudication process?
- a. Evidence problems
 - b. Notification procedures
 - c. Back log of cases
 - d. Delays in processing (e.g. continuances, scheduling conflicts, etc.). Explain.
 - e. Others. Explain.

6. For 1998, please list:

a. Total number of violations cited (reference question 2) with breakdown by category if available.

b. List number
complied.

c. List number adjudicated.

d. List number of cases found
guilty.

e. List the total dollar amount of penalties assessed and number of penalties collected.

7. Please provide a copy of your monthly, quarterly or annual reports for 1998.

8. Please identify any additional resources (personnel, etc.) needed to enhance your department's enforcement objectives.

9. A. What other city agencies do you work with or coordinate efforts with? Please specify any duplication or overlapping of efforts among your agencies.

B. What agencies could you work more closely with to better achieve your objectives?

10. Please list in order of priority specific enforcement problems that you would like to see addressed (specify code section).

The federal government defines "Brownfields" as "abandoned, idle or underused commercial and industrial sites where expansion or redevelopment is complicated by real or perceived environmental contamination."

11. A. Are you familiar with the city's Brownfields program? ___ YES ___ NO
- B. Do you have any idea how your code enforcement activities could specifically assist in the redevelopment of Brownfields? _____

C. Please suggest any new ordinances, changes to existing ordinances, or deletions of old ordinances that might help achieve this goal. _____



CITY OF NEW ORLEANS

OFFICE OF THE MAYOR
1300 PERDIDO STREET, SUITE 2E04
NEW ORLEANS, LOUISIANA 70112
(504) 565-6440



MARC H. MORIAL
Mayor

May 21, 1999

Dear Citizen:

Many organizations have approached the Mayor and the Police Chief asking for "Zero Tolerance" to be enacted in our city.

The Mayor and the Chief agree that there **must be** and is "Zero Tolerance" for violent crime in our city. The dramatic improvement in our crime statistics bears that out.

Before we push to enact "Zero Tolerance" for all Quality of Life violations, some of which are based on controversial or perhaps out of date ordinances, we want to make sure our community is in agreement on what and how we take these actions.

We have developed a survey of problems and ask you to fill it out with your opinions on which issues are significant in your area. We also ask that you distribute blank copies of this survey to neighbors, friends, church members, etc - to anyone who has a stake in the quality of life of our city. If you need large numbers of the forms for a group, call Nicole LaRosa at 565-7924 to get more sent to you. We ask that you return filled out surveys by June 30, 1999, which leaves enough time for those organizations that want to include them in newsletters to do so.

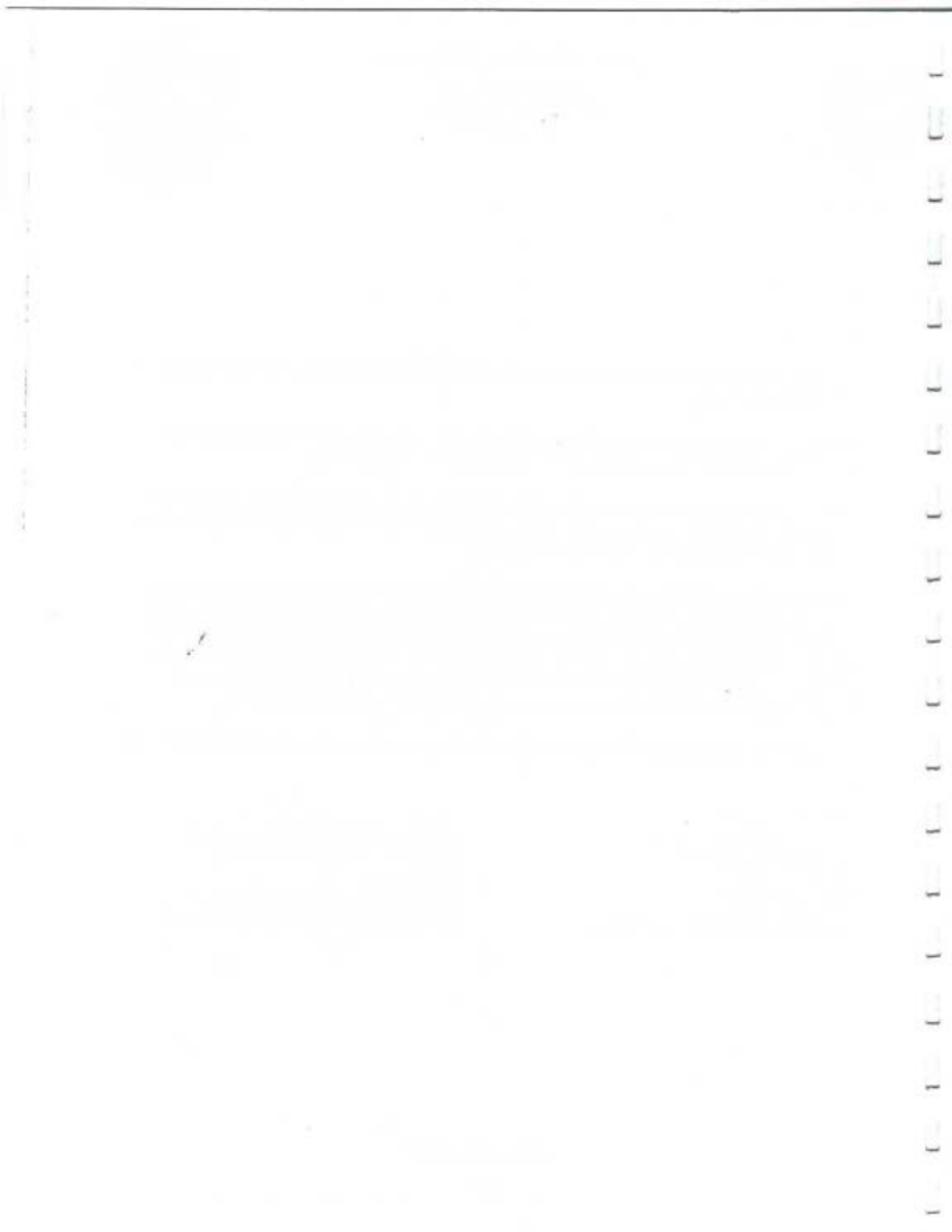
We appreciate your support of this effort. If you have any questions, please do not hesitate to call us.

Judge Paul Sens
Municipal Court
Zero Tolerance Task Force Chairman

Bridget Bane
Commissioner of Criminal Justice
Zero Tolerance Task Force Staff Liaison

An Equal Opportunity Employer





CITIZEN/NEIGHBORHOOD GROUP SURVEY

Please fill out any lines that are applicable. Please print
You may remain anonymous if you wish.

Name: _____

Home Address: _____

City: _____, State: _____ Zip: _____

Phone: _____

Organization Name: _____

Organization President: _____

Neighborhood Organization Boundaries: _____

Police District (if known): _____

Council District (if known): _____

1. The following is a list of quality of life problems. Put a check in front of each that is a problem in your neighborhood.

QUALITY OF LIFE PROBLEM	NEEDS BETTER ENFORCEMENT	ENFORCED TOO STRINGENTLY
___ Abandoned commercial Buildings	___ YES ___ NO	___ YES ___ NO
___ Abandoned housing (litter, uninhabitable)	___ YES ___ NO	___ YES ___ NO
___ Abandoned vehicles	___ YES ___ NO	___ YES ___ NO
___ Alcoholic beverage outlets (ABO)	___ YES ___ NO	___ YES ___ NO
___ Basketball goals in the street	___ YES ___ NO	___ YES ___ NO
___ Blocking the sidewalk	___ YES ___ NO	___ YES ___ NO
___ Curfew violations	___ YES ___ NO	___ YES ___ NO
___ Cruelty to animals (i.e. dog fighting, abandonment, violence, negligence, etc.)	___ YES ___ NO	___ YES ___ NO
___ Dumpster violations	___ YES ___ NO	___ YES ___ NO
___ Garbage put out on non-collection days	___ YES ___ NO	___ YES ___ NO
___ Gas tanks	___ YES ___ NO	___ YES ___ NO
___ Graffiti	___ YES ___ NO	___ YES ___ NO
___ Illegal/Drug activity	___ YES ___ NO	___ YES ___ NO
___ Illegal dumping of trash and/or garbage on public property/streets	___ YES ___ NO	___ YES ___ NO
___ Illegal Parking (i.e. cars on neutral ground, sidewalks)	___ YES ___ NO	___ YES ___ NO

QUALITY OF LIFE PROBLEM	NEEDS BETTER ENFORCEMENT	ENFORCED TOO STRINGENTLY
<input type="checkbox"/> Illegal Parking (i.e. large trucks in residential areas)	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO
<input type="checkbox"/> Junkyards (see Chapter 130, Article IV)	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO
<input type="checkbox"/> Noise ordinance violations	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO
<input type="checkbox"/> Open container law violations	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO
<input type="checkbox"/> Solicitation in intersections	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO
<input type="checkbox"/> Tires	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO
<input type="checkbox"/> Traffic enforcement (speeding, red lights)	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO
<input type="checkbox"/> Tree branches, shrubbery accumulation	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO
<input type="checkbox"/> Underage drinking	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO
<input type="checkbox"/> Vacant lots (overgrown, litter, etc.)	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO
<input type="checkbox"/> Zoning violations (e.g. illegal car repair operations, etc.)	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO
Other: _____	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO
Other: _____	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO
Other: _____	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO
Other: _____	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO

The federal government defines "Brownfields" as "abandoned, idle or underused commercial and industrial sites where expansion or redevelopment is complicated by real or perceived environmental contamination."

2. A. In your opinion, are there any such "Brownfield" sites in your neighborhood?

YES NO

B. Please list address or estimated address. _____

3. A. Do they contribute to quality of life problems in your neighborhood?

YES NO

B. Please explain how? _____

Quality of Life Survey Results

N.B. Even though we had better response than was expected, and a few surveys keep trickling in, the numbers are not statistically significant. They can be used to confirm some understandings or problems and attitudes in various neighborhoods and districts.

Observations:

Council District E, composed of the Lower Ninth Ward and all of New Orleans East, had the least responses, and yet experiences many of these problems severely. Council District B had the most responses because of the active involvement of the Warehouse Area Business Association, that encouraged many people in the Warehouse area and the Garden District to respond.

I tried to analyze those areas and categories that registered over 45% concerned with "Not Enforced Strictly Enough." The few answers that chose "Too Stringently Enforced" were statistically insignificant. (See handout of those responses.)

Abandoned Houses: every Council district but A shows over 45% thought the problem significant. All Police Districts but 8 (composed of the French Quarter, CBD, and part of Marigny) also thought so. All but Districts A and E had over 45% concerned about **Abandoned Commercial Properties**.

Abandoned Vehicles: All Council districts and most Police Districts registered over 45% concern.

Illegal Drug Activity: All Council Districts but A (predominantly Uptown & Lakeview) and all Police Districts except 7 (N.O. East) registered over 45% asking for stricter enforcement..

Illegal Dumping: All Council Districts and except for fractions of a per cent, all Police districts registered 45% concern.

Noise: Council Districts A, C, & D, and Police Districts 3, 4, 5, & 8 had over 45% saying ordinances needed to be more strictly enforced.

Traffic Enforcement: All Council Districts and a;; Police Districts except 1 registered over 45%.

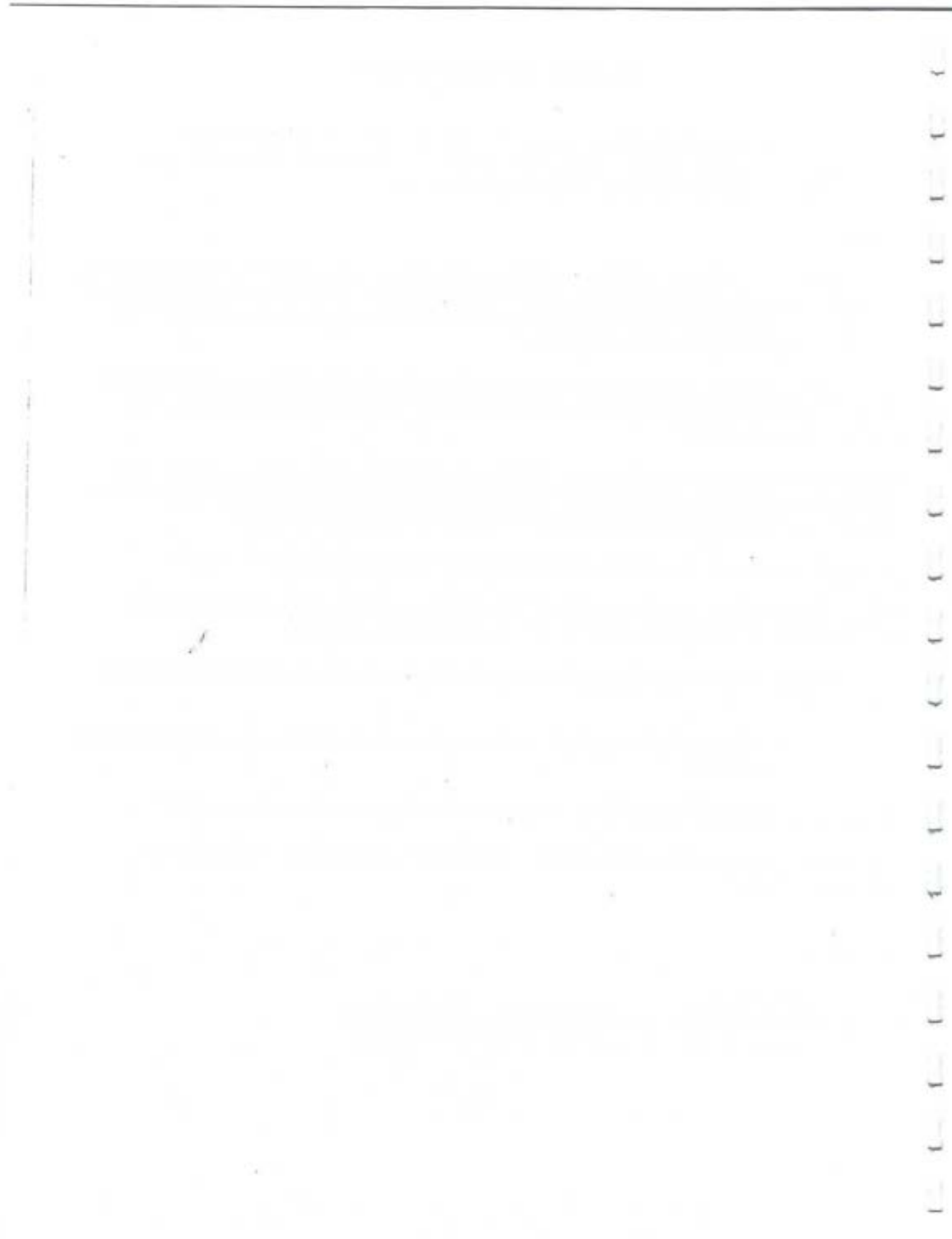
Vacant Lots: Council Districts B, D, & E, and all Police Districts except 8 (CBD, French Quarter) registered over 45%.

Next Steps:

Survey more people?

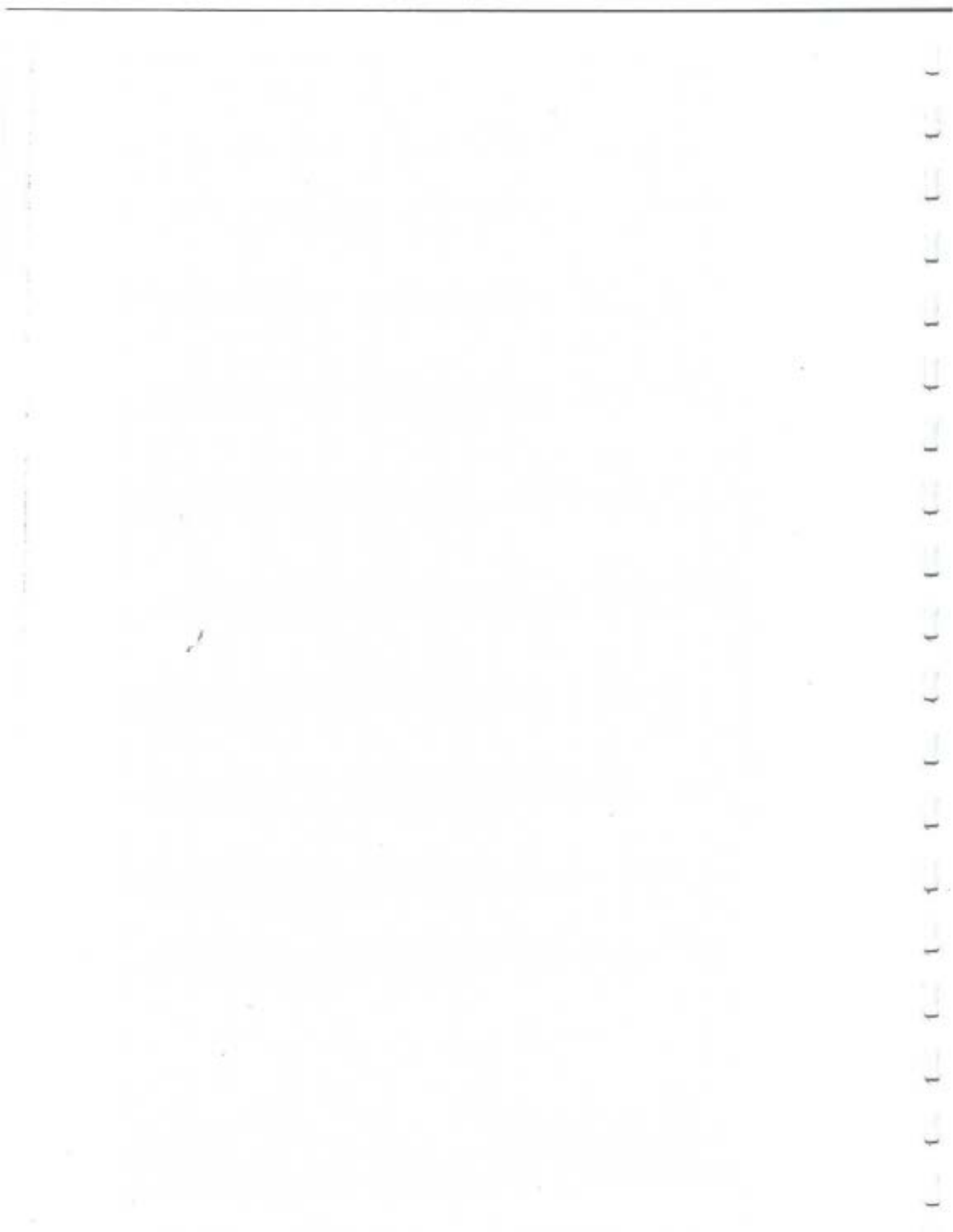
Educate citizens about enforcement of problematic rules and regulations?

Report to the Mayor and Chief key suggestions and problems identified?



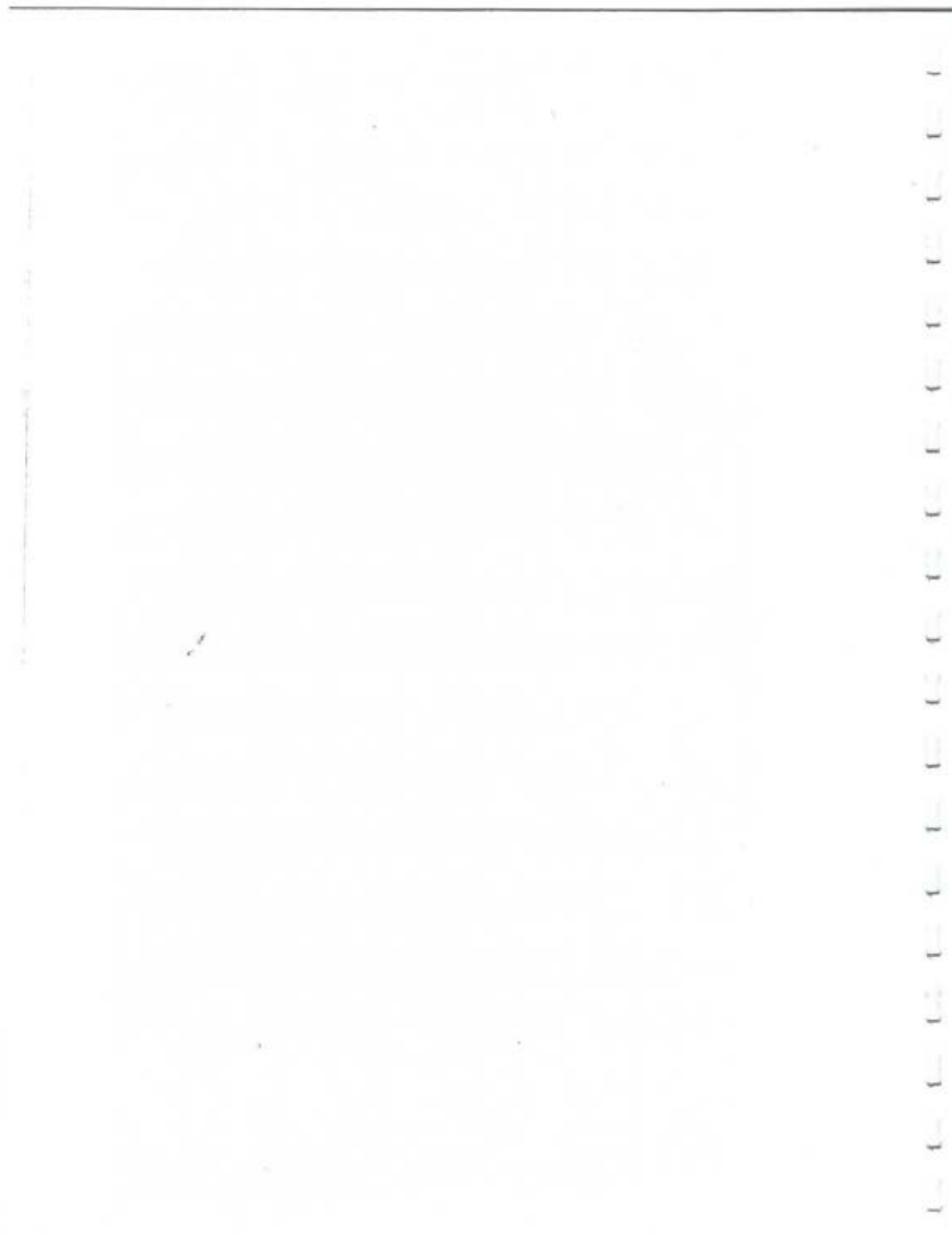
Quality of Life Survey Results-Issues that need better enforcement
By Council District

