The Making of the Orderly City: New York since the 1980s

Themis Chronopoulos¹

Abstract

This article advances the concept of the orderly city, which has structural qualities and as a vision has dominated ideas about law and order in New York since the 1980s. The realization of the orderly city depended on the successful implementation of broken windows policing. This implementation required considerable reforms in the criminal justice system and the provision of substantial financial resources. Even then, without a considerable decline in serious crime rates, the city government would be unable to justify a war against minor infractions. The crime decline that occurred in the 1990s allowed the city government to equate the safe city with the orderly city. Moreover, as the economy of New York improved, the orderly city was promoted as a precondition of affluence. This article shows how these correlations are questionable and how the orderly city is based on morally and legally questionable actions such as racial profiling.

Keywords

orderly city, broken windows, quality-of-life, stop-and-frisk, police, New York

In 2001, Steven Malanga of the conservative Manhattan Institute wrote an op-ed for the New York Post in which he linked New York City’s improved economic fortunes with the elimination of crime and disorder. Malanga’s claim represents a standard narrative shared by the mass media, the business sector, and many public policy makers around the world. According to this narrative, Mayor Rudolph Giuliani (1994-2001) and his first police commissioner William J. Bratton (1994-1996) followed the prescriptions of the broken windows theory and ordered the police to go after disorderly people because their behavior, if unchecked, represented a gateway to serious crime. In the process, both minor incivilities and major crimes declined and this seemingly made the city even more desirable for affluent people and corporations. This narrative has prevailed mostly because of adept political entrepreneurship by conservative commentators, politicians, think tanks, social scientists, and public officials. The orderly city is represented as an unquestionable precondition for economic prosperity.

The ordering of urban space has a long international history with multiple ideological connotations that seek to justify the dominant political and social order. In the United States, the preoccupation with urban disorder intensified in the post-1945 period because of anxieties about racial transition and the future of cities. Urban disorder was divided into two components, physical and social. The terms “slum” and “urban blight” were utilized to define physical disorder,

¹Swansea University, Wales, UK

Corresponding Author:

Themis Chronopoulos, Department of Political and Cultural Studies, Swansea University, Swansea SA2 8PP, Wales, UK.
Email: T.Chronopoulos@swansea.ac.uk
which in a general sense encompassed the decayed condition of the built environment of an area. Social disorder implied the congregation and activities of “undesirables.” These activities included anything from begging for money to playing music loudly to hanging out in street corners. Various disorder eradication programs such as slum clearance, urban redevelopment, spatial fortification, aggressive policing, and the tight regulation of public and quasi-public spaces were used in U.S. cities during the postwar period.1

Despite a preoccupation with disorder that has defined urban governance for decades, the vision of the orderly city acquired a growing importance in New York during the late twentieth century. For Alex S. Vitale, this new emphasis on urban order required a paradigm shift: “While the previous paradigm of urban liberalism placed a premium on social tolerance, government planning, and rehabilitation, the new paradigm was driven by a concern with social intolerance, market- and volunteer-driven mechanisms of social change, and punitiveness.”2 This new paradigm was articulated by Mayor Edward I. Koch (1978-1989) after the fiscal crisis and implied that the thousands of poor people, some of whom were homeless, proliferating in high-profile public spaces had to be contained. For Koch, the orderly city was synonymous with the successful middle-class city. The police became the agency in charge of making New York orderly by going after quality-of-life offenders.

The vision of making New York an orderly city was continuously pronounced in the years that followed the fiscal crisis, but the mechanisms to achieve this vision were not present until the mid-1990s. This is because the reduction of social disorder in public spaces, as defined during this period, had four requirements: a well-funded police department, low crime rates, an effectively deployed and accountable police force, and an adequate criminal justice system. None of the four requirements were present in the 1980s and this undermined the vision of the orderly city. Still, this vision persisted and its continuous articulation justified the extreme measures that came into place to achieve it.

The orderly city was realized under the stewardship of Mayor Giuliani in the 1990s and was maintained under Mayor Michael R. Bloomberg (2002-2013) in the early part of the twenty-first century. While crime rates also declined substantially during this period, as it is made clear in this article, the orderly city is not the same as the safe city. Crime rates also declined in many other major cities in the United States that did not pursue broken windows policing. In fact, the vision of the orderly city hardly existed in most other urban areas before the 2000s when it was promoted as an important precondition to revitalize city centers. Ultimately, the orderly city is based on the idea of racial profiling practiced by a police force seeking to dominate public spaces by regulating the activities of ordinary people of color. It is a difficult undertaking not only because it is morally and legally problematic but also because it requires resources and imperatives not available in most municipalities.


As already stated, the orderly city is not only a vision but requires a redefinition of policing. In the 1980s, major elements of the professional model of policing, which had dominated the operational structure of most police departments in the United States since at least 1945, were discarded. This model was based on the standardization and professionalization of the profession, which was organized as a military organization and increasingly relied on the latest technological advances. In theory, the professional model had three important aspects: crime prevention, response to emergencies, and investigation of serious crimes (by detectives). In practice, the response to emergencies dwarfed the other two functions. Radio cars became very important tools of policing because they covered a large territory and facilitated rapid response and instantaneous communication. This model of policing began to fall out of favor in the late 1960s as crime rates increased and communities felt a detachment from the police.3
In the late twentieth century, a strategy called order maintenance policing reemerged in reaction to the professional model. This strategy attempted to make the police sensitive to everyday problems at the neighborhood level by defining what constitutes legitimate behavior in public spaces and enforcing it. James Q. Wilson was the first to revive this idea of disorder eradication at least ten years before it became a priority among urban police departments. He defined disorder and disorderly people as follows:

Disorder, in short, involves a dispute over what is “right” or “seemly” conduct or over who is to blame for conduct that is agreed to be wrong or unseemly. A noisy drunk, a rowdy teenager shouting or racing his car in the middle of the night, a loud radio in the apartment next door, a panhandler soliciting money from passerby, persons wearing eccentric clothes and unusual hair styles loitering in public places—all these are examples of behavior which “the public” (an onlooker, a neighbor, the community at large) may disapprove of and ask the patrolman to “put a stop to.”

Wilson argued that powerholders originally entrusted the police with maintaining order, leaving crime fighting to private detectives, often ex-criminals who worked for people who suffered losses on a contingency-fee basis. In time, the police absorbed these detectives and their crime fighting objectives while professional prosecutors took over the responsibility of prosecuting criminals. Wilson continued that in the 1960s, the developments of urban rioting and a steep rise in crime further weakened the everyday order maintenance function of the police. Instead of focusing on how to make the streets safer, police departments in the wake of the riots concentrated on preventing and reducing the incidence of mass violence. Moreover, because of the crime wave, police departments had to increase crime fighting activities and show results based on the number of arrests of criminals and the number of crimes solved. Wilson used this change in policing to explain urban decline.

In the 1980s, the reemergence of order maintenance policing was advocated by James Q. Wilson and George L. Kelling in their influential “broken windows” article that appeared in The Atlantic Monthly. This article was based on neoconservative prescriptions of law and order and lamented court decisions that had limited the ability of police officers to enforce social order and arrest people for loitering, vagrancy, and other vague offenses. Wilson and Kelling claimed that scores of vagrants or drunks, though not criminals, are dangerous because they have the potential of destroying an entire community.

The broken windows article was the product of the fiscal limits and socioeconomic problems of the early 1980s. In the absence of adequate policing, the broken windows theory prescribed representational strategies that could potentially make people feel safer. The theory was based on the results of the “Safe and Clean Neighborhoods Program” enacted by the State of New Jersey in the mid-1970s to improve community life in twenty-eight cities. The state provided money to municipalities, so that police officers could be taken out of patrol cars and assigned into walking beats. Although beat patrol had been discredited as inefficient and police officers viewed it as a form of punishment, the experiment was implemented. Five years later, the Police Foundation in Washington, D.C., evaluated the results of the program in Newark and found that foot patrol had not reduced crime, which in most cases was higher. However, residents of the foot-patrolled areas felt safer than people living in other areas and thought that crime had decreased. In fact, their belief of reduced crime was so strong that they took fewer precautions to protect themselves from criminal activity. For example, many of them stopped locking their doors when at home. Wilson and Kelling concluded that these neighborhood residents felt safer because they were no longer bothered by “disorderly people.” They defined disorderly people as “not violent people, nor, necessarily, criminals, but disreputable or obstreperous or unpredictable people: panhandlers, drunks, addicts, rowdy teenagers, prostitutes, loiterers, the mentally disturbed.” Incidentally, these were exactly the populations frequenting high-profile areas of Manhattan making corporate personnel and affluent residents uncomfortable during the 1980s.
Wilson and Kelling viewed the feeling of safety based on false perceptions to be beneficial rather than dangerous. The presence of the police in the sidewalks of the neighborhood operated at the symbolic level, convincing residents that they were well protected and possibly discouraging criminals from operating there. The police achieved order through actions that gave the impression of adequate and comprehensive policing. In reality, order was achieved through the routing of people who were down and out and frequently lacked the capacity to follow the rules of the social order devised by the police. However, this police activity produced a recognizable and familiar public social structure that was not as threatening for certain people. It generated what Bernard Harcourt has termed as the “illusion of order.”

The way that the police maintained order was observed by Kelling who visited a “dilapidated” area in central Newark. Police officers who were white categorized the mostly black population that they encountered in public into “regulars” and “strangers.” Social ordering in this area occurred as follows:

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.

Wilson and Kelling contended that in areas like this the police did not enforce the law, but took steps that were informal and sometimes “extralegal” to maintain order. They admitted that some of this police behavior was illegal and would not withstand legal challenges. What they did not admit was that many of the things that the police officers did were also offensive and degrading. But the representational value of this police behavior remained. In the article, Wilson and Kelling expanded this idea of disorder and argued that physical disrepair or “untended” behavior in a neighborhood had similar results. Residents felt apprehensive about physical and social disorder while criminals viewed them as welcoming signs because they demonstrated that no one cared about the neighborhood.

Although the long-term contribution of the broken windows theory was the linkage between disorder and crime, its main intervention in the early 1980s was its insistence that it was possible to make urban landscapes appear orderly with image-making. Since municipalities did not have enough money to hire the police officers required to fight serious crime or social disorder, police departments could selectively assign patrolmen to instill an appearance of order. A semblance of order could convince people that they were safer and that the city administration was proactive when it came to safety.

New York was one of the cities experiencing a fiscal crisis and high crime rates during this period. Between 1978 and 1983, Mayor Koch insisted on an extreme version of the austerity regime by lowering the operating costs of its agencies though efficiency measures, tough negotiations with municipal unions, and employee attrition. The city’s budget declined by 23 percent (Figure 1). The budget cuts undermined the quality of municipal service provision and the New York Police Department (NYPD) did not represent an exception. When compared with 1977 appropriations, by 1983 the NYPD budget had declined by 36.6 percent (Figure 2). Before the fiscal crisis in the mid-1970s, the NYPD had about 31,000 police officers. By the early 1980s,
the force had dwindled to approximately 23,000 uniformed personnel (Figure 3). Despite complaints by community organizations and politicians, Koch asserted that unless the New York’s
budgetary fortunes improved, he would not expand the NYPD, even if crime increased. Koch added that before hiring police officers, he would hire teachers, because public schools represented a higher priority.\textsuperscript{14}

Because of the unwillingness to enlarge the NYPD, in the beginning the Koch administration focused on the appearance of order rather than crime fighting; this can be seen in the first major law and order initiative of the administration that concerned the subway system. Subway crime was rare when compared with crime in the rest of the city. However, an announcement by the New York City Transit Authority (NYCTA) in 1979 that crime there had increased substantially received disproportionate attention by the news media.\textsuperscript{15} The NYCTA in conjunction with the Koch administration revived an unsuccessful program from the 1960s, putting all transit officers including detectives in uniform and assigning an officer in each station and each train in the high crime hours of 6:00 p.m. to 2:00 a.m. Since there were not enough transit officers, the NYPD shared patrol of all stations.\textsuperscript{16} Moreover, police, court, corrections, and housing authority officers were given free subway passage while off-duty. Koch hoped that these officers would flood the system and tackle criminal activity.\textsuperscript{17}

Koch attempted to justify the costly program after criticism that it was an overreaction to newspaper reports and that crime in the subways was not too high. “Are we responding to the exaggerated fears conveyed by the media?” he asked: “The answer is yes.” Koch went on to argue that the city’s response was as much about perception as it was about crime: “In this particular case, perception is reality . . . If a person believes that he is in special danger, he is going to avoid the subways.”\textsuperscript{18} Koch praised the number of uniformed police personnel in the subways and added, “As a result of that army of blue going through the trains . . . we’ve established a sense of security, which is a real sense, not a false sense.”\textsuperscript{19} Regardless, many subway riders remained skeptical of this police intervention. Comparing conditions inside and outside the subway, Jay Ruchamkin said, “I’d rather be on a train than walking the streets of 125th Street.”\textsuperscript{20}

Koch continued to exploit the symbolic importance that the subway had acquired for many white ethnics and attacked the practice of graffiti writing. Conservatives viewed graffiti artists as criminals and claimed that they posed a threat. Nathan Glazer was one of the first to articulate this position in a 1979 article for *The Public Interest*:

---

**Figure 3.** Number of New York Police Department employees, 1977-2016. The Total Employee category includes civilian employees.  
I have not interviewed the subway riders; but I am one myself, and while I do not find myself consciously making the connection between the graffiti-makers and the criminals who occasionally rob, rape, assault, and murder passengers, the sense that all are part of one world of uncontrollable predators seems inescapable. Even if the graffitists are the least dangerous of these, their ever-present markings serve to persuade the passenger that, indeed, the subway is a dangerous place—a mode of transportation to be used only when one has no alternative.21

Koch acknowledged that late trains, crime, and defective doors represented more serious subway problems but claimed that the elimination of graffiti would have a “positive psychological impact” on straphangers.22 He declared a wholesale war against graffiti in 1980, knowing that heavy-handed rhetoric against graffiti would appease his white ethnic supporters from the outer boroughs.23