Council District	District A	%	District B	%	District C	%	District D	%	District E	%	% Dist
Response per district	172.00		200.00		204.00		170.00		166.00		
Abandoned Commercial Buildings	13.00	42.44	133.00	49.26	91.00	46.57	96.00	55.47	43.00	40.57	11.00
Abandoned housing	14.00	43.27	190.00	79.37	123.00	60.29	117.00	68.82	60.00	56.60	13.00
Abandoned Vehicles	83.00	48.54	143.00	52.56	97.00	47.55	132.00	63.88	50.00	47.17	10.00
Alcoholic Beverages	70.00	46.20	96.00	33.38	86.00	42.16	72.00	42.31	30.00	28.30	9.00
Basketball goals in the street	23.00	19.20	48.00	17.04	33.00	34.18	68.00	40.00	33.00	31.13	4.00
Blocking sidewalk	72.00	42.11	87.00	32.22	66.00	32.53	73.00	42.94	28.00	24.53	3.00
Curfew violations	59.00	34.50	12.00	4.41	94.00	46.08	98.00	56.47	37.00	34.91	7.00
Cruelty to animals	37.00	33.23	92.00	34.07	62.00	31.86	84.00	49.81	32.00	30.19	8.00
Dumpster violations	41.00	35.67	87.00	32.22	57.00	27.94	83.00	48.82	34.00	32.08	6.00
Garbage put out on non-collection days	71.00	41.52	100.00	46.74	91.00	44.61	77.00	45.29	31.00	29.23	7.00
Gar tags	36.00	9.36	35.00	12.96	28.00	13.73	49.00	28.82	15.00	14.13	3.00
Graffiti	71.00	48.32	133.00	42.39	91.00	45.19	81.00	47.63	29.00	27.36	8.00
Illegal dog activity	73.00	42.09	139.00	38.89	138.00	47.65	117.00	68.82	49.00	46.23	10.00
Illegal dumping of trash	80.00	46.78	145.00	52.70	109.00	53.43	96.00	56.47	32.00	29.06	8.00
Illegal parking (cars)	100.00	58.68	88.00	32.09	79.00	38.73	71.00	41.29	43.00	42.48	8.00
Illegal parking (large trucks)	74.00	43.27	101.00	37.41	80.00	39.22	94.00	55.29	43.00	40.37	9.00
Juicyards	21.00	21.64	48.00	17.78	29.00	14.22	56.00	32.94	39.00	38.87	3.00
Noise ordinance	87.00	30.88	172.00	41.48	115.00	56.37	95.00	52.94	41.00	38.68	7.00
Open container law violations	53.00	32.16	88.00	29.63	72.00	35.29	68.00	40.00	22.00	20.75	6.00
Substance in intersections	73.00	45.00	82.00	30.74	68.00	33.33	78.00	45.88	33.00	31.13	9.00
Tires	35.00	20.47	63.00	23.23	37.00	18.14	51.00	30.30	21.00	19.88	4.00
Traffic enforcement	184.00	60.82	328.00	47.41	113.00	56.37	96.00	56.47	42.00	38.49	10.00
Tow licenses	66.00	38.60	97.00	35.93	53.00	25.98	88.00	51.36	35.00	33.82	8.00
Unauthorized drinking	68.00	33.90	89.00	32.96	65.00	32.23	70.00	41.18	21.00	19.81	7.00
Vacant lots	75.00	43.86	130.00	51.48	90.00	44.82	100.00	58.82	72.00	67.92	6.00
Zoning Violations	83.00	36.34	81.00	31.48	70.00	34.31	73.00	42.94	37.00	34.91	3.00



Quality of Life Survey Results- Issues that need better enforcement
By Police District

Police District	#1	%	#2	%	#3	%	#4	%	#5	%	#6	%	#7	%	#8	%	No Dist
Responses per district	84.00		143.00		228.00		173.00		14.00		121.00		84.00		93.00		
Abandoned Commercial Buildings	48.00	57.14	64.00	39.26	128.00	56.14	34.00	44.16	42.00	56.76	52.00	42.98	28.00	33.33	43.00	46.24	12.00
Abandoned housing	65.00	77.38	87.00	53.27	149.00	61.48	36.00	72.73	54.00	72.97	83.00	68.60	39.00	46.43	48.00	43.81	33.00
Abandoned Vehicles	58.00	69.05	71.00	43.56	145.00	63.68	52.00	67.53	47.00	63.31	58.00	47.93	34.00	40.48	39.00	21.51	11.00
Alcoholic Beverages	36.00	42.86	53.00	33.74	189.00	47.81	21.00	48.26	28.00	37.84	42.00	34.71	18.00	21.43	43.00	46.24	10.00
Basketball goals in the street	21.00	25.00	26.00	12.27	86.00	37.72	22.00	28.57	21.00	28.38	17.00	14.00	13.00	17.38	3.00	3.25	5.00
Blocking sidewalks	34.00	40.48	37.00	34.97	102.00	44.74	25.00	32.47	24.00	32.43	34.00	28.19	15.00	17.86	33.00	35.48	4.00
Carfax violations	45.00	53.57	66.00	36.81	113.00	49.36	35.00	45.43	31.00	41.30	58.00	47.93	24.00	28.57	44.00	47.31	8.00
Cherly to animals	32.00	38.10	47.00	28.83	187.00	46.92	29.00	37.86	30.00	40.54	44.00	36.36	24.00	28.50	19.00	20.43	9.00
Disorderly conduct	28.00	33.33	37.00	23.70	181.00	59.44	21.00	27.27	28.00	37.84	45.00	35.54	23.00	27.38	26.00	27.96	7.00
Garbage pile out on non collection days	40.00	47.62	59.00	36.20	183.00	45.18	28.00	36.36	29.00	38.69	52.00	42.98	21.00	25.00	47.00	50.54	8.00
Gas leaks	16.00	19.05	12.00	7.36	17.00	21.00	14.00	18.18	14.00	18.92	16.00	13.22	9.00	11.71	5.00	5.38	4.00
Graffiti	35.00	41.67	48.00	29.43	27.00	35.79	19.00	24.68	29.00	38.69	38.00	47.93	13.00	17.86	37.00	41.29	9.00
Homeless activity	57.00	67.86	81.00	49.69	135.00	59.21	47.00	61.84	52.00	70.27	69.00	57.02	34.00	36.90	43.00	47.74	13.00
Illegal dumping of trash	49.00	58.33	73.00	44.79	211.00	57.46	47.00	61.84	49.00	64.05	62.00	51.24	37.00	44.05	43.00	46.24	8.00
Illegal parking (over)	33.00	39.29	66.00	40.45	144.00	54.29	34.00	44.16	38.00	51.35	33.00	27.27	27.00	32.14	31.00	33.33	9.00
Illegal parking (bays blocked)	32.00	38.10	35.00	32.74	127.00	35.79	38.00	49.33	33.00	44.09	46.00	38.62	29.00	34.52	31.00	33.33	18.00
Junkyard	21.00	25.00	22.00	15.90	76.00	33.33	12.00	15.58	15.00	20.27	19.00	15.70	14.00	16.67	9.00	9.68	3.00
Noise ordinance	34.00	40.48	66.00	40.49	111.00	57.46	31.00	40.43	48.00	64.05	51.00	41.33	28.00	33.33	60.00	64.52	8.00
Open container law violations	32.00	38.10	39.00	23.93	91.00	39.96	24.00	31.17	23.00	31.08	34.00	28.20	15.00	17.86	37.00	39.28	7.00
Salvage in enclosures	29.00	34.52	62.00	38.04	114.00	43.61	50.00	65.96	23.00	31.08	35.00	28.51	26.00	30.95	30.00	32.26	10.00
Tees	21.00	25.16	26.00	13.93	61.00	28.95	17.00	22.08	14.00	18.43	29.00	23.97	16.00	18.90	9.00	9.68	5.00
Traffic enforcement	36.00	42.86	83.00	52.13	175.00	59.21	33.00	43.23	48.00	64.05	65.00	49.59	31.00	40.71	48.00	51.64	11.00
Tax brackets	30.00	35.71	48.00	29.45	113.00	53.95	36.00	46.94	28.00	37.84	41.00	34.26	26.00	30.95	9.00	9.68	9.00
Unlabeled drinking	31.00	36.90	53.00	32.53	96.00	39.47	29.00	37.87	23.00	30.38	46.00	37.06	14.00	16.67	36.00	38.71	8.00
Vehicle lots	49.00	58.33	77.00	47.24	127.00	53.79	38.00	49.94	49.00	65.27	53.00	43.43	32.00	40.90	16.00	17.29	7.00
Zoning Violations	21.00	25.16	32.00	16.99	91.00	43.42	31.00	40.26	14.00	18.43	47.00	38.84	26.00	30.95	23.00	24.73	6.00



Zero Tolerance Commission

Meeting Minutes

Meeting held on:

November 4, 1998 at 6 p.m.

City Planning Conference Room

City Hall, 9th Floor

Attendees: Ms. Paula Arceneaux, *St. Mary of the Angels Catholic Church*
 Hon. Paul Bonin, *Traffic Court*
 Mr. Alvin Colomb, *Office of Health Policy*
 Mr. Ralph Brandt, *DA's Office*
 Ms. Carole Dahlem, *Dept. of Public Safety*
 Mr. Terry Ebbert, *New Orleans Police Foundation*
 Mr. Allen Stevens, *St. Philip the Apostle Church*
 Ms. Julie Schwam Harris, *Intergovernmental Relations*
 Mr. Tom McGoey, *Real Estate and Records*
 Chief Fritz Conrad, *NOFD*
 Captain Clarence Hebert, *NOPD*
 Hon. Paul Sens, *Municipal Court*
 Mr. Chris G. Young, *LA Ass. of Alcoholic Beverage Licensees*
 Ms. Nicole LaRosa, *Staff Support*
 Mr. Jerome Smith
 Ms. Mary Howell

I. Introduction

- A. Judge Paul Sens, Chairman
- B. Judge Paul A. Bonin, Vice-Chairman
- C. Mr. Gerry Coleman, Contract Consultant
- D. Members

II. Mission Statement

- A. Judge Sens distributed a draft of the mission statement to be decided on at the next meeting. This draft reflects purposes and goals stated in Executive Order MHM 97-007. He also pointed out that the Commission would need support from the mayor's office staff to fulfill this Executive Order, especially with Part 3: Scope.
- B. The Commission needs to get a survey instrument out to the civic and social organizations in order to get a feel for what the community really wants from the Zero Tolerance Commission.
- C. Mary Howell will give a speech at the next meeting on her perspective on Zero Tolerance.
- D. Julie Schwam Harris said that Zero Tolerance applies to a lot of broken codes related to Quality of Life, such as Housing, Health, Safety and Permits and Sanitation. The Commission must prioritize its goals due to limits in resources and time.



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- E. Alvin Colomb said the Commission's first priority is to address the community's needs.

III. Questionnaire/Survey

- A. Judge Sens and Julie Schwam Harris both said the survey needs to be streamlined to best reflect community concerns. This is to be discussed at the next meeting.

IV. New Business

- A. A concern for the committee to address is that ordinances are not being enforced equally over entire city. Despite differing neighborhoods, laws need to be enforced everywhere. The Commission serves a global function and needs to prioritize for the whole city.
- B. Alvin Colomb said that education is the key to serving the mission of the Commission.
- C. Jerome Smith said:
 1. The police need to be sensitive to a community's history and culture and that a lack of sensitivity can cause friction between the authorities and a community.
 2. Zero Tolerance lacks depth regarding youth (e.g. drug education, employment during school, etc.).
 3. Zero Tolerance should apply to the authorities as well as citizens in order to avoid an abuse of power from the police.

V. Mayor Marc Morial's speech

- A. Mayor Morial stressed the importance of using a Broken Windows type of enforcement, specifically preventing less serious infractions also prevents more serious ones.
- B. The Commission needs to define and prioritize what Zero Tolerance ought to mean in this community before it is applied by the police in order to be prepared for an increase of complaints of civil rights infractions and police harassment
- C. We want to align the enforcement and education strategies so that they work together.
- D. As a city, New Orleans is a collection of neighborhoods that are very different. The Commission needs to keep these differences in mind and act as a barometer or cross-section of the whole New Orleans community.

VI. Agenda for next meeting

- A. Mary Howell will speak to the Commission.
- B. Discussion/Agreement of the mission statement
- C. Summary of complaints made to the NOPD and Public Advocacy.
- D. Each member's individual priorities on Quality of Life.
- E. Survey

VII. Meeting adjourned. The next meeting will be held on December 2, 1998 at the City Planning Conference Room (9th Floor, City Hall).

1

Zero Tolerance Commission

Meeting Minutes

Meeting held on:

December 2, 1998 at 6 p.m.

City Planning Conference Room

City Hall, 9th Floor

Attendees: Ms. Paula Arceneaux, *St. Mary of the Angels Catholic Church*
Commissioner Bridget Bane, *Mayor's Office*
Hon. Paul Bonin, *Traffic Court*
Mr. George Bourgois, *DA's Office*
Ms. Elodia Blanco, *New Orleans Police Foundation*
Ms. Julie Schwam Harris, *Intergovernmental Relations*
Mr. Edwin Mazoue, *Real Estate and Records*
Chief Fritz Conrad, *NOFD*
Major Felix Loicano, *NOPD*
Mr. Chris G. Young, *LA Ass. of Alcoholic Beverage Licensees*
Mr. Gerry Coleman, *Contract Consultant*
Rev. Willie Gable, *Ruach, Inc.*
Mr. John Empey, *The Jeremiah Group*
Ms. Gale Empey, *The Jeremiah Group*
Mr. Philip J. Foto, *City Attorney*
Ms. Nicole LaRosa, *Staff Support*
Ms. Mary Howell

- I. Judge Bonin chaired the meeting at Judge Sens request.
- II. Mary Howell addressed the Commission.
 - A. Expressed appreciation for the existence of the Zero Tolerance Commission and for addressing these issues.
 - B. Problems with Zero Tolerance.
 1. Ms. Howell specified she is talking about Zero Tolerance strictly as it applies to criminal enforcement through methods such as sweeps, not to the effect Zero Tolerance will have on Housing or Environmental code enforcement. Zero Tolerance needs to be defined. As it is, it means "all things to all people. Said we should be pro tolerance and pro quality of life, but that doesn't mean we should tolerate everything. She feels the name Zero Tolerance sends the wrong image to the community.
 2. Application of Zero Tolerance has caused enormous problems in other communities in cities around the country, such as an increase in civilian

complaints, lawsuits and settlements paid by the city.

3. In 1997, 71% of NOPD officers had no complaints against them, 10% of the department was responsible for 58% of complaints. People are still fearful of lodging complaints against the police. Mary Howell said that "not all officers aggression can be caught with early warning systems."
4. Mary Howell stated "Zero Tolerance doesn't make crime drop." New Orleans has seen a dramatic crime reduction without Zero Tolerance. There has been crime reduction in other cities with bad police departments and departments without Zero Tolerance. Other factors affecting crime reduction are the:
 - a. Economy
 - b. Decline in crack trade - it has been monopolized
 - c. Demographics - reduction of age group most often associated with street crime.

C. Problems with the enforcement of Zero Tolerance.

1. Zero Tolerance enforces "stupid, old, defunct laws" such as a law against wearing masks except during Mardi Gras. Many such laws remain on the city code today. One cannot talk about Zero Tolerance without addressing the fact that there are a lot of unconstitutional laws on the books today.
2. The culture of a community may have developed independently and often in disregard to laws. Zero Tolerance is "the antithesis of community policing" which is when the police department has a relationship with the community.
3. The increase in civil rights infractions and abuses of power alienates the community and turns the community into the enemy of the police. Specifically, the stricter enforcement of a law against obstructing the sidewalk infringes on our right to move freely in our community when enforced illegally. A persons mere physical prescence is not a crime, rather he or she must be willfully obstructing the sidewalk.
4. Zero Tolerance is expensive and suggests the Commission ask Sheriff Foti:
 - a. How many people are brought in on minor, municipal charges (e.g. obstruction of sidewalks)? How does this compare with previous years?
 - b. How much is city paying to put people in jail for minor infractions? How does this figure compare with previous years?

D. Mary Howell suggested:

1. New Orleans needs an evenhanded, consistent approach to build a relationship with the community, not antagonize the community.
2. Need outside monitor looking at police reports and PID, as well as

relentless, consistent internal policing to monitor such things as courtesy.

III. Discussion

- Chris Young asked Mary Howell to reconsider joining the Commission.
- Mary Howell said she wants to attend meetings but not sure if she serves a better position off the committee than on it.
- Philip Foto said bringing in people blocking the sidewalk often catches serious offenders with long rapsheets.
- Paula Arceneaux said often loiterers do obstruct the sidewalk and harass others such as the elderly.
- Rev. Gable said often young people are given 30 days for obstructing the sidewalk and that takes away from time they could be working.
- Phil Foto said groups lounging on corners are threatening.
- Mary Howell said there was no problem with picking up menacing groups but that the sweeps also pick up innocent bystanders such as kids fixing bikes and people in line for clubs. Though most of these cases are dismissed the offender has already been held in jail for 2-3 days, while others plead guilty as the path of least resistance (i.e. they may not have money for an attorney).
- Major Felix Loicano said he is opposed to Zero Tolerance but believes strongly in Quality of Life and enforcement. He said he "will not tolerate the police department violating laws and individual rights." He said he also believes in an outside monitor and has someone coming from Nebraska to review the early warning program. The NOPD has implemented integrity tests and many officers passed even though some officers did not pass. He said he is aware of complaints and problems, both real and false and that the city needs to take care of good officers but also need to get rid of bad ones. The Comstat process will incorporate citizen complaints to increase accountability not only with crime zones but also with complaints.
- Julie Schwam Harris asked what are done with anonymous or third party complaints?
- Major Loicano said every complaint is profiled and can be reviewed. He also said they will be starting a review and analysis of municipal arrests.
- Julie Schwam Harris said the opportunity should be provided to lodge anonymous complaints because many people are afraid to complain about the police. She also noted that at the beginning of Mayor Morial's administration, many community groups demanded Zero Tolerance.
- Philip Foto said traffic court is most citizens introduction to the court system and the NOPD is respectful to citizens during traffic stops.
- Floyd Loicano said many complaints come in about traffic stops. The police are told to treat people like they would like to be treated.
- Mary Howell said we need to use a proactive strategy to encourage courtesy in policing.
- Commissioner Bane said that some of the things spoken about tonight need to be run by the mayor and the mission statement should be tabled until the next meeting. She

- suggested the Commission members take Mary Howell's words home to reflect on them.
- Gerry Coleman pointed out that a survey has been created that addresses some of Mary Howell's concerns and it will be presented to the mayor
 - Judge Bonin asked Gerry Coleman to look into acquiring a copy of city ordinances.
- IV. Meeting adjourned at 8:42 pm. The next Zero Tolerance Commission meeting will be January 6 at 6:00 pm in the City Planning Conference Room.

PRESENTED

Mary Howell distributed:

"Brutality Isn't Part of New Tactics" by Jack Maple, September 21, NYT

"Zero Tolerance Gospel" by Bruce Shapiro, Index on Censorship 4, 1997

"Cleveland Drug House Task Force Progress Report," August 7, 1998

Zero Tolerance Commission

Meeting Minutes

Meeting held on:

January 6, 1999 at 6 p.m.

City Planning Conference Room

City Hall, 9th Floor

Attendees: Ms. Paula Arceneaux, *St. Mary of the Angels Catholic Church*
Commissioner Bridget Bane, *Mayor's Office*
Hon. Paul Bonin, *Traffic Court*
Mr. Terry Ebbert, *New Orleans Police Foundation*
Ms. Julie Schwam Harris, *Intergovernmental Relations*
Mr. Edwin Mazoue, *Real Estate and Records*
Chief Richard Pennington, *NOPD*
Mr. Allen Stevens, *Deacon, St. Philip the Apostle Church*
Mr. Chris G. Young, *LA Ass. of Alcoholic Beverage Licensees*
Mr. John Empey, *The Jeremiah Group*
Ms. Gale Empey, *The Jeremiah Group*
Ms. Mary Howell, *Attorney*
Mr. Marc Bitner, *District Attorney's Office*
Ms. Nicole LaRosa, *Staff Support*

- I. The meeting was called to order at 6:10 pm. Judge Bonin chaired the meeting at Judge Sens request.
- II. The minutes of the December 2, 1998 meeting were voted on and adopted.
- III. Ms. Julie Schwam Harris presented some statistics on quality of life complaints made to the Mayor's Office of Public Advocacy (OPA) from 1994 to 1998. Ms. Harris pointed out that this report was representative only of complaints made to the OPA and does not reflect complaints made to other city departments directly (i.e. Housing, Public Works, Sanitation, etc.) or the NOPD. Ms. Harris requested that the report not be distributed to the Commission since the 1998 data was not complete thereby skewing the results.
- IV. DISCUSSION/DECISIONS
 - Several attendees felt that looking at the entire City Code at one time is too overwhelming and the Commission needs to pick some topics (for example abandoned cars or houses) and concentrate on them. The Commission could make a lot of progress on an issue if they work as a group and use their respective influence and resources.

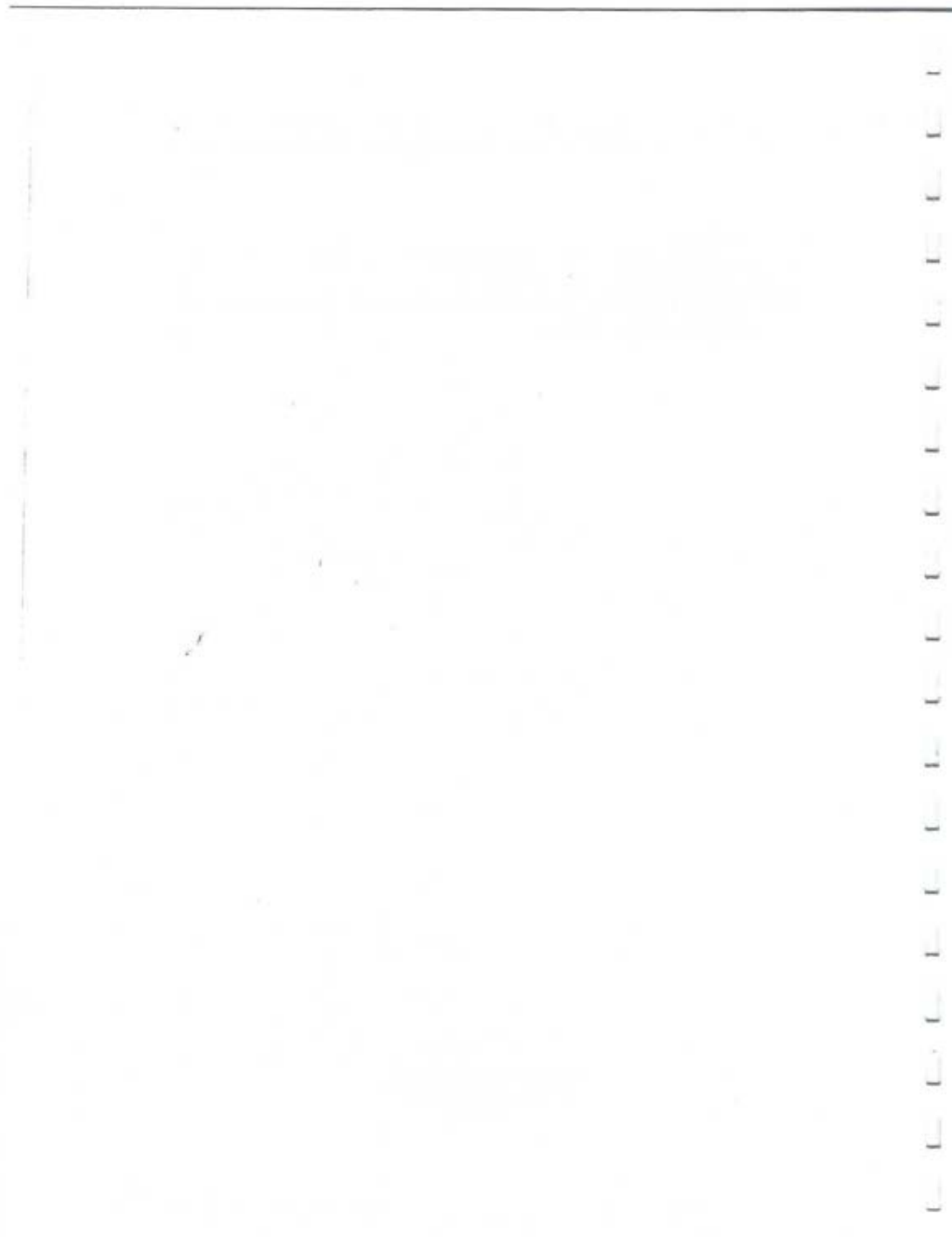
- The process of expropriation on abandoned houses is long and tedious. It can take anywhere from 18 months to years. When Mayor Morial was running for office, there were 37,000 abandoned units (houses and apartments) in New Orleans.
- Mr. Terry Ebbert said the Commission should call on department heads to report to the Commission on exactly what their resources and needs are as well as problems they have in enforcing quality of life ordinances such as funding and personnel. Commissioner Bridget Bane endorsed this idea. Mr. Ebbert also put forth the idea of giving Municipal Court the power to act regarding abandoned houses.
- Mr. Chris Young offered to take on the burden of making a few copies of the City Code to pass around to Commission members. Judge Bonin suggested members look over the code and mark their opinions/ideas about individual codes.
- It was decided that representatives from the Departments of Public Works and the Health Department would be invited to observe the February 3 meeting. These same departments will be asked to report to the Commission on the quality of life issue of abandoned cars at the March meeting.
- The Zero Tolerance Commission also needs to look at controversial issues. Abandoned cars is an easy issue because everyone can agree that they need to be removed.
- Julie Schwam Harris pointed out that the equal enforcement of ordinances across all neighborhoods is an issue that needs to be reconciled. Ms. Harris said that the Commission needs to help Chief Pennington resolve this issue. She pointed out that most neighborhoods want the same thing and there are legal and constitutional problems with selective enforcement.
- Mr. Terry Ebbert said mapping infractions will show hot spots. He suggested a using a system similar to COMSTAT to see where more enforcement is needed.
- Commissioner Bane suggested using college students to analyze the Commission's data and go over the City Code. Any other suggestions are welcome.

- V. Meeting adjourned at 7:40 pm. The next Zero Tolerance Commission meeting will be February 3 at 6:00 pm in the Enterprise Community Conference Room, City Hall, 8th floor.

PRESENTED

Mary Howell distributed:

- "The New York Story: More Luck Than Policing," Richard Moran, 2/17/97, The Washington Post National Weekly Edition
- Memo from Mary Howell to the Commission regarding Selected Examples of City Ordinances Which Require Review



HEALTH DEPARTMENT
BUREAU OF ADMINISTRATIVE ADJUDICATION
1988-1998

The Bureau of Administrative Adjudication, now in its 10th year, has handled over 37,000 cases for civil adjudication of city ordinances. Cases are received for disposition from our Bureau of Environmental Enforcement as well as the following departments/agencies:

Safety and Permits- Zoning & Building sections
Police- Quality of Life officers
Sanitation
Parkways and Parks
Fire - Prevention
Housing
Vieux Carre' Commission
State Health - Sanitarian Services, Immunization Unit
SPCA

Cases are also heard from citizens on matters such as nuisance noises, animals, littering from motor vehicles and illegal dumping.

As it relates to blighted properties, over 1600 cases have been handled since receiving Councilmanic approval to heard such matters in November, 1997.

Per resolution R-98-718 dated November 5, 1998, we are gearing up to hear, in January 1999, cases submitted by Parkway for blight designation on vacant lots. We anticipate approval to hear Historic Districts Landmark Commission matters in the near future.

Attached are general statistics for 1997 and through October, 1998.



**BUREAU OF ADMINISTRATIVE ADJUDICATION
CASELOAD SUMMARY
OCTOBER, 1998**

Disposition of Cases	This Month	Year to Date
Guilty	334	3,534
Not Guilty	1	4
Dismissed	20	225
Reset	103	765
TOTAL	458	4,528

Hearing Cost and Fines Collected	\$31,125.45	\$629,777.19
Hearing Cost and Fines Assessed	\$79,775.00	\$871,825.00

Cases Originating From:	This Month	Year to Date
Citizens	0	4
Environmental Enforcement	73	1,643
Fire	3	44
Health Permits	0	0
Housing - Blighted	176	870
Housing - Nuisance	0	0
Litter	1	18
Nuisance	0	0
Parkway and Parks	29	231
Safety and Permits	6	89
Safety and Permits - Building	0	0
Sanitation	60	591
SPCA	7	117
State - Immunization	0	31
State - OPSS	4	20
Vieux Carre	0	41
Other	0	82
TOTAL	359	3,781

BUREAU OF ADMINISTRATIVE ADJUDICATION
CASELOAD SUMMARY
DECEMBER, 1997

Disposition of Cases	This Month	Year to Date
Guilty	312	4104
Not Guilty	0	3
Dismissed	6	138
Reset	55	610
TOTAL	373	4,855

Hearing Cost and Fines Assessed	\$82,325.00	\$826,905.00
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Cases Originating From:	This Month	Year to Date
Citizens	0	14
Environmental Enforcement	77	2,515
Fire	8	174
Health Permits	0	0
Housing - Blighted	101	168
Housing - Nuisance	0	314
Litter	0	26
Nuisance	0	2
Parkway and Parks	0	255
Safety and Permits	2	81
Safety and Permits - Building	0	0
Sanitation	63	330
SPCA	27	184
State - Immunization	0	1
State - OPSS	0	14
Vieux Carre	22	45
Other	20	169
TOTAL	320	4,292

**Mayor's Office of Public Advocacy
Zero Tolerance Report 1994-1998
Selected Quality of Life Issues**

Department	Issue	1994	1995	1996	1997	1998*	Totals
Health/Environmental Enforcement	Abandoned Houses	78	162	183	128	45	596
	Health Code Violation Report	77	139	127	76	30	449
Housing	Abandoned Houses/Buildings	74	190	200	124	45	633
	Housing Code Violation Report	9	41	37	29	8	124
NOPD	Drug Activity/Illegal Activity	51	131	105	98	29	414
	Illegal Dumping	1	2	0	1	2	6
	Noise Complaints	7	11	16	7	4	45
	Traffic Enforcement Request	8	21	45	14	12	100
	Alcohol Beverage Outlet				3	88**	91
Parks & Parkways	Abandoned Lot	40	59	118	100	39	356
	Grass Cutting (Parks & Playgrounds)	5	8	11	12	5	41
	Grass Cutting (Neutral Grounds)		2	25	8	3	38
	Trees	19	23	50	41	19	152
Public Works	Drainage/Flooding	8	24	36	35	26	129
	Pothole, Sinkage, Bump, Crack	47	58	88	72	33	298
	Abandoned Cars	60	107	91	47	15	320

**Mayor's Office of Public Advocacy
Zero Tolerance Report 1994-1998
Selected Quality of Life Issues**

Department	Issue	1994	1995	1996	1997	1998*	Totals
Safety & Permits	Zoning Problem	10	26	51	39	15	141
Sanitation	Illegal Dumping	6	19	58	38	17	138
	Litter Enforcement	8	9	13	8	10	48
Sewerage & Water Board	Catch Basin/Storm Drain Clogged/Oil	8	10	6	4	19	47
	Cut/Pothole/Sinkhole	13	27	28	26	9	103
	Drainage/Flooding	17	21	27	20	25	110
	Repair Not Completed	6	9	23	32	8	78
	Water Leak/Problem	15	57	47	31	47	197
Utilities	Street Light Repair	7	13	14	7	2	43
	Street Light Request	5	5	8	8	2	28
		579	1,175	1,407	1,008	557	4,726

* 1998 figures are incomplete; only include an estimated 65 percent year totals

** Figures from Finance Department-Alcoholic Beverage Unit

Zero Tolerance Commission

Meeting Minutes

Meeting held on:

February 3, 1999 at 6 p.m.

Enterprise Community Conference Room

City Hall, 8th Floor

Attendees: Paula Arceneaux, *St. Mary of the Angels*
Hon. Paul Bonin, *Traffic Court*
Gerry Coleman, *Coleman & Associates*
Terry Ebbert, *New Orleans Police Foundation*
Bridget Bane, *Mayor's Office of Criminal Justice*
Jovita Padilla, *Project New Hope*
John Empey, *The Jeremiah Group*
Gale Empey, *The Jeremiah Group*
Reverend Willie Gable, *Ruach, Inc.*
Edwin Mazoue, Jr., *Real Estate and Records*
Julie Schwam Harris, *Mayor's Office of Intergovernmental Relations*
Mary Howell, *Attorney*
Chief Fritz Conrad, *New Orleans Fire Department*
Hon. Paul Sens, *Municipal Court*
Allen Stevens, *St. Philip the Apostle Church*
Wes Taylor, *Health Department*
Curry Miller, *Department of Public Works*
Clifford Scineaux, *Department of Public Works*
Phil Foto, *City Attorney*
Marc Bitner, *District Attorney*

- I. The meeting was called to order at 6:10 pm. Judge Paul Sens chaired the meeting.
- II. The minutes of the January 6, 1999 meeting were voted on and adopted.
- III. Jack Maple's address to the Commission
 - Mr. Maple developed the idea of quality of life enforcement in the New York City subway. There were 4,000 homeless people living in the subway and crimes such as fare beating and robbery were out of control. In fact, 10% of all robberies happened in the subway, compared to 2% of overall crime. In 1990 Mr. Maple wrote a plan to reduce subway crime using quality of life enforcement as part of his strategy.

- Mr. Maple said he has seen Zero Tolerance used to fight two kinds of crime: domestic violence and police corruption. He said he does not know of any other time Zero Tolerance has been used. Zero Tolerance is only one strategy and separate strategies, such as gun control, can be used for other types of crimes.
- The enforcement Mr. Maple developed responded to community complaints about quality of life issues such as loud radios, urinating in public, prostitution, bicycles on sidewalks, abandoned cars and buildings, littering, blacked out windows and open air drug dealing. Mr. Maple stressed that only people violating ordinances should be approached and they should be approached equally. He said that Zero Tolerance should be designed to clear up the condition the public complained about and catch the criminal.
- Procedure: Officers asked the violator for identification. If the perpetrator did not have ID they were taken to the police department to be identified. If the perpetrator did have ID, the officer ran a check for any warrants and/or the parole status of the perpetrator. If the perpetrator cleared this check, he was issued a ticket and released. If the perpetrator had a warrant or was violating parole (e.g. breaking curfew, consorting with other parolees), he was immediately arrested. Mr. Maple said that each individual's background dictated the appropriate response by the police.
- Mr. Maple's strategy used briefing and debriefing by detectives. It was the first time detectives were held accountable to know what was happening in their precinct. Mr. Maple's strategy employed Comstat to map quality of life crimes with more serious crimes such as rape, assault and murder. It was discovered that where there are minor crimes there are also major crimes. It follows that clearing up the minor crimes may reduce major crime. For example, clearing up prostitution often reduces assault and robbery.
- There were two levels of policy in Mr. Maple's strategy: external and internal. In the external level, representatives from all city agencies were at the Comstat meetings, including Sanitation, Public Works, Parks, the Fire Department. These representatives were expected to be able to answer questions such as "Why is this park dirtier than that park?" and "Why are there more fires on commercial property than on private property?"

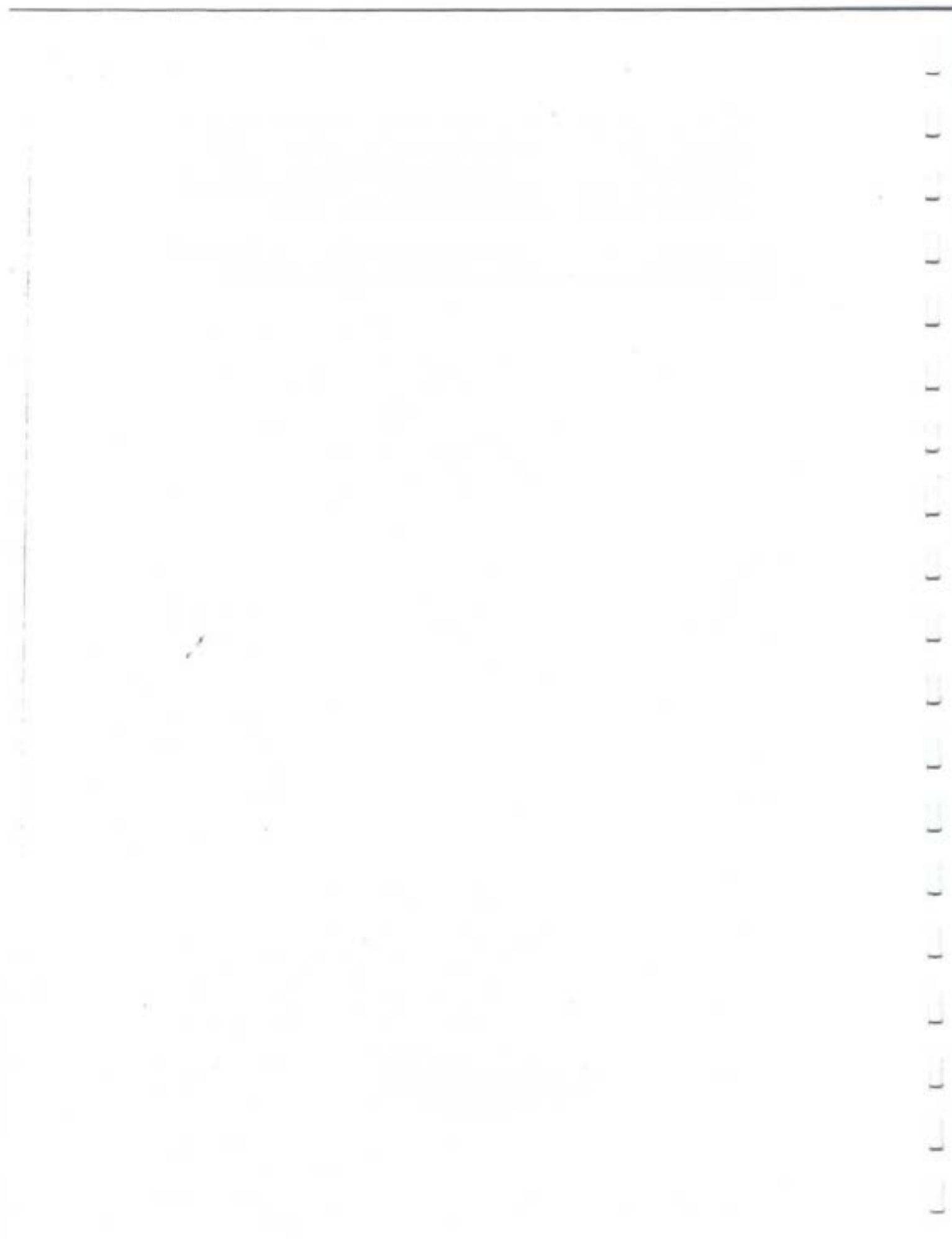
- The internal level of policy looked at police corruption and abuse of authority. Mr. Maple said an officer may beat up a member of the public, or perjure himself if he conducted a search he did not think would hold up in court. Another example of police corruption is called splitting collars in which one officer would catch someone in illegal activity, collect the evidence and then pass it on to another officer, usually his partner, for the arrest. Mr. Maple said that most cases of perjury are related to splitting collars.
- Mr. Maple elaborated on different levels of corruption in drug arrests. Examples of these levels are: The cops arrive at a crime scene and find both drugs and money 1) They turn in all the drugs but skim some money (i.e. they find \$1,000 and turn in \$800); 2) They flush the drugs and take all the money; 3) They take all the drugs and money and resell the drugs. Mr. Maple said there are 41,500 cops in New York and about 400 to 500 are engaged in this activity.
- To combat police corruption and abuse of authority, the NYPD began integrity stings. In these stings, undercover officers posing as criminals were wired with microphones and cameras. They were then planted to test the officer(s) under investigation. If a cop was found to be crooked, he was arrested. Mr. Maple pointed out that most cops arrested in this way never even asked for an attorney, rather they "sang like a canary." The NYPD ran 1,200 stings the last year and confiscated property rose over 60%. Mr. Maple credited this rise to the stings. He said the officers were afraid it was a sting so they would turn in all the property they found.
- Mr. Maple suggested that civilian complaints be grouped into 4 categories: force, abuse of authority, discourtesy, obscenity, or FADO and the civilian lodging the complaint should write it himself. He put forth the possibility of setting up a Civilian Review Board, which would have complete access to all details of all cases, to look into civilian complaints. He said experienced investigators such as former attorneys, judges, and internal affairs investigators should be on the Board along with the City Council and the Mayor, who should have the highest power. Mr. Maple also pointed out that the police do a better job investigating themselves than civilians do and that the stings work much faster than the Civilian Review Board would.

- The New York Police Department has approximately 41,000 officers. In 1996, when Mr. Maple came to New Orleans as consultant to the NOPD, there were approximately 1,600 police officers on the force. He found the NOPD to be demoralized and the lowest paid police department in the country with a new Chief trying to turn around corruption. He said that Zero Tolerance cannot be implemented in New Orleans because there are not enough police officers. He said quality of life enforcement is a way to take predatory criminals and cops off the streets while enforcing issues the community wants enforced. Mr. Maple said that radio patrols are useless in this strategy because they are usually called to a specific crime scene.

IV. DISCUSSION/DECISIONS

- Judge Sens asked what sort of training component should be incorporated in Zero Tolerance. Mr. Maple answered that not much more than role call is needed for the NOPD. He pointed out that every day of training takes officers off patrol. He said that the NOPD needs more of its officers properly deployed with about 5% in internal affairs.
- Mary Howell said that a lot of people are complaining that they are being arrested for minor offenses and that Zero Tolerance has the capacity for an increase in the level of abuse. Mr. Maple responded that the more contact the NOPD has with the community, the more civilian complaints there are, but that the rate of complaints should go down.
- Judge Bonin commented that the New Orleans needs more district attorney's and judges. He pointed out that New York has more resources than New Orleans, along with the biggest penal system in the world. Mr. Maple answered that New Orleans could use the federal system more. He said that anyone arrested with a gun could be prosecuted federally. If prosecuted federally, the perpetrator would be six times more likely to go to jail and the sentences are about three times longer with an average of 77 months. He referred to a reluctance of the Orleans Parish District Attorney to send gun cases to the US Attorney as preventing more gun cases from going through the federal system.
- Terry Ebbert said that under the city system the number one heroin dealer in the city was arrested and released twice in 60 days. A small task force of the ATF arrested him in three days and, under the federal system, he has been sentenced to fifteen years in jail.

- Mr. Maple suggested the Zero Tolerance Commission focus on gun arrests as a Zero Tolerance tool. He said the Commission should ask the Mayor to speak with Harry Connick on this issue. Judge Bonin suggested the Commission get statistics on gun arrests and have representatives from the DA and US Attorney's offices attend a Zero Tolerance meeting.
- V. Meeting adjourned at 7:40 pm. The next Zero Tolerance Commission meeting will be March 3 at 6:00 pm in the City Planning Conference Room, City Hall, 9th floor.



Zero Tolerance Commission

Meeting Minutes

Meeting held on:

March 3, 1999 at 6 p.m.

City Planning Conference Room

City Hall, 9th Floor

Attendees: Bridget Bane, *Mayor's Office of Criminal Justice*
Ray Giacontiere, *Traffic Court*
Gerry Coleman, *Coleman & Associates*
Terry Ebbert, *New Orleans Police Foundation*
John Empey, *The Jeremiah Group*
Gale Empey, *The Jeremiah Group*
Edwin Mazoue, Jr., *Real Estate and Records*
Julie Schwam Harris, *Mayor's Office of Intergovernmental Relations*
Mary Howell, *Attorney*
Chief Fritz Conrad, *New Orleans Fire Department*
Darryl J. Montana, *Crescent City Peace Alliance*
Allen Stevens, *St. Philip the Apostle Church*
Chris Young, *LA Association of Alcoholic Beverages*
Curry Miller, *Department of Public Works*
Wesley Taylor, *Health Department*
Shelia Webb, *Health Department*
Marc Bitner, *District Attorney*
Nicole LaRosa, *Mayor's Office, Staff Support*

- I. The meeting was called to order at 6:10 pm. Commissioner Bridget Bane chaired the meeting.
- II. Terry Ebbert noted that in 1996 there were approximately 1,600 officers on the NOPD which was less than half the officers on the NYPD as was stated in the minutes. The minutes of the February 3, 1999 meeting were voted on and adopted as amended.
- III. Health Department -- Shelia Webb and Wes Taylor
 - A. Shelia Webb -- The Health Department is one of the original 13 charter mandated city departments. Its mission is to focus on public health maintenance and promotion. The Health Department has five major divisions: 1) Dental; 2) EMS (911 transport); 3) Clinical Services; 4) Management Services; 5) Environmental Services - this is the division that handles the issue of abandoned cars on private property among other violations.

B. Wes Taylor

- When the Environmental Enforcement Division receives a complaint of an abandoned car, it sends an inspector to investigate the complaint. The inspector issues a notice to the owner of the property establishing a deadline for the owner to clear up the situation. The inspector then revisits the site to see if the violation was corrected by the deadline. If the violation was not corrected, the responsible party is issued a fine, then legal action is taken.
- Before 1987 these cases were taken to Municipal Court and about 10% of cases had hearings. There were problems with serving the violators with subpoenas causing cases to be reset continually. In 1987, an administrative adjudication process was established that overcame those problems. In the administrative adjudication process, a summons could be delivered by certified mail. After 1987, about 95% of cases were resolved and compliance increased.
- In the past, the City Council was responsible for declaring a property blighted. Now, a system is in place that uses administrative hearings in which the Housing office recommends a property to be declared blighted. Once the judgement is rendered that the property is blighted, it goes into the expropriation process through the New Orleans Redevelopment Authority.

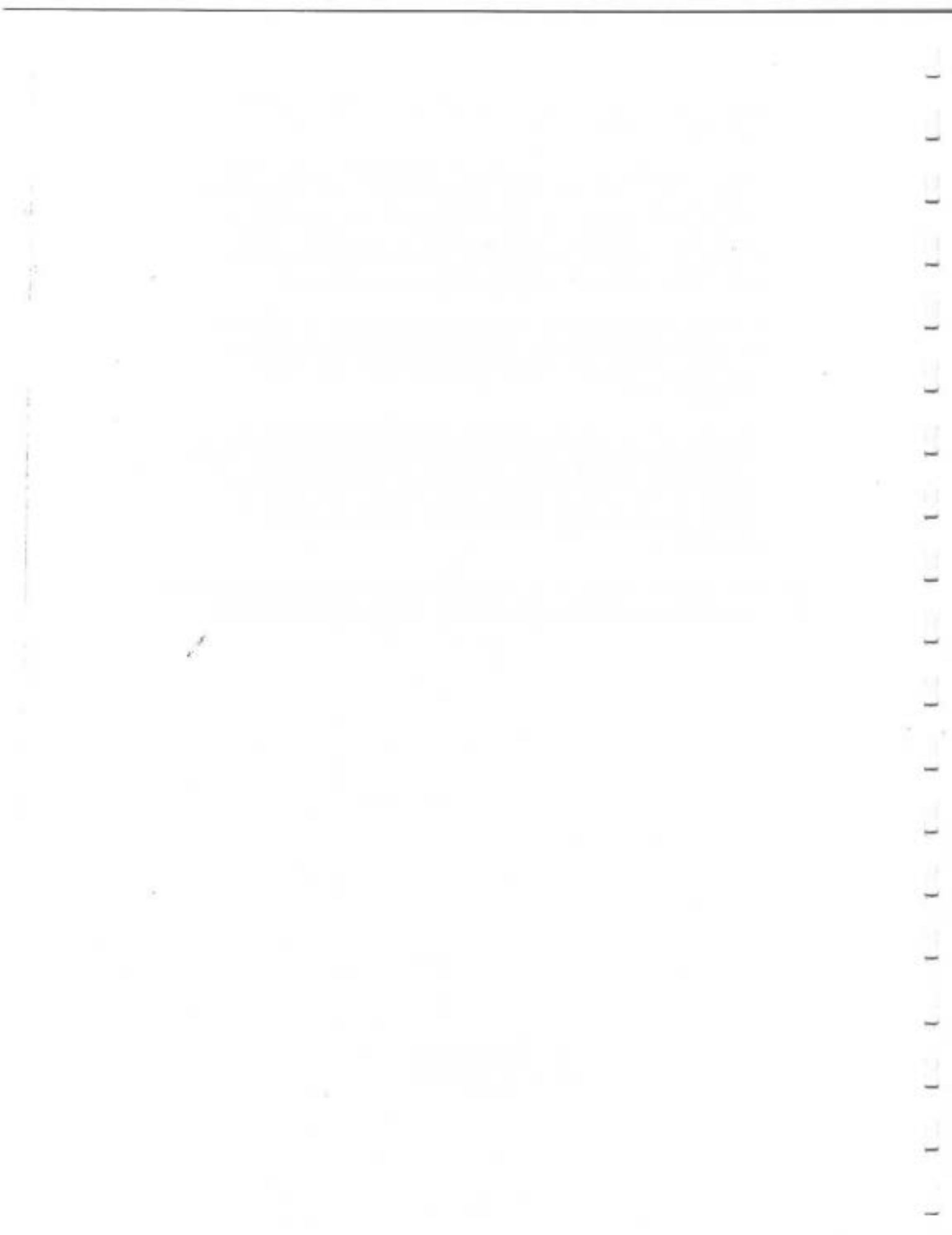
IV. Department of Public Works -- Curry Miller

- The process of dealing with an abandoned or junked cars takes about 30 days. A quality of life officer places a sticker on the vehicle in a conspicuous location notifying that the vehicle will be towed unless the vehicle is moved within a specified period of time (5 days for abandoned vehicles and 3 days for junked vehicles).
- If the vehicle is not moved before the deadline and is an abandoned vehicle it is towed by the Department of Public Works. If the vehicle is not moved by the deadline and is considered junked (stripped to the point of no value) it is towed by a private contractor who pays the city approximately \$30.00 per vehicle. In both cases, a notice is sent to the last registered owner of the vehicle.
- The Almonaster lot has 1,030 parking spaces. Of those, 600 are set aside for the NOPD and the remaining 430 spaces are for the Department of Public Works. The Department of Public Works holds an auction approximately every 45 days for unclaimed vehicles. If an abandoned or

junked vehicle is reclaimed, the owner must pay a \$75.00 towing fee plus the storage costs of the vehicle.