In 1982, Koch clearly impressed by the broken windows article written by Wilson and Kelling, sent it to his police commissioner Robert J. McGuire (1978-1983). Koch wrote that the article “relates to the foot cop and the need for them having nothing to do with crime but rather dealing with fear of unruly behavior by others not reaching the point of crime.”24 In the same memo, Koch inquired about the results of the Experimental Foot Patrol Program that the NYPD had instituted. McGuire informed him that it has been discontinued because of a lack of personnel. McGuire assured Koch that he had not given up on foot patrols and that he was going to enlarge another initiative called Neighborhood Stabilization Patrol by assigning the 2,600 new recruits graduating from the police academy that year.25 McGuire’s response to Koch was diplomatic. However, in a roundtable organized by Professor Demetrios Caraley of Columbia University, McGuire blamed the policies of the Koch administration for the absence of police officers in the streets:

A great deal has to do with police presence. John Q. Wilson just wrote about this in the Atlantic Monthly—that cops don’t stop a lot of crime, but their presence stabilizes a neighborhood. They provide a sense of order. The bad guys stay away from the good people. And this is only because the cops are out walking the beat. And there is a lot to be said for that. And it is something we have lost almost completely in this city.26

McGuire had his own vision of the orderly city that was more sophisticated than Koch’s vision and preceded the broken windows theory. However, the fiscal limits imposed by the Koch administration prevented McGuire from fully implementing order maintenance policing.27

McGuire’s successor Benjamin Ward (1984-1989) created new programs that sought to make New York appear more orderly. Although familiar with the philosophy of quality-of-life policing, Ward followed Koch’s vision. The first major broken windows policing program designed by Ward was called Total Patrol Concept (TOPAC). Police personnel not involved in emergency response or performing other basic tasks in a precinct were assigned to TOPAC units, which focused on quality-of-life offenses. The second major broken windows program designed by Ward was the Community Patrol Officer Project (CPOP). A sergeant and ten police officers in a precinct walked the same foot beat daily in a designated area. The goal was to revive the concept of the “neighborhood cop” who has close relationships with the community and is informed about neighborhood problems.28

While Koch understood the significance of making New York an orderly city and pushed his police commissioners to go after disorderly people, broken windows policing during the 1980s ultimately failed. This is because successful broken windows policing requires various interrelated elements that during this period were not present. In what follows, I discuss the four general requirements that make quality-of-life enforcement possible.

First, broken windows policing requires a generously funded police force; this did not happen during the Koch administration. The expectation of having 30,000 uniformed personnel never materialized because of continuous retirements and an unwillingness of the city government to spend more on the NYPD. The Koch administration slashed the operational budget of the NYPD
at rates that were significantly higher than those of the entire city budget between 1978 and 1981. After 1981, spending for the NYPD increased but still its budget never reached the rate of overall spending in New York (Figure 4). The number of uniformed police officers never surpassed the number of 27,504 and was usually significantly lower (Figure 3). This was surprising for a mayor who represented himself as a champion of law and order and in many respects owed his unlikely election in 1977 to his law and order pronouncements.29

Second, broken windows policing requires low crime rates, otherwise the city government cannot justify the allocation of resources against minor infractions. In New York, serious crime rates increased by 28.8 percent between 1978 and 1981, declined by 17.4 percent between 1981 and 1984, and increased by 18.3 percent between 1984 and 1989 (Figure 5).30 The crack epidemic contributed greatly to the crime increases from 1984 onward.31 Arrests for minor infractions increased by 125.8 percent between 1981 and 1987, but tapered off afterward (Figure 6). While it became easy for the NYPD to arrest people behaving erratically in public because of crack, such arrests were viewed not as a priority at a time that serious crime, some of which was violent, kept on increasing.32 More than this, the increase in misdemeanor arrests did not translate into declining crime rates as supporters of the broken windows theory profess. Crime has a structural dimension that frequently evades crime fighting formulas.33

Third, broken windows policing requires a well-deployed, accountable, disciplined, efficient, responsive, and corrupt-free (at least as much as possible) police force and this never happened in the 1980s. Lack of personnel interfered with police deployment. Moreover, Ward’s quality-of-life initiatives were not well designed and subject to personnel availability.34 Other priorities such as responses to emergencies, station house staffing, as well as task forces invading areas such as the Lower East Side, Harlem, Clinton Hill, Washington Heights, or the South Bronx to control the drug trade took police officers away from beat patrols.35 The city administration tried to represent the trade and the consumption of drugs as quality-of-life offenses,36 but with the crack epidemic overwhelming the city, it was like admitting that the “war” on crime

Figure 4. Trends of the operating New York Police Department budget in relation to the overall operating budget of the City of New York, 1977-2016. Index: Year 1977 = 100.
and disorder was not working. The police force was also largely not accountable, work logs were not completed, and precinct commanders were not scrutinized by superiors about conditions in their area. Still, the problem was even bigger than just inadequate deployment or lack of accountability. According to Robert Kane and Michael White, the NYPD went through a
hiring spree in the period between 1980 and 1984 without thorough background screenings. As such, many of the 12,000 police officers hired were inefficient. Some of them were arrested for corruption, misconduct, public intoxication, violence, and other criminal activities.\textsuperscript{37} Police brutality against minorities also increased at a time that cooperation by black and Latino communities was needed more than ever.\textsuperscript{38}

Fourth, broken windows policing requires a criminal justice system that is not overwhelmed and this was also not the case during the Koch administration. The number of people entering jail in New York City almost tripled from 80,344 in 1984 to 234,736 in 1989 (Figure 7). As early as 1983, jails and prisons in the city were at 107 percent of capacity. The City of New York was required to reduce detention overcrowding to satisfy the conditions set by federal judge Morris E. Lasker. Given the circumstances, detainees were released, if they were held in less than $1,500 bail and could post a 10 percent of this amount in cash. Others were released on recognizance. Moreover, Desk Appearance Tickets did not require people arrested to spend time in jail. However, as a high percentage of people posting low bails or receiving desk appearance tickets did not appear in court, the city administration discontinued these practices. In 1984, the Koch administration offered additional funds to district attorneys who agreed to participate in a speedy disposition program, so that delays in felony cases could decline and jail overcrowding could be alleviated.\textsuperscript{39} District attorneys accepted the money, because they needed it; however, their participation in the program did not necessarily amount to significant changes.\textsuperscript{40} As the number of people arrested continued to increase, the city implemented a number of other programs; community service schemes were expanded, financial restitution to victims as an alternative to incarceration was instituted, and a work release program was implemented.\textsuperscript{41} The Department of Correction began to build new jail cells in Rikers Island and other locations and even used floating facilities. There were also plans to send an increasing number of detainees to upstate prisons, which were being built at the time.\textsuperscript{42}

The strains in the criminal justice system showed the limits of quality-of-life policing during a drug epidemic. The city’s corrections budget increased by 192.9 percent between 1980 and 1989 (Figure 8) while the money spent for district attorney offices and other prosecutorial ser-
services increased by 117 percent (Figure 9). This was clearly not enough, and after a while, arresting people did not translate in any crime or disorder reductions.
In the summer of 1989, Richard Ravitch who was running in the Democratic primary for mayor claimed that he would hire 6,600 new police officers and assailed Koch’s NYPD record. Ravitch was a businessman who had held various government posts. Among them, he had been in charge of the Urban Development Corporation of the State of New York and head of the Metropolitan Transportation Authority (MTA). Understanding how budgets in the city worked, Ravitch said the following:

Mayor Koch is on a seven-year losing streak when it comes to delivering the number of police in his budget. Actual troop strength has been lower than the Mayor’s budget projections in each of the last seven years. And in the last two years, while the Mayor proposed increases in force strength, the number of police actually dropped. . . . It’s curious how the last time the Mayor ran for reelection, he also proposed hiring more than 2,000 new cops. And how many were added? Just 454. We need a mayor who will act, not talk.43

While one expected Ravitch’s tone given that he was running for the same office as Koch, his arguments were accurate. For all his law and order rhetoric and his vision of the orderly city, Koch did not act upon it. He brought quality-of-life in the forefront of public discourse, but this did not translate into effective police action. It is possible that gradually Koch lost faith in making New York an orderly city.44 Throughout Koch’s mayoralty, NYPD budgets were lower than promised, crime rates were usually high, police deployment was ineffective, accountability was questionable, and the criminal justice system was overwhelmed. Under such circumstances, the fight against crime and disorder was not as successful.

Community Policing in New York City, 1990-1993

In 1989, David N. Dinkins, president of the Borough of Manhattan, constructed an electoral coalition that he called a “Gorgeous Mosaic” consisting of blacks, Latinos, liberal whites, and Asians, and defeated Koch in the Democratic primary; Dinkins went on to prevail in the general election against Rudolph Giuliani and become New York’s first African American mayor. Koch’s dream of being elected for a fourth term was not realized because in the late 1980s, the city’s economy faltered and racial antagonism increased. Koch’s continuous verbal attacks against African Americans convinced many New Yorkers that he could not unite the city. In the mayoral campaign, Dinkins spoke of racial rapprochement and rejected Koch’s divisive rhetoric. Dinkins also criticized Koch’s halfhearted homeless policy, his neglect of low-income populations, and the city administration’s tax giveaways to corporations and real estate developers.45

As his police commissioner, Dinkins hired Lee P. Brown, known nationally for implementing community policing in Houston. Dinkins hired Brown because he wanted to move away from strict broken windows policing without neglecting the needs of neighborhood people. Brown’s vision of community policing appeared to be perfect for this task. While the term “community policing” is elusive and has been used to describe disparate police activities, it emphasizes a strong police–community relationship in an effort to reduce crime and disorder. Under Ward, the NYPD had already designed a community policing program called CPOP; by the end of the Koch administration, ten police officers in each of the seventy-five precincts were assigned to these patrols. Brown planned to go beyond this. He wanted community policing to become the core mission of the department rather than remain a minor program that complemented other police functions. His goal was to assign about 17,400 police officers and 4,000 detectives (out of about 26,000-30,000) in community policing tasks. The majority of these police officers would be permanently assigned in a neighborhood and get involved in foot patrols. More than this, Brown was skeptical of mass incarceration and continuous arrests; he wanted police officers to go beyond strict order maintenance and use their discretion to determine whether the behavior of disorderly people in public space was criminal. This meant that police officers would have to contact homeless services
agencies, if homeless people did certain things that neighborhood residents found objectionable rather than roust them out of the area or arrest them. In the words of Brown,

> every neighborhood in the city will have one or more police officers assigned who know about that neighborhood, its people, their concerns, the crime problem, the make-up of the blocks, the crises of daily living and the support systems available to help people live better.

Nine months into his mayoralty, a number of terrible crimes receiving continuous media coverage began to undermine Dinkins’s ability to govern. Nineteen cab drivers had been murdered that year. Brian Watkins, a tourist from Utah, was stabbed to death in the subway in his effort to protect his family from robbers. Six children were killed by random gunfire in a period of nine days. Two more children were killed in the following week. There was a rise in muggings and drive-by shootings. In response, the *Daily News* ran a series of articles under the heading “City under Siege,” while the *New York Post* published an issue with a large headline saying “Dave, Do Something!” Jerry Nachman of the *New York Post* having characterized Dinkins’s governance style as “measured and managerial” suggested that New Yorkers wanted “Gen. George Patton or U.S. Marshall Dillon leading the charge” so that the city could move beyond its “Mad Max” nihilism. Koch criticized Dinkins in his column for the *New York Post* and in a weekly television show for being soft on crime. City council president Andrew Stein requested that the governor deploy the National Guard. Governor Mario Cuomo called for a sizable enlargement of the city police. Originally, Dinkins replied that most of these people became concerned only when crime went beyond the borders of black neighborhoods and that Koch had twelve years to deal with crime but failed. However, Dinkins concluded that unless he enlarged the police, his mayoralty would be continuously scrutinized and ultimately undermined by the combined power of the city council, the governor, and the mass media.

The pressure from the political establishment and the mass media transformed Dinkins into a crusader against crime. Dinkins established a commission to study the criminal justice system and make recommendations. The 535-page report titled *Safe Streets, Safe City* recommended the creation of the largest police department in history with 42,405 members (including 10,500 civilian employees). Community policing would become the cornerstone of the NYPD. *Safe Streets, Safe City* also called for more jail beds in Rikers Island, more funding the Department of Juvenile Justice, and more resources for the offices of district attorneys and other prosecutors as well as the Legal Aid Society. The plan included after-school youth programs with recreation, employment, and educational opportunities. The idea was to prevent low-income young people from getting into trouble. Given that the city was experiencing budgetary problems, the plan was funded by a surcharge on the city personal income tax, an increase in property taxes, and a new lottery game. After negotiations that lasted months, the city administration was able to convince the Republican-dominated state senate to go along with the plan.

During the Dinkins years as mayor, crime rates declined in New York by 15.8 percent (Figure 5). More specifically, they declined by 0.3 percent in 1990, 4.5 percent in 1991, 7.7 percent in 1992, and 4.2 percent in 1993. It is difficult to tell the extent to which *Safe Streets, Safe City* made for these crime declines. Moreover, the crack epidemic began to wane during this period and this had an effect in the overall crime rate. Felony arrests declined by 17.6 percent between 1989 and 1993 (Figure 6) while jail admissions declined by 24.5 percent (Figure 7). One could argue that fewer people were arrested for felonies because fewer serious crimes were committed, though such causal explanations are seldom as straightforward.

What happened with the NYPD budget and new personnel is even more complicated. The NYPD budget declined by 2.4 percent in 1991 (*Safe Streets, Safe City* had just been voted but not implemented). In 1992, the budget increased by 0.9 percent, and in 1993 by 4.1 percent (Figure 2). The NYPD budget remained lower in relation to the overall budget of the city (Figure 4).
Budget problems forced the Dinkins administration to defer police expenditures and declining crime rates helped to make these decisions. In terms of uniformed police officers, the number increased from 25,909 in 1990 to 28,117 in 1993 (Figure 3). This figure was still far from the approximately 31,500 police officers that Safe Streets, Safe City proposed. Continuous retirements and deferments in hiring made for a smaller force.