- There is a problem with private contractors picking and choosing which junked vehicles to tow. Mr. Miller said that junked vehicles often have no tires and require a flatbed tow truck to be removed. He said that Public Works needs to work on enforcing the contractors to really tow junked vehicles. He said Mr. Clifford Scineaux, Director of the Department of Public Works would need to report on the status of the contracts.
- It is illegal to abandon a vehicle on the street but there is no penalty for it. Mr. Miller mentioned that there are other jurisdictions where legislation has been passed that makes the last registered owner of the vehicle responsible for it.
- Mr. Miller said he would like to see an organized effort to get people to donate vehicles instead of abandoning them or before the vehicle is junked and beyond use. He said that people can get a tax break for donating a vehicle. He also mentioned offering incentives such as amnesty from parking tickets to encourage people to donate vehicles instead of abandoning them.

V. Meeting adjourned at 7:40 pm. The next Zero Tolerance Commission meeting will be April 7 at 6:00 pm in the City Planning Conference Room, City Hall, 9th floor.



Zero Tolerance Commission

Meeting Minutes

Meeting held on:

April 7, 1999 at 6 p.m.

City Planning Conference Room

City Hall, 9th Floor

Attendees: Paula Arceneaux, *St. Mary of the Angels Church*
Hon. Paul Bonin, *Traffic Court*
Gerry Coleman, *Coleman & Associates*
Alvin Colomb, *Project New Hope*
Marc Bitner, *District Attorney*
Terry Ebbert, *New Orleans Police Foundation*
John Empey, *The Jeremiah Group*
Gale Empey, *The Jeremiah Group*
Aletha Strong, *Crescent City Peace Alliance*
Edwin Mazoue, Jr., *Real Estate and Records*
Chief Fritz Conrad, *New Orleans Fire Department*
Chief Ronal Serpas, *NOPD*
Hon. Paul Sens, *Municipal Court*
Nicole LaRosa, *Mayor's Office, Staff Support*

- I. The meeting was called to order at 6:10 pm. Judge Paul Sens chaired the meeting.
- II. The minutes of the March 3 meeting were voted on and adopted.
- III. SURVEY/QUESTIONNAIRE
 - Gerry Coleman gave a brief introduction of his duties with Environmental Affairs and how he became involved with the Zero Tolerance Commission. Mr. Coleman then briefly described and elaborated on the survey which he is proposing be sent to the department heads or bureau chiefs of the city departments. Mr. Coleman pointed out that the survey is for the department head or bureau chief to fill out only as the city code relates to their department.
 - Judge Sens advised that the survey be distributed to all the key people not just the department heads.
 - There was discussion of the survey and some changes made, especially to the order of the questions. Judge Sens suggested that Mr. Coleman give a copy of the survey to Wes Taylor and Shelia Webb and ask for their input.

IV. OLD BUSINESS

- Representative from the New Orleans Redevelopment Authority (NORA), Housing & Neighborhood Development, and the Law Department should be invited to the next meeting to discuss the expropriation process.
- Terry Ebbert said he thought that towing abandoned and junked cars was seen as a profit making service and not a quality of life service. Mr. Ebbert also said he felt there was an unwillingness to track abandoned and junked cars and put them into a system similar to COMSTAT.
- Chief Serpas agreed to give the Commission a 30-40 minute COMSTAT demonstration at the next meeting. He also said Commission members were welcome to attend the weekly COMSTAT meetings, which are held every Friday morning at 8:00 AM at 715 South Broad Street, 5th floor. He said that anyone who would like to attend, must contact him by the previous Wednesday with the request.
- Representatives from the Department of Public Works, the Health Department, and Housing & Neighborhood Development will be asked to come to a Zero Tolerance meeting and discuss using a system similar to COMSTAT to track abandoned and junked vehicles. These representatives should attend a COMSTAT meeting before making their reports to the Zero Tolerance Commission.

V. Meeting adjourned at 6:55 PM. The next Zero Tolerance Commission meeting will be May 5 at 6:00 pm in the City Planning Conference Room, City Hall, 9th floor.

VI. MATERIALS PRESENTED

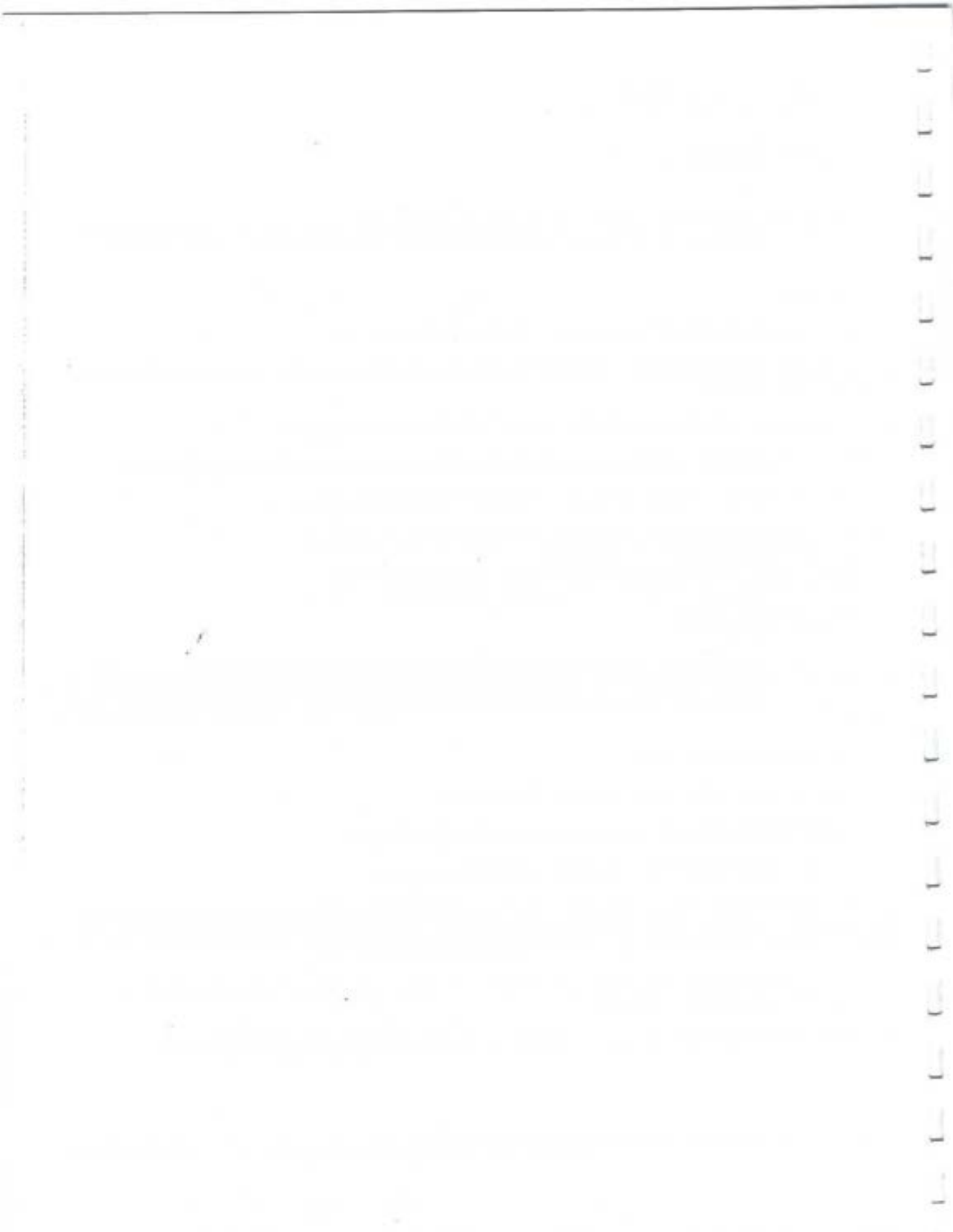
- Gerry Coleman distributed a draft of the questionnaire.
- Edwin Mazoue distributed: "Policing Where the Crime Is" and "Jack Maple: Betting on Intelligence".
- Mary Howell asked to have distributed: "Dazzling Crime Statistics Come at a Price", "Dismantle the Barriers", and "Behind Police Brutality: Public Assent".

Subj: **Zero Tolerance Commission**
Date: 1/12/99 8:28:48 AM Central Standard Time
From: Gerrycole
To: nicolel@mail.city.new-orleans.la.us
CC: jwhite@city.new-orleans.la.us

The questionnaire is forwarded for review. It is not as extensive as the original survey, but it will be helpful in identifying problems and developing a course of action. I will call to confirm delivery of this message and to address concerns.

QUESTIONNAIRE

1. List all code sections that are outdated, unclear, impractical, unnecessary, etc.?
2. List the code sections that are the most difficult to enforce and the measures that can be implemented to resolve the difficulties in enforcement?
3. Identify, by ward and district, the area of the city that has the most serious violations?
4. Estimate the percentage of violations that are attributable to unawareness or lack of knowledge of the codes?
 - a. Estimate the percentage of violations that are attributable to intentional conduct?
5. Circle the statement that applies to the adjudication of the departments' violations?
Adjudicated by the department's hearing officer;
Adjudicated by the Health Department, Bureau of Administrative Adjudication;
Referred to Municipal Court (same section/ division; different section);
A combination of the above;
Other (please explain):
6. For this question final adjudication means a decision by the adjudicative body or the hearing officer not a ruling by the appellate court. Are there unreasonable time delays from citation to final adjudication because of an overflow of cases on the docket, scheduling problems, continuances, or other reasons? If so, please indicate the approximate percentages for each reason.
7. List the number of violations cited for 1997?
 - a. List the number of cases have been adjudicated in 1997 ?
 - b. List the number of cases that have resulted in a finding of guilty for 1997?
 - c. List the number of cases that has resulted in payment by the offender?
8. List the support services that are needed from other city entities to enhance the quality of the department's operations. Please name the agency and the direct actions that are necessary to improve the enforcement efforts. Please include a specific explanation of how such actions will improve the operation of the department.
9. For this question resources mean personnel, equipment, etc., . List the additional resources needed to help the department meet its enforcement objectives.
10. Please provide a copy of the 1997 statistics that contain the number of violations, hearings, findings, etc.



Zero Tolerance Commission

Meeting Minutes

Meeting held on:

May 5, 1999 at 6 p.m.

City Planning Conference Room

City Hall, 9th Floor

ATTENDEES:

Paula Arceneaux, *St. Mary of the Angels Church*
Bridget Bane, *Commissioner, Mayor's Office of Criminal Justice*
Hon. Paul Bonin, *Traffic Court*
Alvin Colomb, *Project New Hope*
Annette Long, *District Attorney*
Terry Ebbert, *New Orleans Police Foundation*
John Empey, *The Jeremiah Group*
Gale Empey, *The Jeremiah Group*
Julie Schwam Harris, *Mayor's Office*
Edwin Mazoue, Jr., *Real Estate and Records*
Chief Fritz Conrad, *New Orleans Fire Department*
Jennifer Ansardi, *LA Ass. Of Alcoholic Beverage Licensees*
Nicole LaRosa, *Mayor's Office, Staff Support*
Philip Foto, *City Attorney*
Earl Perry, *City Attorney*
Norris Butler, *Housing Code Enforcement*
Jeff Dorson, *League in Support of Animals*
Terry Verigan, *League in Support of Animals*
Wes Taylor, *Health Department*
Sharon Harrington, *Health Department*
Cpt. Mike Ellington, *NOPD, 6th district*
Lt. Bob Bardy, *NOPD, 6th district*
Sgt. Russel Duquesne, *NOPD Crime Analysis*

- I. The meeting was called to order at 6:05 p.m. Judge Paul Bonin chaired the meeting. He introduced Commander Mike Ellington and Lt. Bob Bardy from the Sixth District, and Sgt. Duquesne from Crime Analysis.
- II. The minutes of the April 7 meeting were voted on and adopted.
- III. SURVEY/QUESTIONNAIRE
 - A. Julie Schwam Harris reported that she, Bridget Bane and Sharon Carr Harrington had developed a two quality of life surveys: one for city departments and one for New Orleans community and neighborhood groups. The Commission read through both surveys and their respective cover letters and then opened the floor

for revisions or changes. All changes must be mailed, faxed or called in to Nicole LaRosa by the end of the day Monday, May 10, 1999.

- B. Mr. Terry Verigan of League in Support of Animals (LISA) suggested that a question regarding cruelty to animals be added to the survey. He said LISA is working to propose changes to the city code that will serve to address cruelty to animals.

IV. COMSTAT DEMONSTRATION

- A. Captain Mike Ellington and Lt. Bob Bardy of the Sixth District and Sgt. Duquesne delivered a presentation on the COMSTAT (Computerized Statistics) procedure which was begun by the NOPD in October 1996. Prior to using COMSTAT, it was difficult to hold officers accountable for the activity in their districts. By using weekly COMSTAT meetings, the Superintendent is able to hold district commanders responsible for the activity in their district both for the short and long term.
- B. COMSTAT also encourages coordination and cooperation between the different police districts. The police can become aware of a pattern in crimes that are committed in different districts. An example is the police can recognize similarities in robberies committed in the Second, Sixth and Eighth Districts and work together, sharing their information, to apprehend the suspects more quickly.
- C. Captain Ellington said that he holds daily COMSTAT meetings in the Sixth District in which the crimes that occur during the week are mapped with the location, date, time and the nature of the crime. This helps the police officers recognize co-existing patterns among different crimes. For example, Cpt. Ellington said that he has found that truancy has a big impact on crime and when the officers get tougher on truancy, other crimes such as robbery go down. Cpt. Ellington also said that using COMSTAT makes the police work relentlessly on a crime since it will be discussed at each COMSTAT meeting until the case is resolved.
- D. Captain Ellington said that he believed that the COMSTAT system can be translated and/or replicated to all city departments to examine quality of life issues. He pointed out that using COMSTAT has helped promote communication and coordination between the different police districts.

V. DISCUSSION

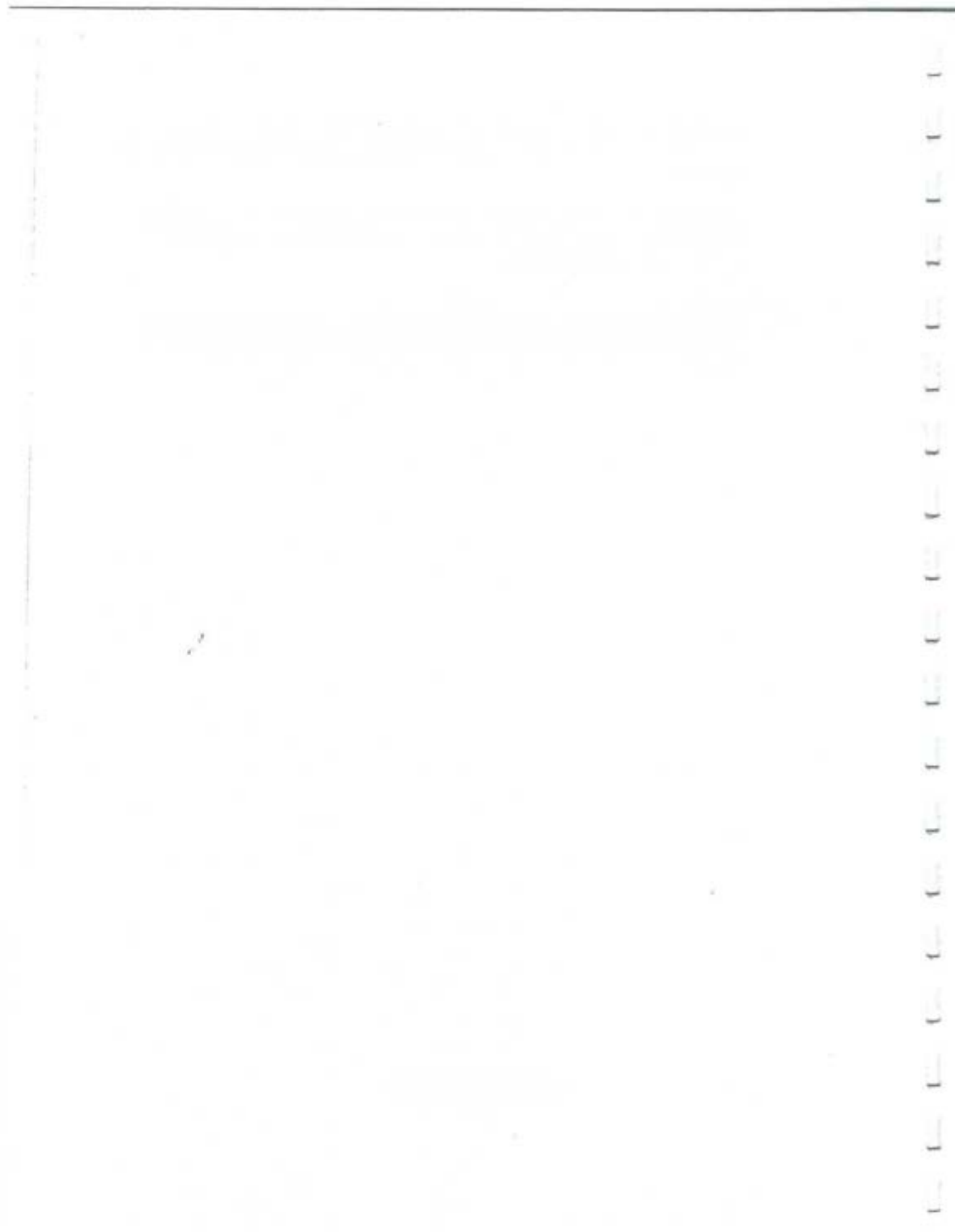
- A. Terry Ebbert commented that this is a tool that can be used to monitor quality of life standards. He said the Commission may find that quality of life violations correspond with criminal violations. The Commission should identify one or two

issues and plot them on the COMSTAT system and look at them at every meeting. The Commission could target a specific zone if they do not feel ready to examine the whole city.

- B. Captain Ellington offered let the Commission use the Sixth District as a pilot for this program. He stressed the importance of having one person be responsible for COMSTATing the whole thing.

VI. ADJOURNMENT

- VII. Meeting adjourned at 7:30 PM. The next Zero Tolerance Commission meeting will be June 2 at 6:00 pm in the City Planning Conference Room, City Hall, 9th floor.



THE ANIMAL CRUELTY/HUMAN VIOLENCE LINK

The tragic reality is that cruelty to animals is directly related to human violence.

1970 In a 1970's study conducted by the FBI of 36 convicted multiple murderers, 46% admitted to acts of animal torture as adolescents. Recognition of the link between cruelty toward animals and more general violence is now incorporated into FBI routine procedures.

1980 A 1980 study in England reviewed animal cruelty case histories of families and found that 83% were also known to human social service agencies for having children at risk of abuse or neglect.

1983 A 1983 survey of families investigated for suspected child abuse by the New Jersey Division of Youth and Family Services found that 60% of the families also had documented cases of animal abuse. In most of the cases, it was the abusive parent who injured or killed the family pet.

1985 A 1985 study of aggressive and nonaggressive criminals incarcerated in federal penitentiaries found that 25% of aggressive criminals reported 5 or more incidents of animal abuse as compared to less than 6% of nonaggressive criminals, while 0% of the noncriminals interviewed for the study reported acts of cruelty to animals.

1990 Dr. Lynn Loar of the San Francisco Child Abuse Council stated in 1990: "Animal abuse is the first step in the cycle of violence and early intervention is the best way to prevent further abuse."

1994 A 1994 report from the FBI stated that cruelty to animals is one of the traits that regularly appear in its computer records of serial rapists and killers: "The future killer's childhood concentration on violence will lead to an adulthood violence focus."

1995 A 1995 paper presented at the Fourth International Conference on Family Violence held in Durham, New Hampshire, reported that 71% of women seeking shelter in northern Utah reported that their male abusers had threatened, harmed, or killed their pets and, further, of the women with children, 32% reported that one of their children had also committed acts of animal cruelty.

1996 An analysis of animal cruelty cases in Massachusetts from 1975 to 1996 revealed that 70% of the animal abusers in the study also had criminal records, and, of these, 40% had been convicted of violent crimes.

1997 A 1997 study found that women in battered women's shelters reported their abusers victimized the family pet, threatening to harm or kill the animals in order to control the behavior of the women or their children.

1997 A 1997 study of families treated at Youth and Family Services in New Jersey for incidents of child abuse showed that in 88% of the families, animals were also abused.

1998 The FBI's Supervising Special Agent Allan Brantley of the Bureau's Investigative Support Unit explained, speaking before a 1998 congressional hearing, "Taking animal cruelty seriously offers an opportunity to intervene in violent households and with violent individuals." He continued, "Violence against animals is violence and when it is present it is considered by the people I work with to be synonymous with a history of violence. In many cases we have examples whereby violence against animals is a prelude to violence against humans. You can look at cruelty to animals and cruelty to humans as a continuum."

1998/ In seven months between October 1, 1997, and May 21, 1998, in four schools in Pearl, Mississippi, West Paducah, Kentucky, Jonesboro, Arkansas, and Springfield, Oklahoma, 12 were killed and 44 were wounded by four boys between the ages of 11 and 16 years old. These boys shared a common history: repeated acts of violence toward animals.

Serial killers Albert DeSalvo ("Boston Strangler"), David Berkowitz (Son of Sam), Ted Bundy, Jeffrey Dahmer, Carole Edward Cole, and Patrick Sherril all began their predatory careers at young ages by mutilating and killing dogs and cats, some of them their own pets.

1998 The Toledo Humane Society focused on a link between animal cruelty and organized crime and found that drug and weapons offenses often accompany dog fighting.

1999 In 1999 the National Domestic Violence Hotline listed 13 warning signs to determine if someone is a batterer. Number 6 states: "Cruelty to animals or children (insensitive to their pain and suffering, may tease and/or hurt children and pets)."

Enterprise Computing

LAW ENFORCEMENT

Police get the facts from app

Software gives Pittsburgh departments one-window access to databases

By CLAIRE E. HOUSE
GCN Staff

Pittsburgh law enforcement and other officials can access multiple databases through one window using an application created with the Cerebellum development package.

The software, from Cerebellum Software Inc. of Pittsburgh, uses Java technology to give database developers an icon-rich, drag-and-drop application programming interface for creating one-stop user access to various databases regardless of platform.

Officials in several Pittsburgh departments access the Cerebellum-developed Street Smarts app through an intranet via Web browsers.

"We've got some disparate databases out there, and it's always been difficult for the city to provide information from all of those sources to the people who need them," city chief information officer John Staudacher said.

Street Smarts provides one-window access to the Police Records Management System, 911 Computer-Aided Dispatch and Mayor's Service Center databases, the latter of which tracks complaints and comments from city residents. The three Oracle7 databases reside on separate Sun Microsystems Enterprise 450 servers running SunSoft Solaris.

The application lets police officers, emergency dispatch personnel, detectives, mayor's office employees and building inspectors check out any official record for a particular address before they pay it a visit, Staudacher said. Users can look up a single address, multiple addresses or query a general geographic area, Cerebellum project manager Charles Collings said.