Despite notable decreases in crime and improved police deployment during the Dinkins mayoralty, the implementation of community policing did not work as well. Many existing police officers resented Dinkins and disliked Brown’s policing vision. Community policing meant that police officers had to work more, participate in foot patrol, cooperate with the community, and perform social service functions. In 1992, police commissioner Raymond Kelly (1992-1994) launched a Community Assessment Unit headed by assistant chief Aaron Rosenthal to report on the implementation of community policing. A series of reports revealed that the system had many problems. Community policing training was characterized as a “dismal failure, due to an overall blasé attitude on the part of management, which was filtered down to the attendees.” At the precinct level, attendance was poor, training logs were not maintained, and training was conducted in a “haphazard and perfunctory manner.” The training officer of one precinct told attendees that foot patrol was burdensome and that if they took better care of radio cars, they would not break down as frequently and they would not have to walk the beat. In addition, many police officers faked reports on how often they walked their beats, did not cooperate with auxiliary police or with detectives, ignored the community and its requests, and worked only during the daytime on the weekdays. Usually, prostitution and drug dealing occurred at nighttime and during the weekend, something that became even more of a routine once “offenders” realized that the police walked the beat during the day. In general, police officers and sergeants did not believe in community policing; the program had a 40 percent turnover rate.

Relations between Dinkins and the police deteriorated in the course of time and the problem went beyond community policing. In August 1991, disturbances in the Crown Heights section of Brooklyn occurred after two Guyanese children were hit by a car driven by a Hasidic man. Three hours later, someone in a group of angry black youths stabbed a Jewish rabbinical student. The police blamed Dinkins for restraining them during the widespread disturbances that followed the car accident. The situation remained tense for days and most confrontations involved black youths and the police. Dinkins maintained that police strategy during the disturbances was faulty and that ultimately police officers did not do their job. In September 1992, about 4,000 police officers in a protest action against the city administration stormed the barricades and swarmed City Hall, blocking all entrances. Afterward, they went onto the Brooklyn Bridge and blocked traffic for an hour. During the protest, many of the off-duty officers were seen drinking alcohol, damaging automobiles, and attacking reporters. Some of them carried signs that mocked the mayor’s blackness and yelled racial slurs. About 300 on-duty officers did little to stop this unruly display, generating outrage among elected officials, the mass media, and the public. Giuliani gave a speech during the police demonstration at City Hall denouncing Dinkins and began to use the relationship of the mayor and the police as a way to promote his own candidacy in the following year’s election.

Besides the fallout from the Crown Heights disturbances, the police demonstration against Dinkins occurred because of a number of actions that his administration undertook during the summer of 1992. In July of that year, Dinkins established a temporary mayoral commission to investigate police corruption after the arrest of six NYPD officers in Long Island charged with conspiracy to sell drugs. It was clear that the NYPD had not moved against one of the officers who had previously been repeatedly accused of misconduct and that many more officers from various precincts were involved in criminal activities that were unrelated to this one. During the same month, a white police officer shot and killed a young Dominican man in Washington Heights. Five days of rioting followed after the community disputed the police version of events.
that led to the shooting. Dinkins tried to defuse the situation by offering city funds to pay for the young man’s funeral and to send his body to his hometown in the Dominican Republic. Giuliani attacked Dinkins’s decision and accused him of being disloyal to his police force. These actions led to the police demonstration in September 1992 and a conclusion that the rift between the mayor and the NYPD was too great to overcome.55

During the Dinkins mayoralty, crime rates declined and the deployment of the police force improved; however, the conflict between the mayor and the NYPD undermined the full realization of community policing. Police officers grew increasingly defiant and it would take sometime before establishing new accountability mechanisms. While Dinkins never rejected the vision of the orderly city, he seldom lambasted poor people for appearing in public spaces and seldom called for more order in New York. Community policing had various quality-of-life policing elements anyway, though its approach to offenders was more humane.

In the 1993 election, Giuliani tried to exploit the rift between the mayor and the police force and also attacked the mayor’s progressive policies; Dinkins lost by a small margin of the vote. J. Phillip Thompson has argued that Dinkins’s electoral coalition was not as enthusiastic in going to the polls because the mayor had not adequately funded the programs that they cherished and instead focused on rebuilding the NYPD. However, one cannot underestimate the racial connotations of the vote and the fact that many white ethnics went to the polls to express their antipathy toward the mayor.56

The Orderly City Realized

A few days after his inauguration, Giuliani argued that community policing should be redirected toward fighting crime and away from social service tasks that were added during the Dinkins administration. This announcement came at a time that the NYPD released a series of memos that discussed problems with community policing. Police officers were complaining that the approach of community policing had become too confusing and that it was not the responsibility of the police to put neighborhoods in touch with social services.57

Giuliani hired as his police commissioner William J. Bratton who had been the chief of the New York City Transit Police between 1990 and 1992. As transit police chief, Bratton was advised by George Kelling, coauthor of the “broken windows” article, and targeted youths, the homeless, and people who may have been under the influence of drugs and alcohol. The goal was to restore order in the subways. Bratton viewed farebeating, disorder, and robbery as one and the same problem. Still, the homeless who had inundated the subways in the late 1980s became Bratton’s main focus because order is a matter of appearance and having too many homeless hanging out made for a disorderly situation.58 Bratton instructed transit officers to eject panhandlers from the subway system on their first encounter instead of giving them warnings. The goal was to significantly reduce the number of panhandlers in the subways, and for a short period of time, this was the case in high-profile subway stations, especially in Midtown and Downtown Manhattan. Crime rates also declined in the subways during this period. Giuliani expected Bratton to use his subway policing strategies citywide and to move away from Brown’s version of community policing.59

In the beginning of the Giuliani administration, the term and operational logic of community policing continued; however, Bratton had developed his own vision of policing, which had little to do with community policing. Bratton had become an admirer of the “broken windows” theory and its possible applications, though he applied it in a modified manner.60 Although the broken windows theory argued that disorderly conditions encouraged crime, Bratton referred to disorderly people and criminals interchangeably, as if they were the same groups. In other words, instead of trying to disrupt the developmental sequence between disorder and crime, the NYPD began to arrest a large number of people in the hope that some of them would be carrying guns
or have outstanding arrest warrants. But usually, the people arrested had neither guns nor outstanding warrants. For example, Brian Moody, a *Wall Street Journal* executive, and his sixty-eight-year old mother were arrested in 1995 under the NYPD’s new way of policing public spaces. After seeing a play at the Booth Theater, Moody and his mother tried to take a subway train to go to Penn Station. The first token jammed. Moody used a second token and entered together with his mother. Two plain-clothed police officers arrested them saying that they were conducting a sweep and refused to listen to Moody’s explanations. After holding them for a while and arresting three more people, the police took them handcuffed to a paddy wagon. They were taken to the Midtown South Precinct and held there for five hours. Moody and his mother were placed in separate cells. Moody’s cell had a “stench of feces and urine as well as gnats and flies.” Later, they were fingerprinted and photographed and taken to the Midtown North precinct. There the main arresting officer joked about the overtime money he was making for this subway sweep. Moody and his mother were kept in separate cells for the night (though they were told that they would see a judge soon). The next day a judge dismissed the case, but Moody and his mother could not recover their belongings for four days. Moody reported that most police officers during this ordeal were discourteous and had his own explanation on the matter:

> It is instances like this that cause many African American men to wake up to the realities of the world they live in. Just when you think you have arrived and made it, someone is always there to remind you the world has not really changed and many see you as just another black man in America.61

The arrests like that of Moody brought back more traditional methods of policing that had been taken away by community policing; police officers could focus on arrests and searches rather than engagement with the community and social service provision. And for these changes, Giuliani and Bratton were viewed positively by the police force. The term zero tolerance policing became the popular phrase of order maintenance policing.62

As already argued in the essay, the successful implementation of broken windows policing has four general requirements. A well-funded police department, low crime rates, an efficiently deployed police force that is also accountable, and a viable criminal justice system. To a great extent, these requirements came into place during the Giuliani administration. In what follows, I outline how these four requirements were met with an emphasis on the 1994-1996 period.