Cerebellum project manager Charles Collings teaches Pittsburgh police officer Deborah Gilkey how to use the city's new Street Smarts application.

Device Electronic drive using Java, Tamblyn said.

Based on rights, users can view, submit and delete data. The product would let a user, say, make one address change for several databases, Tamblyn said. The package's Administrator tool lets developers manage user access, security and upgrades, she said.

The software can pull data from native drivers, legacy systems, flat files, VSAM files, mainframes and all relational database management systems.

The company plans in future versions to add support for enterprise resource planning systems, object database management systems and the Lightweight Directory Access Protocol.

Can you wait?

Before Street Smarts, anyone wanting that information would have to request it from the City Information Services (CIS) department, which could take up to a day to compile the results, Cerebellum corporate communications manager Jennifer Tamblyn said.

The police often went without the information because there was no time to get it on the way to a call, she said. Now, dispatchers give them the information en route.

Cerebellum runs on TCP/IP networks and, for optimal performance, needs to be installed on every server that ties into a database, Tamblyn said. It works in conjunction with Java 2, code-named Java Development Kit 1.2, from JavaSoft of Mountain View, Calif.

A developer working in the program's application programming interface drags and drops icons within the package's Designer tool to set up queries. Cerebellum's Intelli-Agent Server then creates agents of code that will interact with each specific data source for data submission and retrieval.

The programmer saves each query to tie it into a final app, whether it was developed in a Web interface, a spreadsheet, C, C++, Java, Visual Basic, JScript or an Integrated

Tamblyn said.

CIS staff hired Cerebellum developers to build Street Smarts using beta version Cerebellum 1.1, Collings said, but will soon use the more robust, graphical Version 1.2 to develop applications internally.

"Once we saw the development, we started thinking of all these other cases we could use it for," Staudacher said, such as building a citywide data mart, creating a city data dictionary and expanding reporting capabilities of existing databases.

CIS has discussed potential tie-ins with building inspection, public works and finance databases, he said. ■

GIS app fingers high-crime areas in Austin

By TRUDY WALSH
OCN Staff

The Austin, Texas, crime forecast: Criminal mischief reported on the east side of town, with possible car thefts later this year. And there is a 30 percent chance of an accumulation of gang activity.

City police officials in the Lone Star State capital have developed a geographic information system that lets analysts forecast crime much the way meteorologists predict the weather.

Al Johnson, supervisor of crime analysis for the Austin Police Department, worked with University of Texas

Crime analysts in the Austin Police Department created a GIS that lets them forecast criminal activity by indicating crime hot spots—yellow shows car burglaries.

graduate students to develop the GIS in ArcView Version 3.1 from Environmental Systems Research Institute Inc. of Redlands, Calif.

"We're lucky in Austin that we have this supply of indentured ser-

vants, also known as grad students," Johnson said. "They did a lot of the detailed mapping work."

The students, most of whom were doing postgraduate work in government or criminal justice, mapped crime records that date back to 1994.

Johnson and his team used ESRI's ArcView Spatial Analyst Version 1.1 to analyze the density of crime incidents.

"I was just playing around with Spatial Analyst one day, right after we first bought it," Johnson said.

Johnson mapped some crimes and noticed that they were all centered around several apartment buildings. When police officers investigated the area, they found out that some gang members had moved into the apartments.

Most software is not that useful straight out of the box.

see GIS Page 29



GIS app lets Austin police correlate data and forecast crime in effort to prevent it

GIS from Page 1

producing such tangible results in the first week, Johnson said.

Johnson's team is especially interested in what he called crime overlay, which is the correlation between crime hot spots and serious crimes.

Spatial Analyst shows this relationship very clearly, Johnson said. For instance, a hot spot for loitering, marked in yellow, may show that drug activity, marked in red, also occurs there.

The old-fashioned pin mapping system—marking a crime incident with a pin—does not reveal crime concentration in this colorful, immediate way, Johnson said. "Say you had 10 incidents in one apartment," he said. "On a pin map, it only looks like one dot, one incident. But Spatial Analyst will show you the real concentration, in red and yellow."

Storms predicted

Johnson compared the GIS to the weather radar effect. "Everyone understands color weather screens they see on TV," he said. Thunderstorms and heavy rainfall amounts are depicted in bright reds and yellows.

Crime analysts run the GIS on a server with a 400-MHz Pentium II processor and

512M of RAM. Analysts are working on networking the system, Johnson said.

According to Johnson, the GIS is saving crime analysts countless hours of number crunching. "Soon we'll be able to hit a button and send a report out the door. Analysts will be able to spend more time analyzing data," he said. "It's freeing us up to find out the 'why' of crime."

Johnson estimates the cost of the GIS software at about \$2,600. No one has analyzed the system's cost benefits, but it can definitely help reduce crime in some areas, Johnson said.

For example, if the GIS indicates a crime hot spot, the department will increase

police presence in the area.

Thanks to the GIS, "someone's car isn't broken into, and we've helped reduce crime, but in an unsubstantiated, unquantifiable way," he said.

Down the road a bit, Johnson's crime analysis team wants to put the GIS on the Web.

"We want the community to be able to use this too," he said. The police department will issue alerts to the community on the Web, Johnson said, "beyond the usual neighborhood watch stuff."

The GIS saves crime analysts countless hours of number crunching, Johnson said.

Zero Tolerance Commission

Meeting Minutes

Meeting held on:

June 2, 1999 at 6 p.m.

City Planning Conference Room

City Hall, 9th Floor

ATTENDEES:

Paula Arceneaux, *St. Mary of the Angels Church*
Bridget Bane, *Commissioner, Mayor's Office of Criminal Justice*
Hon. Paul Bonin, *Traffic Court*
Alvin Colomb, *Project New Hope*
Terry Ebbert, *New Orleans Police Foundation*
John Empey, *The Jeremiah Group*
Gale Empey, *The Jeremiah Group*
Julie Schwam Harris, *Mayor's Office*
James Kojo Livingston, *Crescent City Peace Alliance*
Chief Fritz Conrad, *New Orleans Fire Department*
Hon. Paul Sens, *Municipal Court*
Jennifer Ansardi, *LA Ass. Of Alcoholic Beverage Licensees*
Nicole LaRosa, *Mayor's Office, Staff Support*
Philip Foto, *City Attorney*
Earl Perry, *City Attorney*
Jeff Dorson, *League in Support of Animals*
Lisa Mazique, *NORA*
Rene Steinkamp, *Housing Code Enforcement*
Kathy Grady, *LA/SPCA*
Ernest Alexander, *LA/SPCA*

- I. The meeting was called to order at 6:10 p.m. by Judge Paul Bonin.
- II. The minutes of the May 5 meeting were voted on and adopted.
- III. REPORT ON THE QUALITY OF LIFE SURVEY
 - A. Departmental Survey
 1. Julie Schwam Harris reported that the only departmental survey returned by the May 28 deadline was from Housing & Neighborhood Development. Ms. Harris, Bridget Bane and Sharon Carr Harrington will set up meetings with department heads who received the survey to get their feedback.
 - B. Community Survey
 1. Nicole LaRosa reported that initially surveys were mailed to approximately 1,700 civic, social services, ethnic, religious, community

and neighborhood groups. Since the initial mailing, over 5,000 more surveys have been requested. Large quantities of the surveys are being requested primarily by churches and community and neighborhood groups for distribution to their members.

IV. REVISIT COMSTAT DEMONSTRATION

- A. Judge Bonin said the Commission should explore whether or not departments such as Health and Public Works were interested in having a process similar to COMSTAT implemented in their systems. He thought abandoned cars should be used as a pilot and pointed out that Cpt. Ellington offered the use of the 6th district as a pilot.
- B. Julie Schwam Harris said that the Commission will need to get the data to Cpt. Ellington. A lot of the information will come from quality of life officers and Public Works.
- C. Rene Steinkamp said that Housing and Neighborhood Development is extremely interested in participating if Public Works and Health are not. Housing could use a COMSTAT system to plot and track abandoned houses.
- D. Lisa Mazique said that COMSTAT would be really useful to NORA to track blighted houses and lots. It would also help them market their properties to prospective applicants.
- E. It was decided that the department heads in NORA, Housing, Environmental Health and others need to attend a COMSTAT meeting. Julie Schwam Harris said she will collect the names and pass them on to Terry Ebbert.
- F. Bridget Bane and Julie Schwam Harris will draft a letter to Chief Pennington from Judge Sens and Judge Bonin requesting the use of the 6th district as a pilot in tracking abandoned cars.

V. EXPROPRIATION PROCESS

- A. Rene Steinkamp - Housing & Neighborhood Development, Code Enforcement
 - 1. After the property is reported to Housing & Neighborhood Development they conduct an inspection of the property and send a notice to the last known owner as indicated in the records of the assessor or court. The owner is called to a panel review hearing (approximately 25% of owners appear) which is an informal procedure to learn what the owner intends to do with the property. If the owner does not appear or reports that he will do nothing with the property, then the situation will be looked at through the administrative adjudication process.

2. In the administrative adjudication process, the owner will be notified of the scheduled hearing through the mail and a notice in the newspaper which announces the state of the property on the day of the inspection. If the owner does not appear at the hearing, and the evidence shows that they received adequate notice, the property will be considered a public nuisance. If the owner appears, a decision will be made within five (5) days, which the owner can then appeal.
3. Once the judgement is rendered in the adjudication process, the city may:
 - a. Fine the owner \$575.00.
 - b. Declare the property blighted in which case it NORA may try to sell the property. If they are unsuccessful, it may be demolished.
 - c. Demolish the property--requires taking bids from demolition contractors and submitting for approval by the City Council. The process can get stopped if the City Council does not hear it. Mitigating factors that can prevent a property from being demolished are historical value or it may still be salvageable.
 - d. Another option is a "shame" sign, a day-glo orange sign with the owners name and phone number, to be stuck on the property in a prominent location. The problem with shame signs is they are an open invitation to scavengers and looters.
4. Problems
 - a. In the last three years, 3,400 properties have been demolished. In 1997, Housing sent 2,400 cases to the adjudication process. They are currently waiting for the adjudication hearing to be scheduled for 600 cases. Housing is sending cases to be adjudicated two times faster than the process can handle. Currently, an average of 65 hearings are heard each month.
 - b. More personnel is needed to prepare the notices and minutes for the hearings.
 - c. New Orleans continues to lose approximately 5,000 people a year diminishing the number of people available to buy the properties.
 - d. It is often difficult to contact the owner of the property. There is no penalty for not filing change of ownership. The legal address must be used when sending out the notices or they are no good.

5. In response to questions from Kojo Livingston, Mr. Steinkamp said that there is a chart form of this process available. The time frame for the whole process is, on average, three years. The Health Department is the only city agency with the authority to fence off vacant lots or blighted properties and the city cannot afford the cost of fencing the properties.

B. Lisa Mazique-New Orleans Redevelopment Authority

1. NORA's response is very market driven. Ms. Mazique said that NORA needs site control to be more efficient and productive because then they can fix up the lots. The expropriation process takes six to nine months and sometimes up to a year. Once a property is declared blighted, the owner has 30 days to appeal the judgement. If the owner does not appeal the judgement, NORA can put the property on the market. They will conduct a walk around inspection with an applicant to get a rough idea of the condition of the property.

2. Once a house is expropriated and sold to a new owner, the new owner has 270 days to allow for repairs. NORA maintains a right of reversion clause because some owners find they cannot complete the repairs. Ms. Mazique said that legislation has been filed to produce an environmental court that could handle this process which will expedite the handling of these cases.

C. Ms. Mazique was invited to return at the next meeting to discuss NORA's role in the expropriation process in further detail.

VI. ADJOURNMENT

VII. Meeting adjourned at 7:45 p.m.. The next Zero Tolerance Commission meeting will be July 7 at 6:00 p.m. in the City Planning Conference Room, City Hall, 9th floor.

Zero Tolerance Commission
Meeting Minutes
July 7, 1999 at 6 p.m.
City Planning Conference Room
City Hall, 9th Floor

ATTENDEES: Bridget Bane, *Commissioner, Mayor's Office of Criminal Justice*
 Hon. Paul Bonin, *Traffic Court*
 Alvin Colomb, *Project New Hope*
 Jennifer Kay, *New Orleans Police Foundation*
 John Empey, *The Jeremiah Group*
 Gale Empey, *The Jeremiah Group*
 Chita Manuel, *Crescent City Peace Alliance*
 Ed Mazoue, *Real Estate & Records*
 Hon. Paul Sens, *Municipal Court*
 Jennifer Ansardi, *LA Ass. of Alcoholic Beverage Licensees*
 Nicole LaRosa, *Mayor's Office, Staff Support*
 Philip Foto, *City Attorney*
 Jeff Dorson, *League in Support of Animals*
 Lisa Mazique, *NORA*
 Herbert Cade, *NORA*
 Wes Taylor, *Environmental Health*
 Richard Leemann, *Pontilly*
 Joan H. Guon, *Pontilly*
 Robert Simms, *Pontilly*
 Oscar Goins, *Pontilly*

- I. The meeting was called to order at 6:13 p.m. by Commissioner Bridget Bane.
- II. The minutes of the June 2 meeting were voted on and adopted.
- III. SURVEY REPORT
 - A. Bridget Bane reported that Julie Schwam Harris, Sharon Harrington and she had meetings with all the departments who received the surveys. All the departments discussed the city code in detail. They also discussed problems, needs and resources in their department. A full report will be given to the Commission at the August meeting.
- IV. EXPROPRIATION PROCESS
 - A. Representatives from Pontilly pointed out that the Assessor's records are not very up-to-date. There is approximately a six month delay in their records on the ownerships status of property. A sale is recognized when it is made at the Register of Conveyances office. The Conveyances office enters the change in ownership in their records then forwards the

records to the Assessor. The Assessor then manually enters the change into their records. It is possible that if both departments use the same data management system, the change can be made once in Conveyances and will be updated for all city departments.

B. Herbert Cade, NORA Attorney

1. Mr. Cade reported that when he receives a package from NORA, he first runs an abstract on the property to ascertain the correct current owner of the property. Often the owner on the record is not the current owner of the property. He sends a notice to the owner of the property with the appraised value of the property and stating it has been declared blighted and may be expropriated. If or when the owner does not respond, the property is filed to expropriate. A court date is set for not less than 60 days away. At the court date, the owner can appeal for no more than a 30 day continuance. If the owner fails to respond, they lose the right to fight for the ownership of the property. The owner's general concern is contesting the value of the property.

C. Lisa Mazique

1. The purchaser puts up money to buy the property and accepts the obligation to restore it in 270 days. The problem is the purchaser realizes that NORA does not own the property and cannot guarantee the amount of time until the sale is made due to the court process. There is a higher demand for properties in areas such as the Lower Quarter or the Irish Channel. The City needs to try to market properties in areas of the city with a lower demand such as Central City. NORA needs a pool of resources in order to purchase the property, make improvements and start the process of selling them.
2. Another problem is a lot of mortgage companies do not foreclose on properties because it is easier to keep them on the books and declare the loss. An incentive is needed to get them to either foreclose or donate the properties.

- D. Representatives from Pontilly pointed out that liens against the property are not enforced. In order to collect the lien the owner must be taken to civil court. It was suggested that the stricter enforcement of smaller laws such as putting the garbage out on non-collection days, may prevent larger problems. It was also suggested that the City "put some teeth" in enforcement (e.g. if someone is adjudicated for an infraction and still doesn't resolve the situation, they should have their drivers license withheld).

V. ADJOURNMENT

- VI. Meeting adjourned at 7:45 p.m.. The next Zero Tolerance Commission meeting will be August 4 at 6:00 p.m. in the City Planning Conference Room, City Hall, 9th floor.

Zero Tolerance Commission

Meeting Minutes

August 4, 1999 at 6 p.m.

City Planning Conference Room

City Hall, 9th Floor

ATTENDEES: Bridget Bane, Commissioner, *Mayor's Office of Criminal Justice*
Hon. Paul Bonin, *Traffic Court*
Alvin Colomb, *Project New Hope*
Annette Long, *District Attorney*
Terry Ebbert, *New Orleans Police Foundation*
John Empey, *The Jeremiah Group*
Gale Empey, *The Jeremiah Group*
Julie Schwam Harris, *Mayor's Office*
Tom McGoey, *Real Estate & Records*
Jennifer Ansardi, *LA Ass. of Alcoholic Beverage Licensees*
Nicole LaRosa, *Mayor's Office, Staff Support*
Henry Dillon, *City Attorney*
Jeff Dorson, *League in Support of Animals*
Ernest Alexander, *SPCA*
Norris Butler, *DHND/HCE*
Richard Leeman, *Pontilly*

- I. The meeting was called to order at 6:10 p.m. by Commissioner Bridget Bane.
- II. The minutes of the July 7 meeting were voted on and adopted. There was some discussion regarding how long the delay is in updating the property ownership records maintained by the Assessor. It was decided to discuss this further at the September meeting.
- III. DATABASE SYSTEM
 - A. Terry Ebbert pointed out that COMSTAT can give detailed information right down to the municipal address of a property. Since the state police have identified a need, COMSTAT is becoming a regional system.
 - B. Julie Schwam Harris said the CAO's office is researching getting a system to handle complaints made to the City. Upon receiving a complaint, this system would generate automatic memos to interested departments. It would also notify departments when a case is closed. The CAO's office is attempting to include this system in next year's budget.
 - C. The Commission needs to get approval from Chief Pennington to use the Sixth District as a pilot for tracking abandoned cars. Terry Ebbert volunteered to follow up.

D. The following people have been asked to attend or send representatives to the September meeting:

1. Errol Williams, Assessor, Third District
2. Gasper Schiro, Register of Conveyances
3. Desiree Charbonnet, Recorder of Mortgages
4. Hon. Robin Giarrusso, Civil Court - Division G

IV. ADJOURNMENT

V. Meeting adjourned at 6:55 p.m.. The next Zero Tolerance Commission meeting will be September 1 at 6:00 p.m. in the City Planning Conference Room, City Hall, 9th floor.

Zero Tolerance Commission

Meeting Minutes

August 4, 1999 at 6 p.m.

City Planning Conference Room

City Hall, 9th Floor

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Alvin Colomb, *Project New Hope*
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You will gain remote access to our on line records. You may subscribe to either **COURT** (Civil District Court and First City Court) or **LAND** (Mortgage and Conveyance Offices) **SERVICES**. Our online records, also available at the Civil Courts Building, include:

Civil District Court records - Civil cases with activity from 1985 to date

First City Court records - Cases with activity from 1988 to date

Mortgage Indices - Mortgages from 9/21/87, Chattels from 3/1/88, Charters from 4/4/88, and Partnerships from 5/31/88, to date

Conveyance Index - 1989 to date

Attorney Bar Rolls

What Do I Need To Subscribe to CDC Remote Access?

SOFTWARE... Communications software compatible with the court's system.

MODEM... A modem with transmission speeds of 9600 bps or greater.

APPLICATION PROCEDURE... Your application fee, which includes both setup fee and cost deposit, is due upon subscription to CDC Remote Access. Complete the Registration form on the reverse side (or pick up one from any cashier – CDC, First City Court, Conveyance, or Mortgage) and return it with your application fee and executed subscriber agreement to any cashier. Or, you may mail your application, agreement and fee to: Judicial Expense Fund, Attention Office Manager, 421 Loyola Avenue, Room 320, New Orleans, LA 70112. Credit cards not accepted. You will receive your ID and password via the mail. Please direct inquiries to Data Processing, (504) 592-9264.

To subscribe to CDC Remote Access, please supply the information requested below and return this form, together with your check made payable to the Judicial Expense Fund, to any cashier (CDC or First City Court, Mortgage or Conveyance). You will receive an ID and password in the mail or via E-mail.

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Contact Person _____

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Parish of Orleans

Civil Courts Building
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New Orleans, Louisiana 70112

for more information, contact:
Data Processing
(504) 592-9264

CDC Remote Access



Zero Tolerance Commission
Meeting Minutes
September 1, 1999
City Planning Conference Room
City Hall, 9th Floor

ATTENDEES: Julie Schwam Harris, Mayor's Office
Hon. Paul Bonin, Traffic court
Hon. Paul Sens, Municipal court
Hon. Desiree Charbonnet, Mortgage Office
Carol Carter, Mortgage Office
John Empey, Jeremiah Group
Officer Malcolm Ross, NOPD 6th District
Captain Michael Ellington, NOPD 6th District
Sgt. Steve Spiegel, NOPD 6th District
Terry Ebbert, New Orleans Police Foundation
Jennifer Ansardi, LABAL
Allen T. Stevens, ACT
Hon. Gasper J. Schiro, Conveyance Office
Kenneth Burrell, Civil District Court
Paula Arceneaux, ACT

- I. Captain Ellington, Sgt. Steve Spiegel, and Officer Malcolm Ross of the 6th District made a presentation on how they track abandoned cars in the 6th District. They displayed a view of the COMSTAT screen that could easily be adapted to contain icons for abandoned cars, houses, etc. A program could be written that they estimate would take about two days of a programmer's time but cost no money to use existing city database programs such as Paradox that would be compatible with ArcView. (They are currently using Q & A which they recognize is too limited for this bigger project and close to obsolete, though useful for their purposes for now.) Each agency responding to complaints of abandoned cars (with NOPD and Public Works bearing the main burden) would be able to enter the information on a stickered car (date, description, where it was in the process) so that anyone else getting the same complaint from another source could see where the process was. The agency responsible for towing would be accountable for tracking the car from that point, but all could see the current status. A program similar to COMSTAT could happen once a month to view the screens with cars, etc, coded for those disposed of and those still waiting to be moved. This would make the troubled areas and the unresolved problems easier to see.

At this time, it takes filling out 4 forms for each car, and there is no way to check quickly if the car has been removed. Calls have to be made repeatedly to the tow or junk companies, or to the Public Works offices, or someone has to go out and check again. Captain Ellington and the 6th District would welcome working with Public Works, MIS and whoever would be needed to put this type of system in place.

By the next meeting, Terry Ebbert and Judge Paul Sens will contact Deputy CAO Cedric Grant (who works closely with Public Works and has been investigating a universal complaint database) and Earl Kilbride, head of MIS, to explore the possibilities of putting this in place.

- II. The next discussion involved Desiree Charbonnet, Registrar of Mortgages and Gasper Schiro, Registrar of Conveyances on the difficulty of information sharing on the current ownership of abandoned houses and lots. Gasper Schiro said that most sales are recorded and on their computer system within 72 hours. The assessors had felt they were not getting the information quickly enough so now by state statute, they are given copies of all transactions. (They usually send someone once a day to pick them up from the court house.) A copy is also given to Real Estate and Records. However, the information shared is only by hard copy, and would allow chances for error in data entry 3 times. Currently, the Civil Court computer system that Conveyances, Mortgage, and the Civil Court share is a Wang system that the City Hall IBM system could not transfer data from. (This problem stems from a Supreme Court decision long ago to use Wang and the other courts were more or less obligated to follow suit.) Kenneth Burrell, representing Judge robin Giarrusso and Civil Court said the Court is in the process of spending \$800, 000 to install a new system. Everyone agreed to check with knowledgeable MIS people of both the City and the Court to see if this will cure the data exchange problem. Carol Carter of Desiree Charbonnet's office explained that some of the problems stem from the research done by city agents not taking into account the 72 hour period and needing to research more than just the computerized records. She also explained that people can get access to the data on their Wang system through Remote Access, but for a fee.

Judge Bonin summarized the purpose of our inquiries as the Zero tolerance Commission was to help figure out how each public body could better share the information it has with all the others. **Judge Bonin and Judge Sens will facilitate a meeting among the key players of these computer systems, including Gasper Schiro, Desiree Charbonnet, one or more assessors, Earl Kilbride, and Kenny Burrell with the Court's MIS person.**

- III. The meeting was adjourned.

Zero Tolerance Commission

Meeting Minutes

October 6, 1999 at 6 p.m.

City Planning Conference Room

City Hall, 9th Floor

ATTENDEES: Bridget Bane, *Commissioner, Mayor's Office of Criminal Justice*
Hon. Paul Bonin, *Judge, Traffic Court*
Richard Leeman, *Pontilly Association*
Alana Miller, *ACT*
Tina Dixon, *Department of Utilities*
Cornelius Castain, *Councilmember Eddie Sapir's Office*
Terry Ebbert, *New Orleans Police Foundation*
John Empey, *Jeremiah Group*
Cedric Grant, *Deputy Chief Administrative Officer*
Kathryn Cargo, *City Planning*

I. The meeting was called to order by Commissioner Bridget Bane.

II. The minutes of the September meeting were not yet available.

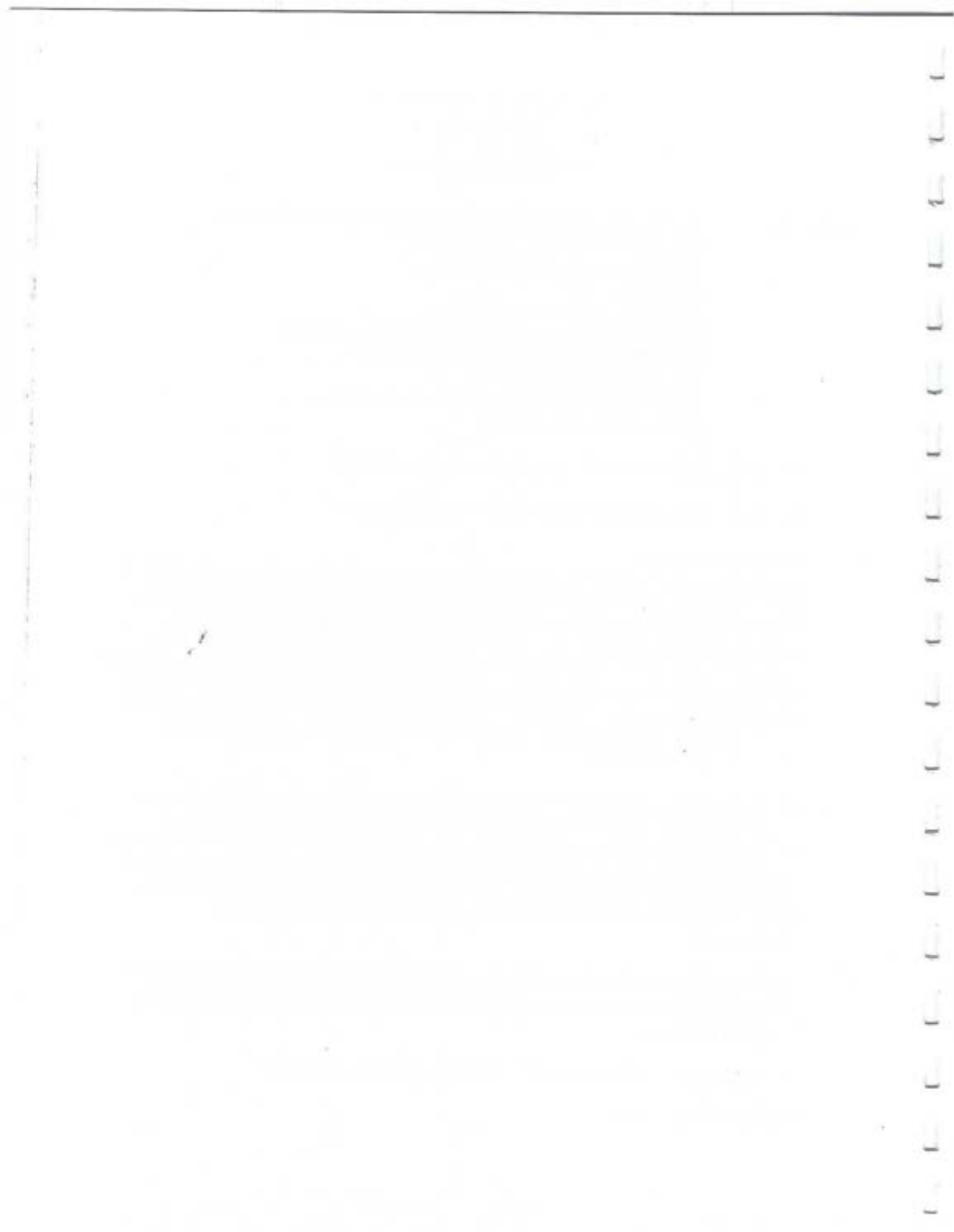
III. **NOGIS Presentation**

Kathryn Cargo and Cedric Grant made a presentation of the city's GIS system "NOGIS". Many city departments are involved in planning use of the system already: **NORD**, Public Works, Sewerage & Water Board, Parks & Parkways, Utilities, New Orleans Police Department, Public Advocacy, etc. At this time Housing and Health are not part of the planning, but will be. It is a spatial database by address. (It is not parcel based, but they will be added at some point.) It is on the city's R drive. City owned properties are on, but not private property ownership. It will link NOPD and Public Works for handling abandoned cars. It will allow city departments and agencies to know what is happening about an address in other departments.

The Commission members asked that the Assessors, the MIS Director, the City Planning Director, the Deputy Chief Administrative Officer, the Bureau Chief of Real Estate & Records, the Recorder of Mortgages, the Registrar of Conveyances, and a representative of the Chief Judge of Civil District Court be invited to the next meeting to discuss the sharing of information to expedite the handling of complaints about property and to improve the citizen's access to information they can use to improve Quality of Life in their neighborhoods.

IV. There was discussion about Councilmember Eddie Sapir and the City Council working to pass Legislation in Baton Rouge to set up a Housing Court but encountering road blocks financially and legally.

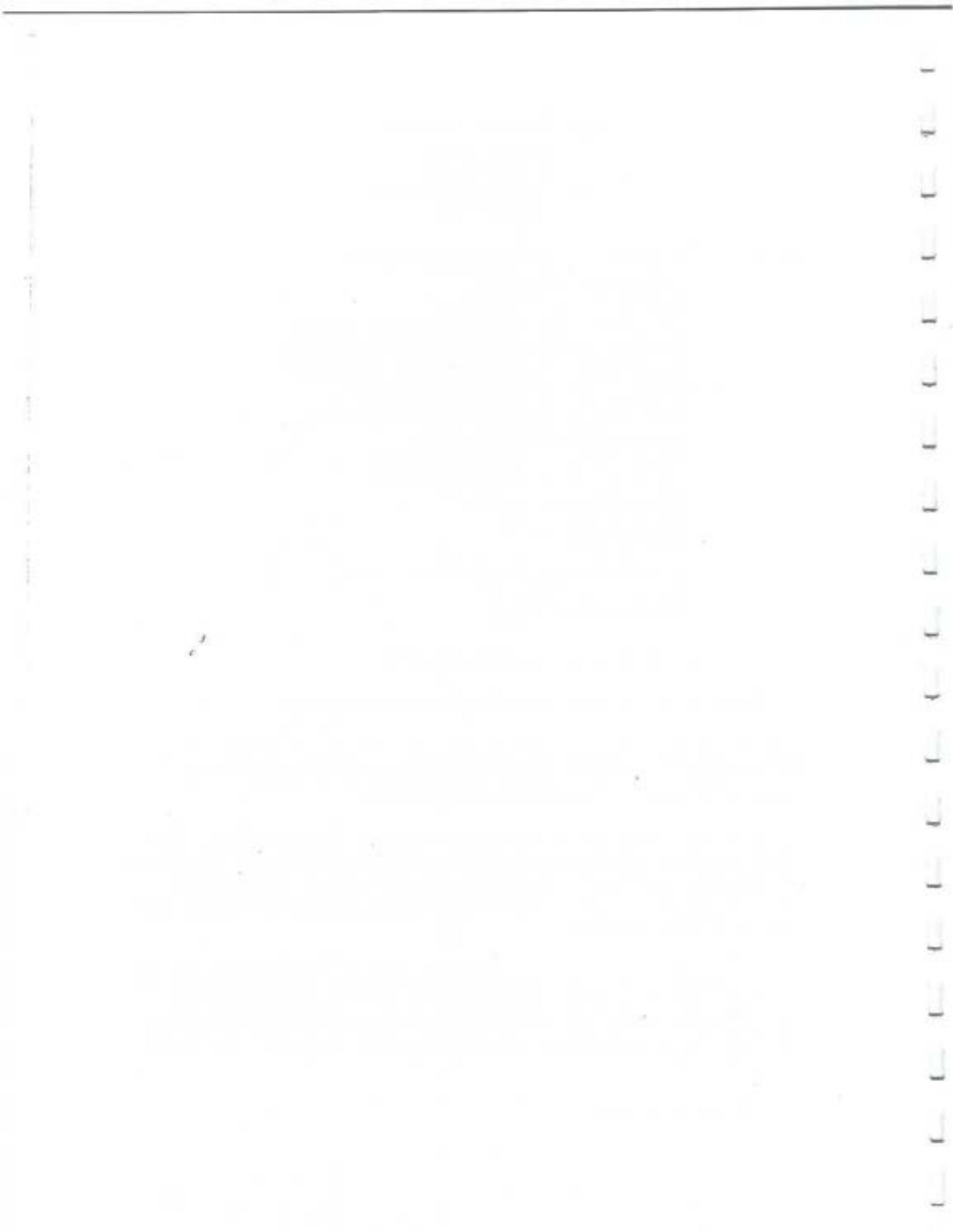
V. The next meeting will be November 3, 1999 at 6 p.m. in the same place.



Zero Tolerance Commission
Meeting Minutes
November 3, 1999
City Planning Conference Room
City Hall, 9th Floor

ATTENDEES: Katherine Cargo, City Planning Commission
John Empy, Jeremiah Group
Norris E. Butler, DHND/HCE
Robert Riley, Aurora Gardens Community Association
Carol Riley, Aurora Gardens Community Association
Joshua Williams, Jr., Representing Rev. Willie Gable
Edwin J. Mazoué Jr., Real Estate & Records
Earl J. Kilbride, Management Information Services
Julie Schwam Harris, Mayor's Office
Kristina Ford, City Planning Commission
Hon. Paul A. Bonin, Judge, Traffic Court
Patricia A. Johnson, Assesor
Betty Jefferson, Assesor
Paula Arceneaux
Richard Pennington, Superintendent of Police
Laura Norman, L.A.B.A.L.
Marc Bitner, D.A.'s Office



- I. The meeting was called to order by Judge Paul Bonin.
- II. The minutes of the October and September meetings were approved.
- III. Julie Schwam Harris explained that conclusions from the Quality of Life survey were almost available. 946 responses were collected and the results are currently being tabulated. The report will be available for the next meeting.
- IV. Katherine Cargo explained the NOGIS system for the group. The possibility of a city-wide system was brought up to the assessors. They brought up the problem of the revenue from the information sales. The assessors also said that while their offices would be interested in making their information more conveniently available, they could not speak for the five other assessor districts.
- V. Carol Riley contributed that Quality of Life issues that used to be handled very efficiently now were getting routed through the Health Department due to a recent staff change. Julie Schwam Harris and Superintendent Pennington offered her assistance, explaining that there were no new procedures, but that the new Quality of Life officer might still be learning the ropes.
- VI. The meeting was adjourned.



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Zero tolerance, by any name, draws mixed response in La.

New Orleans halves its homicides; critics see abuses by police

By Peter Hermann
Sun Staff

NEW ORLEANS -- Getting tough on crime in the Big Easy seems like a contradiction. Swilling beer in public is not only lawful, it's encouraged. There is no such thing as last call at the bars. And a noise complaint on Bourbon Street? Forget it.

But crime has dropped in this party town -- where police corruption is as well known as Mardi Gras -- faster than in any other city. The murder rate, the nation's highest per capita in 1994, has been cut by more than half.

Now, Baltimore's Democratic nominee for mayor, Martin O'Malley, wants to import the same consultants -- Jack Maple and John Linder -- who helped turn New Orleans around, persuading frightened tourists to return to the land of gumbo, beignets and fried oyster sandwiches.

"We have fought to clean up what was known as the most corrupt agency in the nation," boasted police Superintendent Richard J. Pennington, hired in 1994 from Washington.

"Then we had to clean up what was the most murderous city in the nation."

New Orleans accomplished its goals in five years by using a controversial strategy -- alternately dubbed zero-tolerance or quality-of-life enforcement -- that has many in Baltimore worried that their own police department will become a brutal, occupying force.

As New Orleans has sliced the number of killings from 421 in 1994 to a projected 160 this year, some critics say the drop came at too high a price.

"Zero tolerance is an attitude that gives a license," said Mary E. Howell, an attorney who for 20 years has represented people complaining of police abuse.

Complaining of police abuse

At first enthusiastic about the reforms Pennington made, she now sits in her small house on South Dorgenois, walking distance from the police station, helping people who feel victimized by zero-tolerance policing.

She has moved from representing families of people killed by police officers to handling the cases of poor people roused for blocking sidewalks or being drunk in public.

"Zero tolerance allows police to target a certain segment of the population under the rubric of fighting crime," Howell said.

O'Malley rode to a primary victory with tough talk on ending open-air drug markets that are plainly visible to frightened residents, who feel trapped in their own neighborhoods.

But the candidate is on the defensive nine days before the Nov. 2 general election, with some ministers and residents fearing that his strategy will promote abuse by a department they feel already has too much power.

A controversial police killing Oct. 7, in which a 21-year-old man was shot in the back of the head by an officer, has fueled the debate over police and crime.

O'Malley complains that his crime-fighting strategies are misunderstood and that he is unfairly characterized as supporting a renegade force. What he once called "zero tolerance," he now calls "quality of life." He warns that he will not allow inappropriate behavior by officers.

"Effective policing does not equal brutal policing," he says repeatedly.

Pressed to explain how policing will differ in his tenure, he says officers will be better trained, nicer, publicly disciplined for wrongdoing and ordered to climb from their patrol cars and tour crime-ridden streets on foot.

The candidate promises "big changes in law enforcement that won't accept neighborhoods being written off, won't accept a high murder rate and won't accept 24-7 drug dealing."

O'Malley said that minor nuisance infractions will be targeted as a way of solving more serious crimes.

Complaints likely to rise

He said he expects complaints against officers to rise as they confront more citizens, while contending that complaints under former Police Commissioner Thomas C. Frazier "declined for years while the department did nothing."

As for zero tolerance, O'Malley urges people to "just stop using the term."

His Republican opponent, David F. Tufaro, also wants to target nuisance crimes, but criticizes the zero-tolerance approach. He said community leaders should work closely with police on which offenses should be targeted, to help avoid conflicts.

New Orleans suffered from some of the same ills as Baltimore. A high murder rate and New Orleans' notoriously corrupt police force scared visitors away from this port built on a swamp.

New Orleans depends on tourists who flock to drink rum-laced Hurricanes, to dine on Cajun-spiced catfish and to walk streets lined with small Creole cottages and historic homes wrapped in wrought-iron fences. More than 3.7 million people crowd the French Quarter for Mardi Gras each year.

Crime out of hand

By 1994, corruption and crime had gotten out of hand.

A tourist was gunned down along Riverwalk, a shopping promenade that winds along the Mississippi; a police officer robbed a Vietnamese restaurant and killed her partner who was standing guard; another officer ordered the execution of a woman who had filed a complaint against him.

Newspaper headlines in the mid-1990s told an ominous tale: "New Orleans once again murder capital of America"; "Tax revenues plummet"; "Tourism in tailspin"; "Economy stagnant."

By 1994, the number of tourists had dropped from a yearly average of 13 million over the previous decade to a low of 7 million.

Corporation heads formed the New Orleans Police Foundation, pumped money into law enforcement and hired the Maple-Linder team to help Pennington rebuild the department and restore confidence in the city.

Praise for Maple

The foundation's fourth "Partnership for Safer City" luncheon

Police say that abuse complaints and shootings by officers are down over the past few years, while arrests for nuisance crimes are up 70 percent.

Residents of the city's sprawling public housing developments are unimpressed.

Felton White, 34, calls the new policing strategy "hammer down." He grew up in the St. Thomas projects, seemingly endless strips of three-story brick buildings on stilts between the Mississippi River and the exclusive Garden District, where novelist Anne Rice lives in a refurbished orphanage. St. Thomas, built 63 years ago, is home to 580 families, with two-thirds of the apartments now empty.

"When they say zero tolerance, it's just zero tolerance for black folks," said White, who complained about repeated police stops of people walking through St. Thomas.

'Just running his name'

Bart Stapert, who runs the St. Thomas Community Law Center, said one of his clients was recently stopped outside the office by officers who searched him and ran a criminal records check.

"Oh, we're just doing a pedestrian stop," he quotes one of the officers as saying. "I asked, 'What is the reasonable suspicion?' and he answered, 'We're just running his name.'"

Stapert said, "These type of stops have been going on in communities like this for years. Now it's somewhat justified because we have a nice label for it."

Critics complain of uneven enforcement, a chief concern in Baltimore: Loiterers will be shoved against walls and searched on East Biddle Street; they'll be left alone on Roland Avenue.

New Orleans police make no apologies. In a city built on tolerance, officials openly acknowledge that different communities have different problems.

"How in the world would you have zero tolerance in the French Quarter?" Pennington asked, noting the famed historic district of Spanish-influenced architecture, where bars stay open 24 hours and the vibrant sounds of zydeco constantly echo down Bourbon Street, a half-mile, open-air nightclub.

Working with community

Pennington said that similar activity in the upscale Garden District wouldn't be tolerated. "We work with the community to determine what the quality of life issues are," he said.

The superintendent points out that public housing residents, upset that drug dealers commuted there to set up shop, wanted outsiders ousted and agreed to carry identification cards.

Officers are enforcing their request, he said.

Pennington said that two-thirds of the city's murders occur in public housing developments -- areas he said officers once refused to police.

"The cops didn't want to go in there, and the residents didn't want us in there," he said.

Arriving in New Orleans on Oct. 13, 1994, a year that ended with the city topping the charts as the murder capital of the nation, Pennington also had to deal with a second major problem: corruption in the Police Department.

The day he was sworn in, the FBI secretly recorded one of his officers, Len Davis, talking about a hit he had ordered -- that was carried out -- on a woman named Kim Groves, who had filed a complaint against him.

Maple concluded the department had an "operating culture whose instrumental values are individual survival, clan loyalty and stoicism in the face of disappointment."

A survey found that officers believed their mission, in order, was to: respond to complaints, stay out of trouble, report corruption, not embarrass the brass, and protect tourists.

Pennington called his officers "gangsters, murderers and thieves."

The FBI had identified a dozen officers protecting drug shipments and directing the movements of drug couriers around the city.

One officer was publicly identified by the chief as a serial killer; two are on death row.

Pennington has fired more than 36 officers, accepted the resignation of 29 others and suspended 115.

'Shut-down squad'

He takes an active role in addressing complaints -- during a crime meeting he quizzed his top commanders about two officers accused of being overly aggressive.

But it is on the street where the political rhetoric from police headquarters and City Hall becomes reality.

Sgt. Rodney E. Bailey runs the 6th District "shut-down squad," officers free to search out trouble pockets in a wedge-shaped patrol area with Xavier University at the tip and the Mississippi River rounding out the bottom.

It includes the Garden District of stately homes and antique shops, and two housing projects -- St. Thomas and Calliope where children play between empty building shells bordered by open sewer lines.

No negotiations

"We sweep the street -- zero tolerance, nuisance crimes, everything," said Bailey, a 20-year veteran who feels his department's notorious reputation is overstated. People doing something wrong, he said, "have to answer to us. Our motto: We don't negotiate."

He boasts about the number of traffic citations handed out by 6th District officers -- 1,000 a month, up from 15 just a few years ago. But he often cruises past youngsters throwing a football beyond the 8 p.m. curfew.

Zero tolerance implies that every infraction warrants police attention. But Bailey doesn't even slow down.

"If this was the Garden District, the residents would expect us to take action," he said.

The discretion is what his boss, Pennington, wants: Target areas rife with crime; use restraint elsewhere.

Bailey ordered his squad to converge on the troublesome Friendly Touch Bar, a noted gathering place for thugs.

Officers rounded up 18 young men and women standing outside. They handcuffed them chain-gang style, ran their records and came up with one outstanding warrant on an unpaid traffic ticket.

"It's like fishing," Bailey said, as a crowd gathered to watch the routine spectacle played out in front of the small, ramshackle homes. "We cast a big net."

Asked for probable cause for stopping the youths, officers pointed to a spray-painted sign scrawled on the outside of the tavern: "Please no loitering anytime NOPD. No weapons allowed."

One of the squad cars had the "zero tolerance" sticker on the back bumper, under the official slogan, "To protect and serve."

The 6th District commander, Capt. Michael O. Ellington, said there is "absolutely not a zero-tolerance policy," but he said stepped-up attention to minor offenses has curtailed crime.

In 1994, the district had 98 murders for 52,000 residents. Last year, the number was down to 42.

What Maple brought to New Orleans was Compstat, a weekly crime meeting involving top commanders and low-level supervisors, who gather in a room, look at crime maps projected onto a wall and discuss combat strategies.

It began in New York and is now used in several cities, including Baltimore. One by one, New Orleans commanders talked about clusters of shootings, truant arrests, car stops and crime patterns around vacant houses.

For one week in one district, police reported dealing with 654 abandoned cars, 22 cases of illegal dumping, seven graffiti problems, 152 traffic infractions, 12 stray dogs and 116 parking complaints.

Officers reported nine arrests, 89 citations, 114 warrants served and 268 traffic tickets. They impounded 657 cars.

New Orleans police say they no longer simply react to crime when it occurs. After a number of women had been raped in the French Quarter this month, undercover officers saturated Bourbon Street.

They watched for potential victims -- drunken women who had become separated from their group -- and approached nine during a single night. The officers warned them of the danger and questioned the men they were with.

No arrests were made, but detectives built up a database of potential offenders.

"We scared the hell out of a lot of people," said Lt. Bob Benelli, commander of the sexual assault unit.