During the Giuliani mayoralty, the NYPD became the highest priority and its budget increased by 57.1 percent (Figure 2). To put things in perspective, the overall budget of New York City increased by 16.8 percent during the same period (Figure 4). Indeed, no agency other than the NYPD saw its budget increase this much. The biggest budget increase occurred in the 1994-1996 period when the NYPD budget rose by 21.8 percent. This was especially important since the city was still experiencing fiscal problems because of an economic slowdown that began in 1987 and did not end before 1996. The overall city budget slightly declined in the 1994-1996 period and almost every city agency was forced to cut its budget. The only exception was the NYPD. Giuliani assured his supporters that he would maintain police hiring levels. The Real Estate Board congratulated the mayor stating that

> unless New Yorkers and visitors see an appreciable, visible increase in police patrol strength, we will not realize the gains in law enforcement, an elevation of our city’s reputation for civility and a rise in community morale that are all so necessary to strengthening our economy and tax base.53

While the language used was civic-minded, the message was clear. The making of an orderly New York promised large profits for the real estate sector. The number of uniformed police officers increased from 28,117 in 1993 (last year of the Dinkins administration) to 36,728 in 1996 to 40,285 in 2000 (Figure 3). This was significantly higher than the 31,000 figure, which had been viewed as optimal during the Koch and Dinkins years. To be sure, most of the police officers
added in the 1994-1996 period were officers in the Transit Police and Housing Police—the two agencies merged with the NYPD in 1995. Still, the merger allowed the NYPD to deploy many of these police officers in areas outside mass transit or public housing.64

In the beginning of his term, Giuliani took advantage of Safe Streets, Safe City funds that had been deferred. Bratton claimed that Dinkins did not benefit from this new police because his administration decided to spend the money in 1994:

If [Dinkins] had hired 2,000 cops in January 1993 they would have been through the academy and on the streets that summer, just in time to be a positive issue in the campaign. The streets would have been swimming with cops. . . . Dinkins got no credit; most of the cops for whom he won funding didn’t come on the job until after the election. In the first six months of Giuliani’s term, the new mayor attended two graduation ceremonies and implicitly took credit for 4,200 additional police officers.65

Indeed Safe Streets, Safe City helped to enlarge the NYPD immediately after Giuliani took office and provided revenues for a few years. But given that the mayor was committed to creating an orderly city and given the 1995 merger of the three police forces of the city, the NYPD would have grown anyway. The number of beat officers increased by approximately 22 percent between 1993 and 1996. President Bill Clinton’s Crime Bill which was passed in 1994 also helped. For a few years, the NYPD received federal money for various programs. To be sure, this amounted to proceed between 1 and 3 percent of the NYPD’s budget, but in some cases, it helped with the further civilianization of the NYPD, overtime pay, and the updating of technology.66

Crime rates declined by 56.4 percent during the Giuliani mayoralty (Figure 5). The steepest declines occurred in the 1994-1996 period when crime rates declined by 36.7 percent. These declines legitimized the NYPD’s approach of regulating space and offered credibility to the notion that broken windows policing prevents crime. Felony arrests increased by 9.9 percent in 1994 (Figure 6), but declined slowly between 1995 and 1998 and declined even more rapidly afterward. Overall, felony arrests declined by 24.8 percent between 1995 and 2001.

On April 6, 1994, the NYPD began to implement its drug strategy titled Driving Drug Dealers Out of New York. This strategy took into consideration the failures of efforts to fight drug dealing during the Koch administration. Police teams became involved in intensive buy-and-bust operations in priority areas. Once drug activity subsided, these police teams worked with precinct patrols to ensure that drug dealing did not return. They also widened their operations looking for displacement areas and intervening in them. Moreover, police detectives tried to link drug offenders with outstanding violent crimes in the area, closed residential and commercial facilities associated with drug activity, and seized vehicles used in the trade. The way that these operations were conducted required a large number of police officers. To make this possible, the NYPD allowed patrol officers to arrest people who used, sold, or possessed drugs for the first time since the early 1970s.67 As the drug trade was forced away from many high-profile public spaces, the number of crime complaints dropped.68

During the Giuliani administration, police deployment and accountability improved considerably. Most of the innovations occurred in the 1994-1996 period when Bratton unveiled a number of initiatives that rationalized police organization and divided police functions not only spatially but also according to the population to be policed. The number of police officers assigned in foot patrols increased from 7,697 in 1993 to more than 9,000 in 1996. One could argue that this number was still too low for beat officers to cover police precincts in any comprehensive manner. However, for Bratton, broken windows policing did not require the number of beat officers that community policing did. In fact, in some neighborhoods, beat patrols were rare. In June 1994, Diana L. Pizzuti, commanding officer of Midtown Precinct North, wrote to Daniel Telesca Jr., who recommended that police officers are separated from their vehicles and perform foot patrols,
probably because he did not see any. Pizzuti argued that “crime strategies and personnel assignments are constantly evaluated to maximize resources in identified problem areas.” Pizzuti added that police officers were deployed in all kinds of combinations that included motorized patrol, special units, undercover operations, and foot patrols. However, Pizzuti requested that if Telesca had any instances in which foot patrols could prove beneficial, he should have a discussion with her. Specific operations targeting a specific area and population were more important than beat patrols covering the same area everyday.

On March 7, 1994, the NYPD initiated Operation N-Force, a pilot project that addressed quality-of-life offenses in the 6th Precinct located in Greenwich Village. This neighborhood was chosen because 4,800 criminal summonses had been issued there in 1993 for disorderly conduct, violation of park regulations, or marijuana possession. Most of these summonses were given in Washington Square Park or the area around it. Under Operation N-Force, violators with a government-issued photo identification that was valid were summoned. The rest were taken to the precinct for a more complete investigation that included a warrant check. By July 1 of that year, 1,907 people were issued criminal court summonses in the street, 308 were brought to the station house for additional investigation, and sixteen were fingerprinted, photographed, and held for arraignment. Operation N-Force in Greenwich Village was viewed as a success, and in August 1994, it was expanded citywide. From this time onward, police officers from a precinct targeted areas that had a high incidence of disorderly behavior. When such operations took place, the NYPD collaborated with the Office of Court Administration and the district attorney’s office, so that the disposition of cases could occur more efficiently.