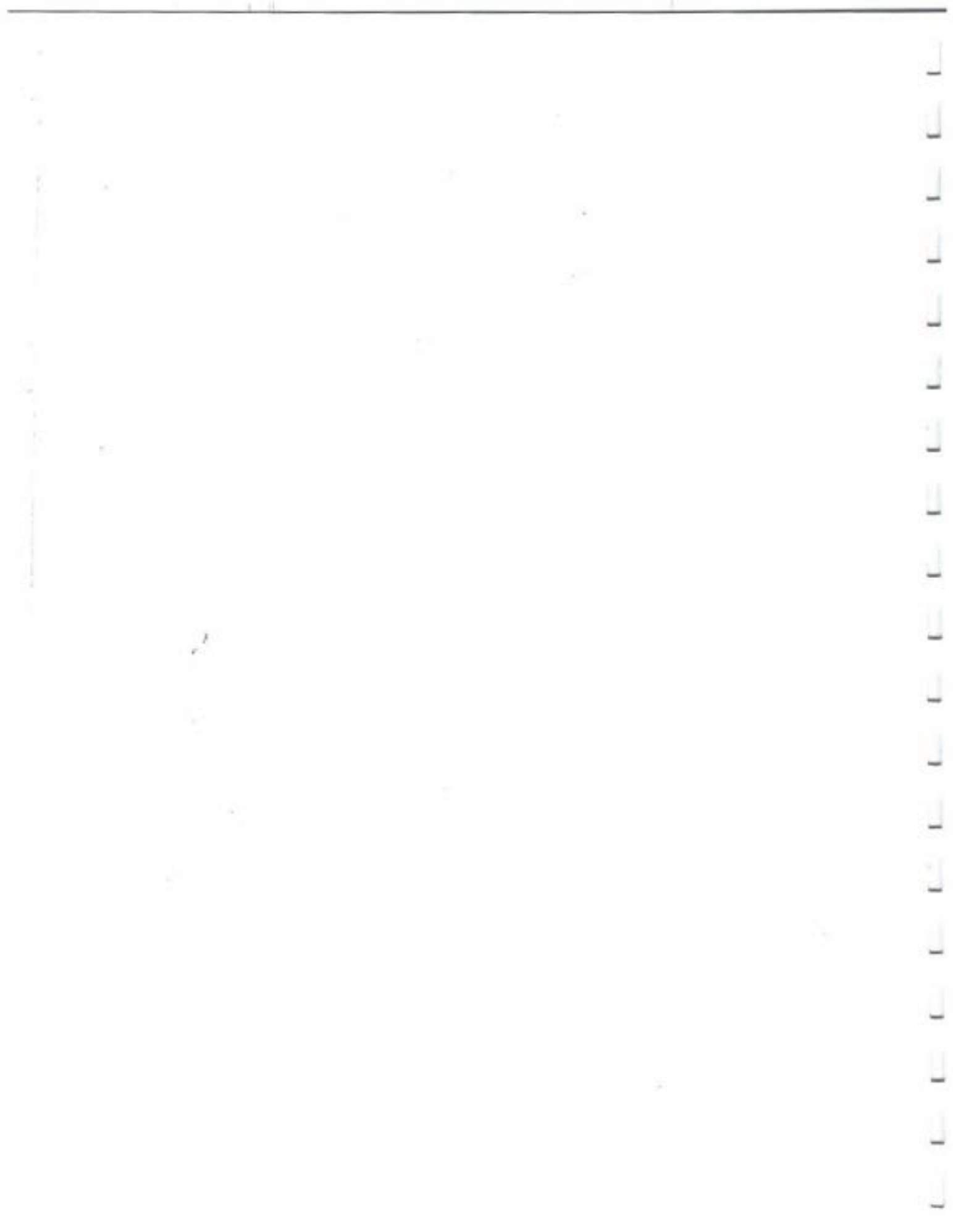
Originally published on Oct 24 1999

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MEMORANDUM

CITY PLANNING COMMISSION

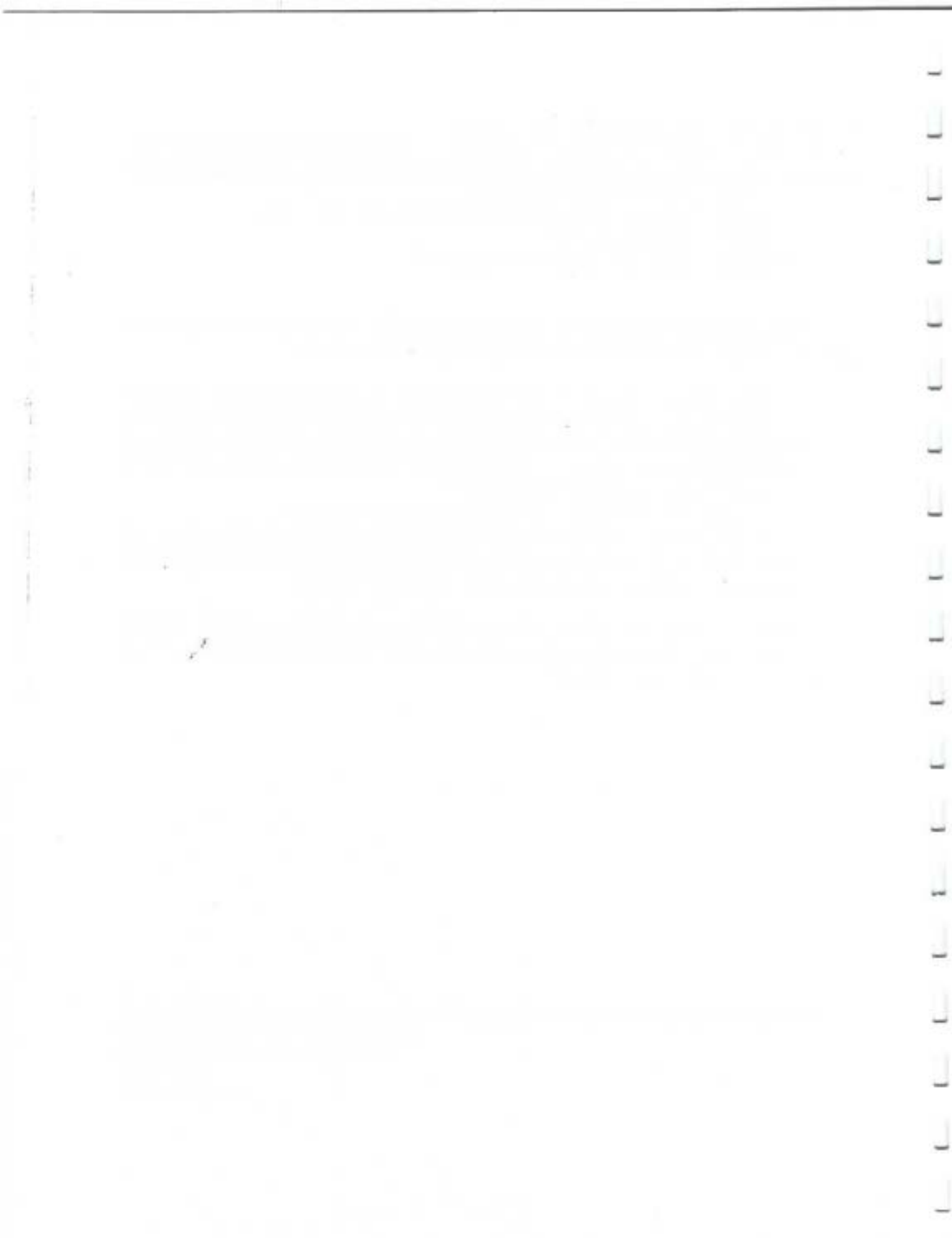
TO: Cedric Grant, Deputy CAO
FROM: Kathrine Cargo, NOGIS Project Manager (565-7000)
DATE: October 25, 1999
SUBJECT: What we want from the Assessors

You requested the language describing the data we would like the assessors to provide in support of NOGIS. Below I have listed what I believe are our main needs:

- an initial "dump" of all A, C, and E Records in the Assessor database. This data encompasses the information about property address and owner name (A Records), transaction information (C Records), and property description (E Records). This would provide the address and owner information for the bulk of the lots in the NOGIS basemap. This data is all public information.
- an annual "dump" of the A, C, and E records for QA/QC purposes
- a quarterly "dump" of those records that have changed (due to transactions, re-subdivisions, etc.) since the last request. This would provide a means of maintaining the integrity and accuracy of the parcel address database in NOGIS.

Ideally, we would like to have a Memorandum of Understanding with the Board of Assessors and create a data exchange program that would be beneficial to both parties. Please contact me if you need more information.

City Hall-Suite 9W, 1300 Perdido Street
New Orleans, Louisiana 70112-2123
504.565.7000
Fax 504.565.7915



What Is GIS



GIS Is Geographic Information System.

A geographic information system (GIS) uses computers and software to leverage the fundamental principle of geography—that location is important in people's lives. GIS helps locate new businesses and track environmental degradation. It helps route garbage trucks and manage road paving. It helps marketers find new prospects, and it helps farmers grow healthier, larger crops.

GIS takes the numbers and words from the rows and columns in databases and spreadsheets and puts them on a map. Placing your data on a map highlights where you have lots of customers if you own a store, or lots of leaks in your water system if you run a water company. It allows you to view, understand, question, interpret, and visualize your data in ways simply not possible in rows and columns.

And, with data on a map, you can ask more questions. You can ask "where?," "why?," and "how?," all with the location information on hand. And you can make better decisions with the knowledge that geography and spatial analysis are included.

ESRI Is the World Leader in GIS Solutions

With the vast sources of information available today, GIS is a key tool in determining what it all means. With so much information tied to a location, GIS helps find patterns we might not see without a map.



Integrate data in various formats and from many sources using GIS.



GIS can make thematic maps (maps coded by value) to help illustrate patterns. To explore highway accidents we might first make a map of where each accident occurred. We could explore further by coding accidents by time of day. We might use one color to locate those that occur at night and a second color for those that occur during the day, and then we might see a more complex pattern.

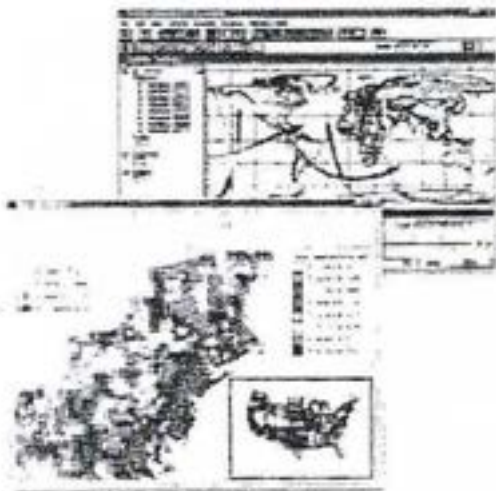
Mapping the locations of school-age children can help reveal where day care is needed. Mapping crime incidents helps reveal where there may be a need for increased police patrols. Mapping customers' home and work locations can help banks locate ATM machines to provide better service.

Mapping geologic features and ground temperatures can help exploration geologists look for minerals, oil, gas, and other materials underground. If they can identify patterns of likely locations, they save money and reduce the impact of drilling on the environment.

Mapping park land in a city may help the city council recognize the need for more green space. Mapping migration routes of birds may help protect endangered species.

GIS helps us look for patterns in both the man-made and natural realms and understand our world.

Make Your World Better



For more information, call your local reseller or ESRI at
1-800-447-9778 (1-800-GIS-XPRT).
Send E-mail inquiries to info@esri.com
Visit ESRI's Web page at www.esri.com

GIS Is About Solving Problems

Sometimes we need to create new patterns or reshape existing ones. Planners of all kinds—city planners, environmental planners, business strategists—do this every day. Their job is to lay out a framework so growth can occur in a managed way and benefit as many people as possible while respecting our natural resources.



Every day businesses need to deliver goods and services to clients all around a city. Each truck needs a pattern of how to visit each client. GIS provides tools to create those patterns, in this case routes, to solve the problem.

In the military, leaders need to understand terrain to make decisions about how and where to deploy their troops, equipment, and expertise. They need to know what areas to avoid and which are safe. GIS provides tools to help get personnel and materials where they need to be safely so they can do their job.

In forestry, existing and future trees need to be cared for to ensure a regular supply for the world's building needs. GIS provides tools to help determine where to cut today and where to seed tomorrow.

In many areas of business, such as manufacturing and banking, organizations must meet government regulations regarding pollution and interstate trade. GIS provides tools to help companies comply with local, state, and national regulations.

In floods and hurricanes, emergency response teams save lives and property. GIS provides tools to help locate shelters, distribute food and medicine, and evacuate those in need.

In telecommunications, when phone service is out, it means part of the network may be disconnected. GIS provides tools to help find out what part of the network is affected. With that information at hand, workers in the field can get everyone talking again.

GIS Is Part of Your World

If you flipped on a light switch today, chances are a GIS helped make sure the electricity was there to light up the room. If you drove down a highway today, chances are a GIS managed the signs and streets along the way. If you received a delivery today, chances are a GIS helped the driver find the way to your house. If you bought fresh vegetables today, chances are a GIS helped manage the land and calculate the fertilizer needed for the crop. If you looked at a map on the Internet, chances are a GIS had a hand in that, too.

Whether you use GIS technology yourself or see its impacts indirectly, it is a technology at work today to make your world better.



ESRI 380 New York Street, Redlands, California 92373-8100, USA. Telephone: 909-793-2853, Fax: 909-793-5953

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Zero Tolerance Commission
Meeting Minutes
January 5, 2000 at 6 p.m.
City Planning Conference Room
City Hall, 9th Floor

ATTENDEES: Bridget Bane, *Commissioner, Mayor's Office of Criminal Justice*
 Hon. Paul Sens, *Judge, Municipal Court*
 Edwin Mazoue, Jr., *Real Estate & Records*
 Annette Long, *D. A.'s Office*
 Chris Young, *LABAL*
 Terry Ebbert, *New Orleans Police Foundation*
 John Empey, *Jeremiah Group*

- I. The meeting was called to order by Commissioner Bridget Bane.
- II. The minutes of the November meeting were approved.
- III. Report and Discussion on Quality of Life Survey

Terry Ebbert: A significant finding is the **universality** of the problems. Certain issues like abandoned cars need to be prioritized. They might not be resource generator, but are a needed expense and should be funded appropriately. A related issue: police are spending time and making cocaine arrests but the courts are not keeping the alleged perpetrators in jail. Maybe police should spend more time on quality of life issues.

There was discussion on breaking down the stats by zip code, which is possible, but might not be any more statistically valid.

Judge Sens reminded us that Supt. Pennington asked that we give him some guidance in the police department's implementation of Zero Tolerance. The problems we are gathering aren't just police issues but quality of life issues involving much of city government. The city does not have the resources to implement zero tolerance, but can use our commission's recommendations to improve the city's response. We can summarize the statistics and make recommendations to the Mayor on what he should have the city do. E.g. Information sharing-the commission could recommend that the assessors, registrars and city departments unify their database systems and share information to expedite the handling of problems and make it easier for citizens to obtain information.

Terry Ebbert concurred. Zero tolerance per se is not practical but what is needed is enhanced quality of life enforcement.

Ed Mazoue & discussion: Many of the problems cited in the survey as needing more enforcement do involve stepped up police involvement, e.g. traffic enforcement, ABO's, blocking sidewalks, curfews, noise, solicitation, etc. Others like abandoned buildings, lots and cars are handled mainly by other agencies (but NOPD Quality of Life Officers do support and enhance their work). An example of a recently prioritized quality of life issue is

ticket writing for illegal parking in handicapped spaces.

Chris Young of LABAL clarified the position of the retail beverage industry on some aspects of increased NOPD enforcement they disagree with. They believe that enforcement in certain districts like the French Quarter and the University Area is overzealous. Mr. Young said that they are coming down too strong on open container laws, parking violations, etc. in a broad sweep in certain districts as opposed to only focusing on the ones (bars) that are problems.

John Empey of Jeremiah said that he and others support stepped up enforcement of all kinds at ABO's because of his experience in the 6th District. There are many problems including drug activity around some ABO's in the 6th District. (E.g. Broad and Washington)

Paul Sens said the police need to be continuously educated and retrained on the laws such as open container and blocking a sidewalk so people are not harassed. He also said that ABO's should be treated like businesses. He recommends the formation of a committee to review criminal ordinances such as trespassing, disturbing the peace, open container laws, etc.. In some cases, invoking a minor offense could jeopardize a serious charge because of double jeopardy.

Terry Ebbert supported the idea of a review of the Criminal Code for substance and language reasons, and the development of a handbook for officers to interpret the best use of the laws.

Bridget Bane also supported the idea of a review of city ordinances and state laws. She thought we should get a read from the DA about problems in enforcement. She has already begun looking into inadequacies of the auto theft law, and suggested a partnership with insurance companies or others to put bounties on stolen cars to encourage their recovery. She is also working with the Mayor's Housing Committee to implement a criminal landlord statute.

Annette Long of the DA's Office said the DA recognizes the seriousness of these efforts and is prepared to support them.

It was generally agreed to review what we have done in this committee for the last year and a half, to compile a report to the Mayor that outlines priorities and concerns, and gives suggestions.

IV. The next meeting is Wednesday, February 2, 2000.

Zero Tolerance Commission
Meeting Minutes
February 2, 2000 at 6 p.m.
City Planning Conference Room
City Hall, 9th Floor

ATTENDEES: Bridget Bane, *Commissioner, Mayor's Office of Criminal Justice*
Hon. Paul Sens, *Judge, Municipal Court*
Edwin Mazoue, Jr., *Real Estate & Records*
Marc Bitner, *D. A.'s Office*
Chris Young, *LABAL*
Terry Ebbert, *New Orleans Police Foundation*
John Empey, *Jeremiah Group*
Norris Butler, *DHND/Housing*
Carol & Robert Riley, *Aurora Gardens Community Assn.*
Henry Dillon, *City Attorney's Office*
Captain Lonnie Swain, *7th District NOPD*
Julie Schwam Harris, *Mayor's Office*
Paula Arceneaux, *ACT*

I. The minutes of the January meeting were approved.

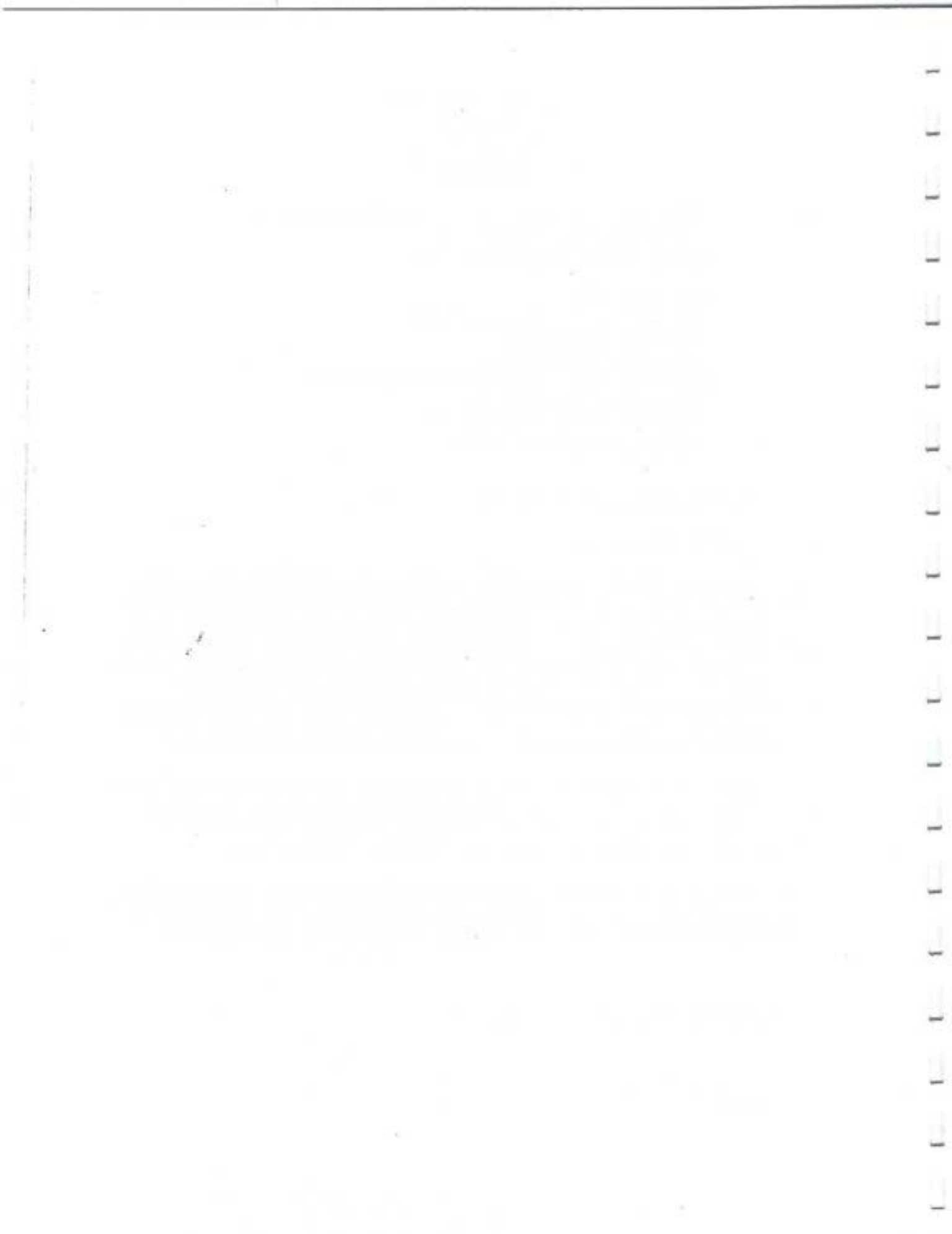
II. Discussion of Draft of Commission's Report

There was extensive discussion on the draft report submitted by Julie Schwam Harris to begin the reporting process. Everyone agreed the format was a good beginning. Bridget Bane spoke of all the things the report pointed out as needed that had begun, or were in the planning process: the anti drug effort in the DA's office, the inclusion of blighted houses in the Comstat process, the progress of the Mayor's internal Housing Task Force and Project Exile, to use federal charges to get felons with guns off the streets. The recommendations based on what this committee has learned from all the department and agency representatives who spoke to it will be invaluable for putting together a plan. One example is the "Stolen Car" issue (car thefts cost \$40 million a year). Terry Ebbert said that the recommendations should be performance based - including who, what to do, when done by.

It was suggested we list the participants who came to the meetings, whether or not they were officially appointed to the committee, as well as the list of people who made presentations. The survey with a summary of its results should also be included. The minutes need to be archived (a set is always prepared for Jane Jurik who keeps records for boards, commissions and task forces.)

Some specific suggestions for inclusion were a citizen oversight committee, the uniform complaint form that would be used in the shared complaint system (that 9 or 10 agencies are already working on), information sharing and coordination among the courts, city, and agencies that record property transactions.

III. The next meeting is Wednesday, March 1, 2000.



Zero Tolerance Commission

Meeting Minutes

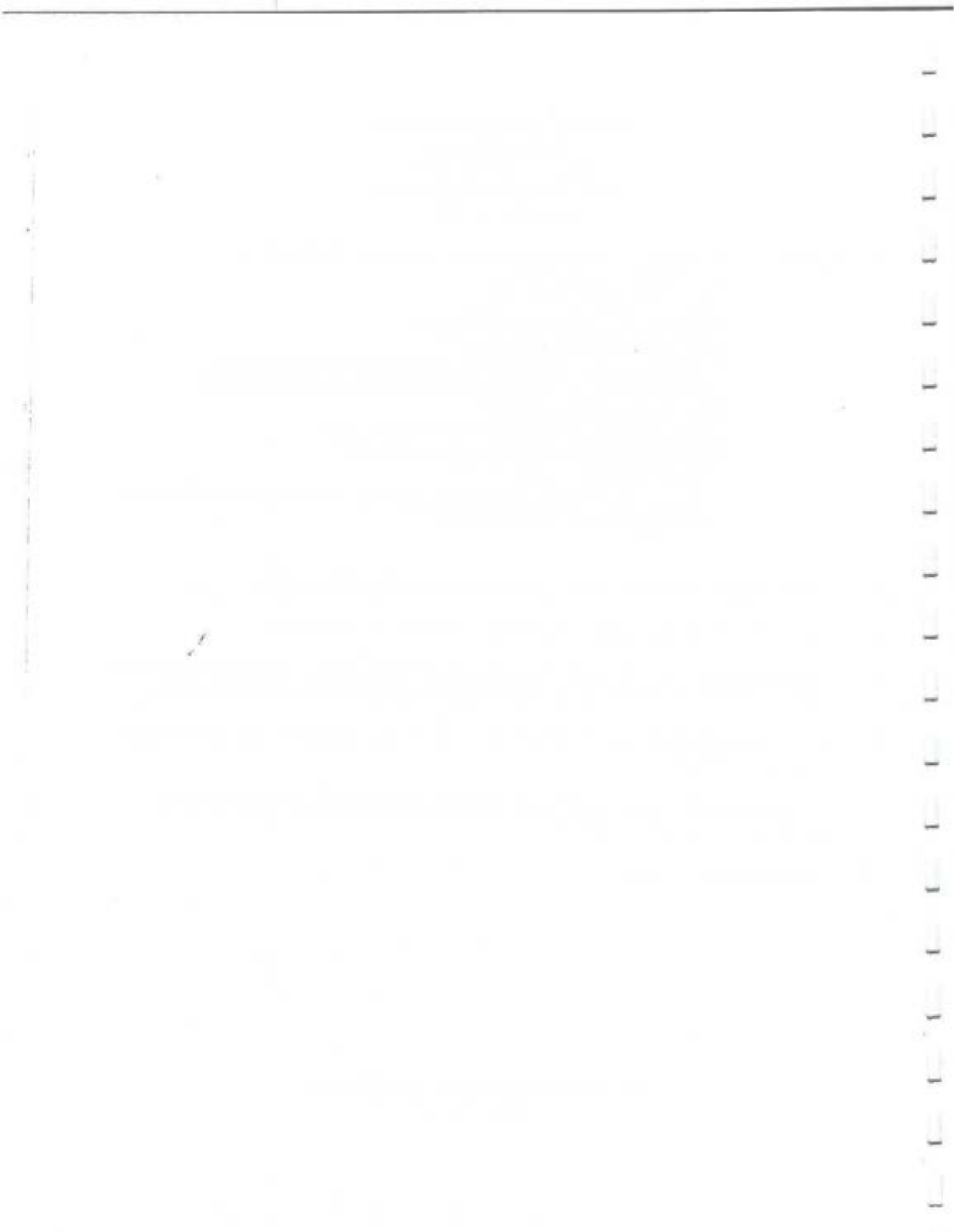
March 1, 2000 at 6 p.m.