Another important policing initiative involved the surveillance and punishment of young people under the *Curbing Youth Violence in the Schools and on Our Streets* police strategy. Police precincts tripled the number of youth police officers and deployed them in the areas around schools. Young people increasingly became subjects of surveillance. Each morning, police officers in scooters questioned and turned back young people who appeared to be walking away from their schools. Subway stations and commercial districts frequented by a high number of young people around schools were heavily policed. Although Bratton argued that a tougher approach toward school-age youths was necessary because youth crime and violence were increasing at a rate greater than that of the youth population, the focus was on social disorder broadly defined—anything from kids being loud to hanging out in sidewalks to frequenting parks and other prized facilities after school or in the summer. These policing strategies targeted minority neighborhoods because the ultimate goal was to efficiently control young people of color in public space.

During the Bratton years as commissioner, a new regime of accountability was established in the NYPD. The NYPD began to use computerized statistics of crime organized by area. Known as Comp Stat (computer-generated comparative statistics), this new method allowed police headquarters to immediately identify areas with high crime rates. In frequent meetings, precinct commanders were expected to explain why certain types of crime had risen in their areas and the steps that they were planning to take to deal with the problem. If these commanders did not know why crime had increased in their areas, had no plans in place to tackle this criminal activity, or were in a general sense underperforming, they were replaced. In 1994, this practice made for the weeding out of many precinct commanders and their replacement with new Bratton appointees. Gradually, Comp Stat allowed precincts to target certain types of crime and social disorder, focus on problem areas, and request additional assistance from headquarters. Moreover, police officers became accountable to their precinct commanders. Each month, precinct commanders checked the quantity and quality of summonses, summon-arrests, and general arrests of each police officer, and warned unproductive ones. The NYPD denied the existence of summons and arrest quotas. However, police officers made sure to meet a certain figure, so that they would not appear unproductive.
The populations mostly policed for quality-of-life offenses during this period were low income. Street vendors, graffiti writers, panhandlers, prostitutes, liquor store and bar staff, individuals drinking in public, squeegee men, taxi drivers, high school students, newsstand operators, people making noise, bicycle riders, and the homeless were among the populations disciplined.74 In terms of race and ethnicity, blacks and Latinos were routinely targeted, especially if they congregated in high-profile spaces. However, as broken windows policing expanded, blacks and Latinos were also subject to police inquiry and ticketing even in their own neighborhoods. Most police reports claimed that these populations were committing illegal acts.75 But the illegal acts were a pretext, so that the NYPD could effectively dominate public space and control certain populations perceived as criminogenic.

Arrests and summonses for misdemeanors increased substantially during this period, reflecting the emphasis on broken windows policing and productivity initiatives. Only between 1993 and 1995, misdemeanor arrests increased by 40.3 percent. They grew by another 23.5 percent between 1995 and 2000 (Figure 6). Summonses increased by 263.5 percent between 1993 and 2000 (Figure 10). Both arrests and summonses for misdemeanors declined in 2001 because of the September 11 World Trade Center attacks. For about four months of that year, the NYPD was busy doing things that were more important than aggressively policing people committing minor infractions.

During the Giuliani administration, the criminal justice system did not improve as much, though this requires qualification. As already seen, both corrections and district attorney offices saw their budgets increase markedly in the 1980s (Figures 8 and 9). After 1990, the budget of the Department of Correction stagnated, because fewer people were admitted to jail (Figure 7) and fewer people were arrested for felonies (Figure 6). The number of people arrested for misdemeanors increased, but most of them did not go to jail (overnight detention is not jailtime in corrections facilities). The total budget of the offices of district attorneys and other prosecutors increased by 19.9 percent, reflecting the fact that so many people committing minor infractions had to be processed. This budget increase was not enough to process all the people arrested anyway. Prosecutors began to dismiss a higher number of cases. For example, more than 140,000 cases completed in 1998 were dismissed and this represented an increase of 60 percent when
compared with 1993. Jeffrey Fagan and Garth Davis argue that the evidentiary quality of misdemeanor arrests declined and this contributed to the high rate of dismissal. At the same time, prosecutors could not sufficiently deal with the workload. High rates of dismissal were built in the system of spatial regulation that the NYPD devised in the 1990s anyway, given that so many of the arrests were done for offenses that were insignificant. As the case of Moody and his mother shows, getting arrested had its own punitive elements. After the arrest, the individual was searched, handcuffed, and paraded in public; transported to various police stations; processed, photographed, and fingerprinted; treated rudely and provided with misinformation; jailed overnight in inadequate and unsanitary premises; and transported to a court in handcuffs the next day.76

While these police policies were unfolding, the Giuliani administration sought to neutralize organizations that could potentially pose challenges. In 1994, the Legal Aid Society, which was the principal indigent defense organization of New York City, cited difficult working conditions and requested a 15 percent reduction in individual caseloads and an increase in wages. Giuliani responded by threatening to terminate the city’s contract with the Society and demanded a $16 million retroactive budget cut. After an unsuccessful lawyer strike, the Legal Aid Society settled for the budget cuts and promised to represent the same number of cases as before. Giuliani continued to cut the society’s budget and divert funding to newly founded contract law firms that promised to represent poor people. However, these firms cared more about making money than providing quality representation.77 In his effort to insulate the NYPD from outside review, Giuliani also moved against the Civilian Complaint Review Board (CCRB). In 1993, while Dinkins was still mayor, the CCRB became an organization fully controlled by civilians. That year, Giuliani spoke out against the civilianization of the CCRB in the raucous demonstration of police officers outside City Hall. During the first year of the Giuliani administration, members of the city council accused the mayor of attempting to cripple the CCRB by leaving staff positions unfilled. By March 1994, one-third of CCRB investigators had not been hired, even though those positions had been budgeted the year before. This occurred at a time when complaints against the police increased substantially. The majority of these complaints came from minority residents living in low-income neighborhoods. In February 1995, a CCRB official speaking on the condition of anonymity said that police misconduct incidents in the central Bronx were “random and senseless acts of viciousness.” He added that this included the “use of physical force to control people.”78 Allegations in this large portion of the Bronx included beatings by police officers using walkie-talkies and flashlights. By April 1995, because of staffing shortages, the CCRB had fallen so far behind in handling complaints that the majority of them would never be addressed. During the same period, Giuliani ignored reports by the CCRB that recommended changes in police behavior and asking for additional funding, viewing them as challenges to his power. Allegations against the police increased by more than 30 percent during the Giuliani administration, though most people abused by the police never allege anything because they are intimidated and have no faith in the system (Figure 11).79