City Planning Conference Room

City Hall, 9th Floor

ATTENDEES: Bridget Bane, Commissioner, *Mayor's Office of Criminal Justice*
Hon. Paul Bonin, *Traffic Court*
Alvin Colomb, *Project New Hope*
Annette Long, *District Attorney's Office*
John Empey, *The Jeremiah Group*
Captain Norman C. Woodridge, Sr., *New Orleans Fire Department*
Joshua Williams, Jr., (*Rev. Willie Gable*) *Progressive Baptist Church*
Mary Howell, *Attorney at Law*
Paula Arceneaux, *All Congregations Together (ACT)*
Jeff Dorson, *League in Support of Animals (LISA)*
Chris G. Young, *L.A.B.A.L.*
Audrey A. Scott, (*Representing Allen T. Stevens*), *All Congregations Together*
Julie Schwam Harris, *Mayor's Office*

- I. The meeting was called to order at 6:15 p.m. by Commissioner Bridget Bane.
- II. The minutes of the February 2, 2000 meeting were voted on and adopted.
- III. An extensive discussion was rendered regarding the 2nd draft of report to the Mayor. Members of the committee will fax further suggestions for more discussion to Julie Schwam Harris.
- IV. The committee heard briefly from Jeff Dorson of LISA, who will make a more extensive report at the April 5th meeting.
- V. Joel Moak, president of the Irish Channel Neighborhood Association has asked to make a presentation at the April 5th meeting.
- VI. The Meeting was adjourned.



LISA

League in Support of Animals
PO Box 740321
New Orleans, LA 70174

MEMORANDUM

TO: Mayor Marc Morial and Superintendent Richard Pennington

FROM: Jeff Dorson

DATE: January 16, 2000

RE: Dog fighting activity report

Enclosed please find a copy of our most recent report on dog fighting activities in Orleans Parish. This report is being distributed to each task force committee member, city council member, as well as interested community leaders. The intention of this brief report is to offer an analysis of the on-going problems associated with this rapidly growing criminal activity and to seek input from your offices and other different agencies.

Because of the reported high incidence of this crime and the low prosecution rate of offenders, we are still seeking to develop viable solutions to this problem. Media interest and public awareness of the problem of dog fighting is high and the community clearly wants relief from the problems they are witnessing. Without more aggressive prevention and intervention policies and procedures, however, we will be unable to produce any significant reduction in these types of crimes.

We estimate that our agency will receive over 350 reports of dog fighting this year, up from approximately 80 reports last year. As we estimate that LISA receives complaints on less than 5% of dog fights that occur in the city, we predict no less than 7,000 fights in New Orleans this year. Furthermore, if new enforcement strategies are not employed, we can expect no alterations in the status quo: a handful of arrests and no successful felony prosecutions, as has been the pattern for the last decade.

Clearly this criminal activity is not going to diminish unless we redouble our efforts and institute new techniques. We will continue to work on this issue to the best of our ability. Your continued interest in these matters is greatly appreciated.

There's No Excuse For Animal Abuse.

NEW ORLEANS ANTI-DOG FIGHTING TASK FORCE
Report compiled by League in Support of Animals / February 16, 2000

The number of dog fighting complaints referred to our agency continues to grow. Almost daily, we receive complaints and reports of alleged fighting and/or training activities in Orleans parish. We have compiled a report outlining some of the allegations in question, as well as some of the actions that LISA and others have undertaken on this issue during the past few months.

1. A HANO employee confided in us that there is a lot of dog fighting on Sundays in the courtyard. This activity allegedly takes place by the merry-go-round in the St. Thomas Housing Project. She said that the fights usually involve pit bulls. They commence around noon and last for several hours.

Comments: This information was passed on to Mr. Bell of HANO several months ago, the day after we received the report.

2. A HANO tenant has been regularly heard discussing dog fighting by an anonymous complainant. The tenant lives at the Calliope Housing Development and discusses the regular dog fighting in her area. She states that on almost every Sunday, beginning at around noon, 1-2 dozen men cause their pit bulls to fight for several hours in the courtyard. She also says that several men are stationed around the courtyard and in the general vicinity, to alert the fighters of any police or outsiders.

3. On January 9, 2000, we received information that crowds of up to 50 men, women, and children attend cockfights behind the house at 1914 Allen Street on Sundays, starting at noon. (See photos #1-2) We informed the SPCA of this report. Mr. Alexander said that they had received the same information. On January 16, we were informed that the crowd was forming again. I paged Mr. Alexander, who said he was in route. I arrived at the scene shortly thereafter.

Comments: Police at the scene informed me that 6 people were caught in the backyard and given citations by the SPCA. Several men were able to escape arrest, according to neighbors, by climbing the six-foot fence, as soon as the SPCA arrived. Behind the privacy fence in the backyard, there were rows of fighting birds in cages. In the middle of the yard was a makeshift fighting ring. One dead bird was visible in the ring. A pile of dead birds was found rotting under a tarp to the side of the house. Sgt. Davillier arrived at the scene and expressed his disappointment that NOPD was not notified of this incident earlier. He said that he could have sent some of his people in to look for and/or buy drugs during the chicken fights in order to see more serious charges brought against the defendants.

4. In late January, two teenagers were seen walking their vicious pit bulls on General Meyer, in Algiers. When asked about the dogs, the pair replied that they were breeding the dogs for sale. They related that the grandparents were "champion fighters" and that their puppies would sell for \$300.00 to \$500.00 each. They admitted that there is a huge market for fighting dogs in the city. Both teenagers attend high school. (See photo #3).

5. In late January, we received a report of neglected pit bulls, being housed at 4722 Banks Street. I contacted the Quality of Life Officer for that district and the SPCA. We arrived at the scene and were given permission to view the dogs by the owner's mother. (See photos #4-7). Both dogs were malnourished, dehydrated, and had multiple bite marks over their bodies. We all agreed that the dogs needed to be seized and given immediate veterinary care. The owner was later charged with cruelty, under the state statutes.

Comments: A neighbor informed us that he had called the police and the SPCA "about 20 times" about these dogs over the past year and nothing was ever done. According to this individual, the police or the SPCA came out about a year ago and took one pit bull, but then returned it a few days later. Our agency has received reports about this owner for the past three years, alleging that the man is a known fighter, who has bragged to residents that he keeps his dogs "light for the ring."

6. In February, I called Ms. Trendy Burns, screener for the district attorney's office, to inquire about the status of other dog fighting cases, especially the one that was listed in the Times Picayune, on September 25, 1999. She pulled the case and informed me that their office had to refuse this case and another one like it because of lack of evidence. (See attached article) According to her reports, no one actually saw the men fight the dogs, even though all the dogs had evidence of abuse and fresh wounds, therefore she had to drop all charges against the defendants. According to our records there have been approximately six arrests under the state dog fighting statutes, but zero trials and zero prosecutions in our parish, during the last two years.

In early February, we received a report that a young man was housing three pit bulls at 4715 Lafaye Street. Concerned neighbors suspect the man of training his dogs to fight. He allegedly has a treadmill in his garage, which he purportedly uses to get the dogs in fighting shape.

8. On February 2, at 6:30 pm, we received a call of dog fighting in progress in a lot located at 3218 Cherry Street. A neighbor, Ms. C. reported seeing a group of men kicking a beating a small pit bull, trying him to make him fight a larger pit bull. The dogs were making a great deal of noise and one was apparently in a great deal of pain. Ms. C. dialed 911. The police sent a unit to the scene and according to Ms. C., the officer showed her flashlight into the lot, but did not get out of her vehicle. The men hid and waited for the police to leave. As soon as the unit left the scene, the men reappeared and began fighting the dogs a second time. Ms. C called the police again and also called our agency at this time.

Mr. Dorson arrived at the scene and found an injured pit bull puppy tied to the fence of the abandoned lot. His ears had been cut and sewn with regular thread. Both ears appeared to be infected. A second juvenile dog, also suspected of being used in fights, was found a few houses down by police officers. Both dogs were taken to the SPCA. No arrests were made. (See photo 8).

9. On February 11, we received a disturbing call from a high school student, Emily, who had just returned home from her softball practice at Evans Field, near Newman High School, where she attends school. She said that four young black males with four vicious pit bulls were training and fighting their dogs in one corner of the field. At one point, two of the dogs attacked each other and the boys cheered them on. This went on for the 45 minutes that the team practiced. "There were lots of other people in the field," Emily explained, "but they just pretended that nothing was going on. I asked my coach if I should call the police, because I was very upset. She said that I should not get involved. As I was leaving, I watched one of the boys go back to his (peach colored) house. He had tied up the adult pit bull to a tree, and a pit bull puppy wandered out of the house. He immediately started hitting him and abusing him, to get him agitated and mean. I am so upset over all of this."

Overview: The breeding, selling, training, and fighting of dogs in Orleans parish appear to be at an all-time high and there appears to be no end in sight to this criminal activity. These activities are very popular with junior and high school students and with drug dealers. A great deal of money is being used to buy and train fighting dogs and more money is exchanged to wager on the fights. However, in spite of the best efforts of all of our agencies, no one has been convicted of these crimes in state court in several years. The district attorney's office has advised us many times to try and use informants, in order to strengthen their cases. Without eyewitnesses, most cases will be dismissed.

After studying this issue for several years and collecting and analyzing hundreds of reports on this subject, we are submitting the following proposal to our committee:

1. Our agencies must attack this problem more aggressively through the use of confidential informants and joint operations between concerned agencies;
2. Our task force must meet on a regular basis, each and every month, in order to review our plans and analyze new information. Meetings have been too sporadic and sometimes poorly attended during the last several months.
3. We ask HANO to use additional manpower to monitor the situation in public housing and to regularly gather information on dog fighting. We also ask that HANO consider hiring one or two full time animal control officers to check on their own properties (as is the practice with their own security employees) in order to relieve the burden of the SPCA, which cannot be expected to monitor the 13 different housing sites. Unless new strategies are quickly put into place, we believe that hundreds of animals will be abused in the housing developments, because of a lack of enforcement personnel and adequate monitoring systems;

Police collar New Orleans dogfight ring

3 arrested after calls from residents to cops

By Petula Dvorak
Staff writer

Police penetrated the underground world of organized dogfighting in New Orleans this week, interrupting snarling pit bulls and cheering fans to collar three men on cruelty charges, officials said.

Residents of the 6th District called police about 4:30 p.m. Wednesday when they heard barking and growling nearby, New Orleans Police Department spokesman David Bowser said.

A large crowd of onlookers scattered when officers arrived at the back yard of a home in the 1900

block of Washington Avenue, Bowser said.

Three men were spotted holding pit bulls on leashes while the dogs attacked one another. Two handlers were arrested on the spot, while a third, who is 16 years old, ran from the scene only to return later and apologize. Officers arrested him as well, Bowser said.

Gary Carter, 22, of 2905 Dryades St.; Garland Green, 24, of 3305 Freret St., and the teen-ager all were booked with felony cruelty to animals, Bowser said. The dogs were taken by the Louisiana SPCA.

The case is being investigated by Quality of Life officer Malcolm Ross, part of the department's dogfighting task force, an agency that has been stymied in its effort to break up dogfighting rings thought to be operating in the city, police said.

"These kind of arrests are the culmination of two years of work," said Jeff Dorson, executive director of the League in Support of Animals.

"There was a reluctance on the part of most people to call dogfights in. The city now knows this is much more of an issue than everyone previously thought."

Public awareness of dangerous animals may have been heightened by Monday night's fatal mauling of a 10-year-old boy by his family's two Rottweilers, Dorson said.

"I'm glad at least people are now more open to calling in and accepting dogfighting as a problem," he said.

Dorson works with Ross to educate the public and urge opposition to dogfighting by depicting the cruelty of the fights and of the months-long training regimens that precede them.

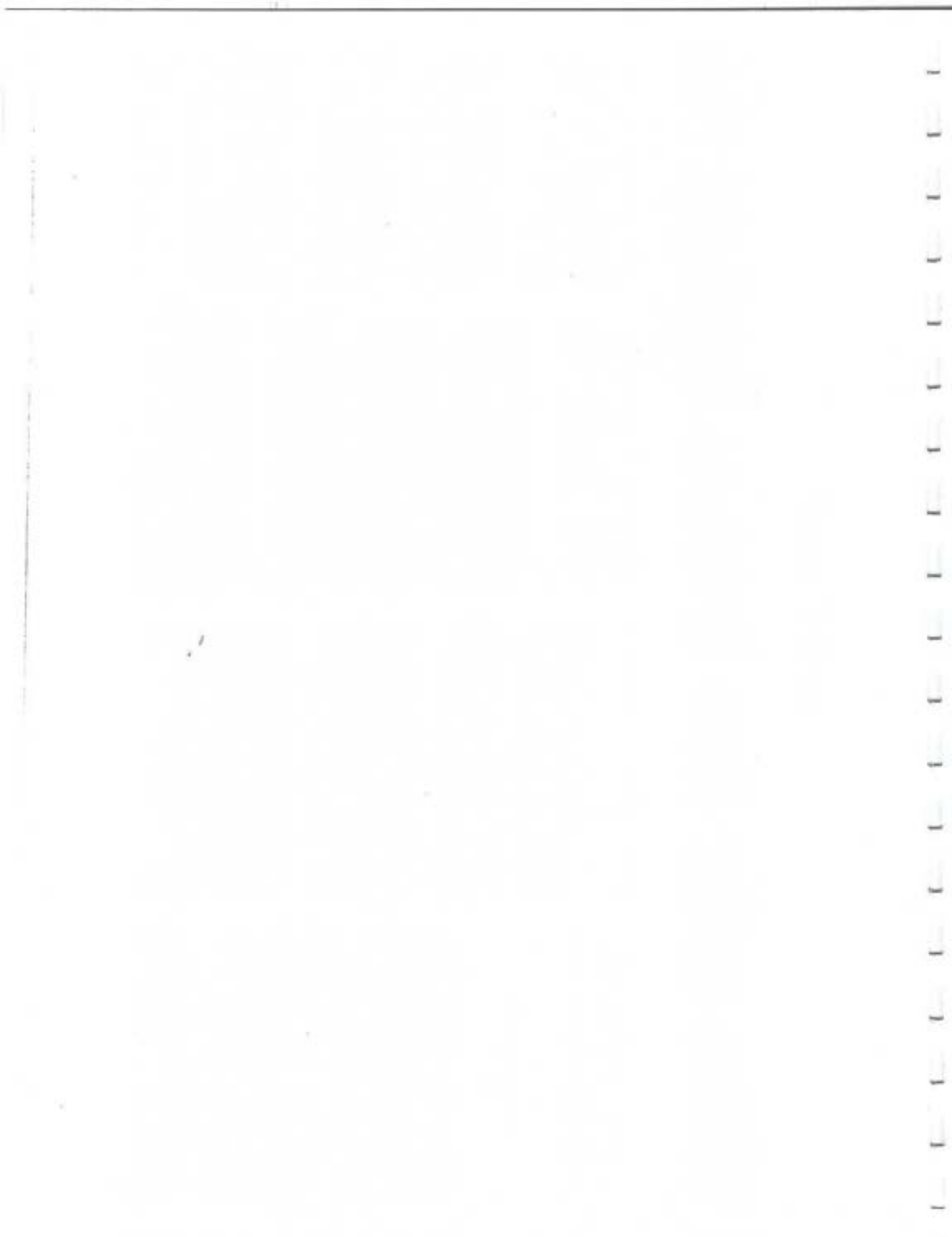
The dogs that were fought Wednesday night probably were starved and deprived, then fed rabbits and chickens to whet their bloodlust before the fight, Dorson said.

Trainers of fighting dogs typically weigh them down with heavy weights and chains and then force them to run on treadmills until they are exhausted, he said.

Losing dogs generally are used as bait and are killed by unpromising animals training to become champions, Dorson said.

There was no betting going on the dogfight broken up Wednesday night, Bowser said, but the gambling associated with dogfighting is what helps make it such a persistent vice, Bowser said.

"It's an addiction," he said. "A lot of it is fueled simply by gambling."



INFORMATION SYSTEMS-CRIMINAL JUSTICE
New Orleans

Problem Statement

The Criminal Justice system has facilitated automation of the various criminal justice agencies during the past twenty-five years. In recent years, from 1995 through 1999, criminal justice agencies in New Orleans have applied for and received a total of \$3,698,783.00 to plan and implement various systems.

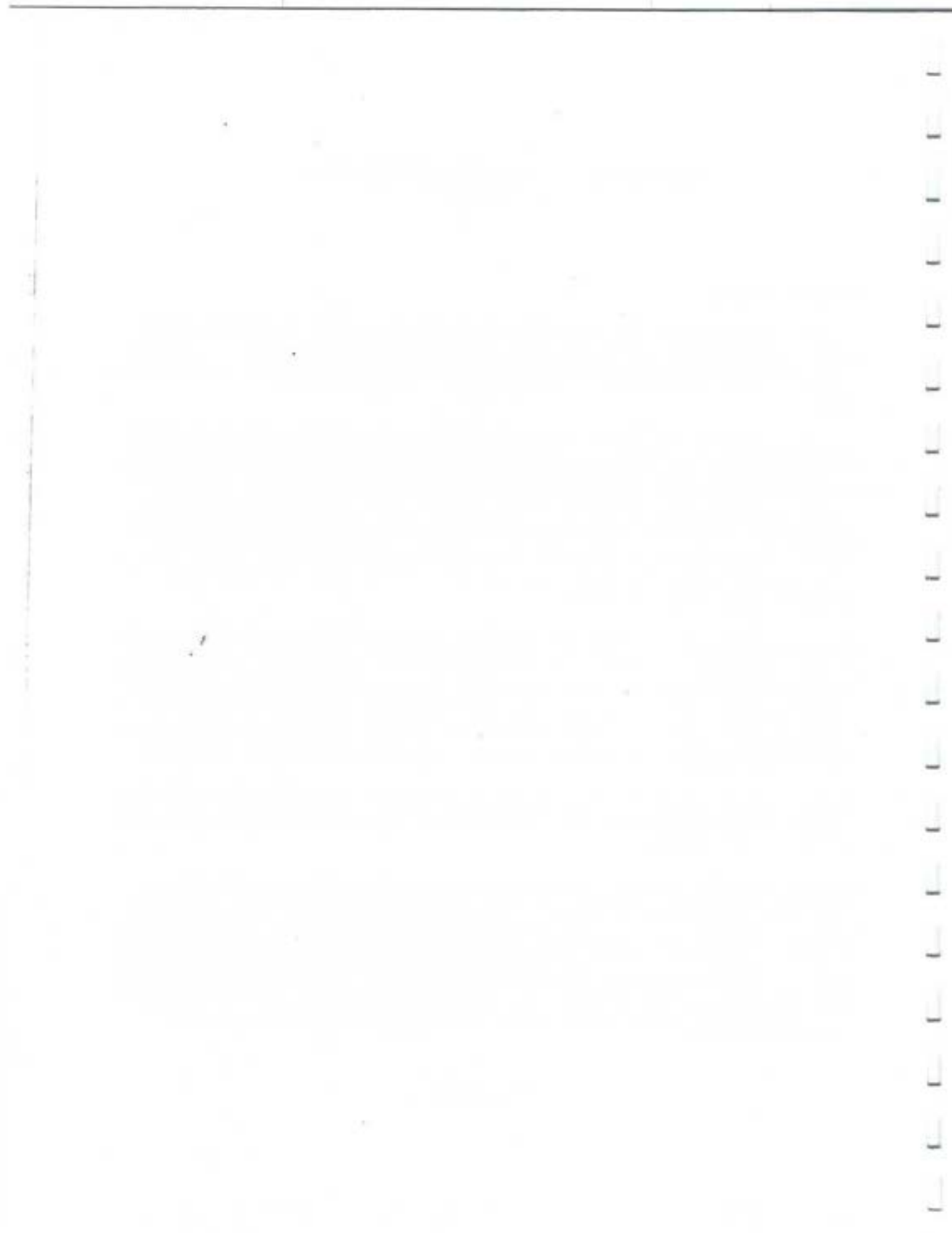
The problem is and has been a lack of coordination among the systems as the systems are created. District Attorney Harry Connick has provided a forum for representatives of many local and state information systems to come together and try to discuss and work out problems in information formatting, gathering and sharing within the criminal justice system. However, with the amount of money devoted to the information systems, we still have no information coordinator for the whole system nor a board as exists in Jefferson Parish. As I write, several non-coordinated strands are being developed and/or planned and contracted for. Yet we have no overall master plan conceptualized or created in New Orleans.

I have suggested that Orleans Parish form a board to coordinate efforts. I have offered my services to write a grant to secure the services of an information systems expert to work for the board by contract, so that no one agency owns the coordinator. At one point over a year ago, Mr. Connick actually asked me to do this, but within a day of his request, he called me to state that he did not want me to proceed, and despite my best efforts to persuade him to allow me to continue, he was adamant and indicated that the other agencies agreed with him that no coordinator was necessary.

I think it is folly to continue. I am requesting that you ask the CJCC to declare a moratorium on any new criminal justice information systems funding, until all of the parties come together and do some very fast overview planning.

Jefferson Parish has a board composed of the Chief Deputy Sheriff, the Criminal Justice Coordinator, and Assistant District Attorney and the Clerk of District Court. We will have to add the Police Department, and I would strongly suggest the Probation Department. I would also suggest adding to this board representatives of the Juvenile Court, Municipal Court, Traffic Court, the State Supreme Court, Civil Court, and the Civil Court Clerk's Office. We could probably profit from having the U.S. Attorney, the Federal District Court, the Federal Marshall's Office and the Clerk of Federal District Court represented, but I don't want to be downright silly in my optimism.

February 29, 2000



Zero Tolerance Commission Meeting Minutes

*April 5, 2000 at 6 p.m.
City Planning Conference Room
City Hall, 9th Floor*

ATTENDEES: Bridget Bane, *Commissioner, Criminal Justice*
 Julie Schwam Harris, *Mayor's Office*
 Joel Moak, *Irish Channel Improvement Assn.*
 John Empey, *Jeremiah Group*
 Gail Empey, *Jeremiah Group*
 Terry Ebbert, *Police Foundation*
 Ed Mazoue, *Real Estate & Records*
 Gaspar Schiro, *Register of Conveyances*
 Laura Norman, *L.A.B.A.L.*
 Norris Butler, *DHDD/HCC*

I. Minutes for March 1, 2000 accepted.

II. Presentation by Joel Moak - Irish Channel Improvement Assn.

Map of Channel color coded e.g. orange for vacant lots. Four years ago, did inventory of the neighborhood. Mostly doubles. Calculated average age, etc. There was a problem for getting ownership data for problem properties. They have done extensive research and now have a binder of vacant lots and houses with ownership info, lien status, etc. The book illustrates that tax and lien payments have been "optional" -- so many go unpaid with no apparent repercussions. This group has gotten funding to purchase properties in conjunction with the Community Resource Partnership.

Gaspar Schiro thought that we need to protect property owners more. He was president of the State Landmark Commission. He agrees that to renovate one house could improve whole block.

The Irish Channel is targeting areas for improvement, i.e. the 2400 block of St. Thomas. They are working with Turnbull Bakery, a business in the area that employs neighborhood people. They have been successful in one area only because they fought a bar, Gussie's, that would have blighted a whole area. One current problem location is 801.

They are working with Tulane Architecture Students to survey. They have identified 52 historical storefronts in 100 square blocks.

Because they have had success in bringing up property values and a desire for property there, there is now a problem with parking and traffic. City Planning and the BZA are thinking in old ways. They are allowing too intense use by variances, such as allowing a single to become a double. The conditional uses stay with the land, and there is much spot zoning.

III. There was discussion on Draft 3 of the report. Changes were suggested and discussed, and a final draft will be brought next time.