The orderly city is based on aggressive policing, and it is not surprising that during this period, the number of police brutality cases rose. Only in 1994, there were many questionable incidents that could have led Bratton to institute new policies about the interactions of police officers with civilians, though this did not happen. Some of these incidents include the following. In January 1994, Shu’aib Abdul Latif, an unarmed seventeen-year-old black Brooklyn resident, was shot by the police during a drug raid at a residential building. A Brooklyn Grand Jury did not bring charges against the officers, but the city eventually settled a civil case. In February 1994, Victor Rosado was beaten and robbed by three off-duty police officers at a convenience store in Queens. In April 1994, Ki Tae Kim, a Korean grocer, was subjected to racial slurs and beaten by a police officer in the aftermath of a dispute that he had with a customer. During the same month, Ernest Sanyon, an African American, died during his arrest by
Staten Island police officers. Sanyon was a bystander when the police were arresting someone else, but police officers moved against Sanyon after a firecracker exploded nearby. The police claimed that Sanyon tried to run away and resisted arrest, but witnesses contended that a police officer hit him with a gun on the head and that a group of officers continued the beating. In July 1994, Oliver Jones, an African American, who was standing outside his apartment in the Bronx watching a man being arrested, was repeatedly hit with flashlights by police officers. The beating occurred when someone yelled “police brutality.” Police officers tried to charge Jones with stealing a police radio, but failed. In August 1994, an off-duty NYPD officer shot Desmond Robinson, an African American undercover transit police officer in the back. Robinson was pursuing two youths at the time. The police officer continued to shoot Robinson, even though he was lying in the ground. In December 1994, Anthony Baez, a Puerto Rican, died in the hands of police officer Francis Livoti because of an illegal chokehold. Baez was killed after complaining to another police officer about his brother who had just been arrested for playing football in the street outside their house. Livoti was already under scrutiny in the NYPD because of eleven brutality complaints. Eventually, Livoti was convicted and went to prison. Especially, after Baez’s death, community associations began to complain, but the Giuliani administration remained indifferent.80

By 1996, when Bratton resigned his post as police commissioner, the orderly city had been realized and had achieved dimensions that can be characterized as structural. Representing the greatest accomplishment of the Giuliani administration, the maintenance of the orderly city became a priority and budgets of the NYPD continued to grow substantially (Figure 2). So did the numbers of uniformed police officers (Figure 3). Moreover, fearing a spike in crime statistics now that Bratton had left, Giuliani ordered a more intense regulation of public space. In fact, Giuliani who felt obscured by Bratton when it came to receiving credit for the orderly city became more involved in the operations of the NYPD. He appointed Howard Safir (1996-2000) as his police commissioner, someone that many observers viewed as a figurehead.81
During his tenure as police commissioner, Safir initiated three strategies that sought to control urban space. The first strategy included sweeps of the homeless in high visibility areas. For example, in 1996, the NYPD launched an offensive against the homeless in Manhattan south of 110th Street. Police officers swept the streets, trashed the belongings of homeless people, and arrested those who refused to move away. Sanitation workers followed with trucks and collected the trashed homeless stuff from the sidewalks and the streets. These periodic sweeps continued in the years that followed. The second strategy was an extensive antidrug operation. NYPD squads invaded mostly black and Latino neighborhoods. While these squads preoccupied themselves with the drug trade, they also went after people committing other violations. The NYPD claimed that it chose these minority areas because of an analysis of criminal histories based on space. The third strategy involved the practice of stop, question, and frisk. It was concentrated in minority neighborhoods, frequently in conjunction with the anticorruption squads. Police officers routinely stopped and frisked thousands of people in the hope of finding weapons or drugs. Most people had no contraband on them, but police officers often took them to station houses because they could not furnish identification cards. In December 1999, Eliot Spitzer, the attorney general of the State of New York, published a report that discovered racial bias in stop-and-frisk incidents. After the numbers were adjusted to reflect the percentage of crime rates and the racial makeup of the population of low-income neighborhoods, the study found that blacks and Latinos were more likely to be stopped than whites. The study reviewed incidents from 175,000 cases that occurred between January 1998 and March 1999. People who were stopped and frisked made the same general complaints—that the police officers abused their authority, that they targeted minorities, and that they did not care about citizens and their rights. In 2001, the CCRB released its own report for stop-and-frisk that occurred between January 1997 and March 1999. The study found that African Americans filed twice as many complaints as Latinos and six times as many as whites. African Americans and Latinos were more likely to experience police violence and African Americans were more likely to encounter police officers with their guns drawn. Police officers were officially required to file a form whenever they stopped and frisked someone; however, these forms were missing in most of the cases the CCRB reviewed.

In the course of time, Giuliani became convinced that he could rally public opinion in support of his administration and the NYPD as long as crime rates were declining; however, a number of killings of unarmed and innocent people as well as other high-profile incidents of police brutality put the administration on the defensive. The orderly city survived, though the popularity of Giuliani and the NYPD declined.

The next mayor was Michael R. Bloomberg who was elected in 2001 and remained in office until 2013, winning reelection twice after amending the term limits law. Unlike his predecessors, Bloomberg was a multibillionaire businessman with no political experience. In the mayoral elections, Bloomberg used his personal wealth and outspent his opponents by tens of millions of dollars. While New York City had taken a neoliberal political-economic path since the Koch administration, under Bloomberg this neoliberal vision reached new heights. His administration favored big businesses and developers and convinced large corporations from around the world to make New York their headquarters or to have a sizable presence in the city.

Bloomberg and his deputy mayor for economic development, Daniel L. Doctoroff, have been described as the architects of the luxury city, an effort to make affluent people (rather than the middle class) comfortable in New York. Public policies included the rezoning of thousands of city blocks so that private developers could build luxury condominiums, high-end shops, boutique hotels, lavish entertainment facilities, and corporate offices. Doctoroff was hailed as the new Robert Moses of New York, since his developer friendly policies facilitated physical development not seen since the 1950s.

As I have argued elsewhere, the orderly city represents an important precondition of the luxury city and Bloomberg administration officials understood this. Bloomberg selected Raymond
Kelly as his police commissioner. Kelly had the reputation of good relations with blacks and Latinos since his days as police commissioner under Dinkins (1990-1992). In the beginning of his term, Bloomberg demonstrated his desire to maintain the vision of the orderly city while making policing more humane. He even signed a bill that prohibited racial profiling in 2004. However, in his twelve-year tenure, things turned out very different. In his effort to brand New York as a luxury city in which social order could be taken for granted, Bloomberg insisted in the vision of the orderly city that Koch and Giuliani had articulated. Bloomberg’s police commissioner designed programs that could fulfill this vision and the result was the intensification of the containment of blacks and Latinos in public space.89

The Bloomberg administration fulfilled the four requirements of the orderly city that have already been stated in this article. The NYPD budget had its ups and downs in the 2000s and did not increase as much as in the 1990s; still it went up by 11.4 percent between 2001 and 2013 (Figure 2) and this with crime rates declining even more. Putting it differently, in the twelve years that Bloomberg was mayor, the NYPD’s operational expenses amounted to more than $54 billion (2015 dollars). The number of uniformed police officers declined from 38,630 in 2001 to 34,804 in 2013 (Figure 3) and this with at least 1,000 of them performing antiterrorist tasks. It is clear that the city administration decided that it did not need as many police officers to fulfill the tasks required. On the contrary, there was a large increase of civilian employees after 2007, because the city government was seeking to improve administrative efficiency. Serious crime rates declined by 26.3 percent between 2002 and 2013 (Figure 5), and this allowed the administration to pursue its own version of broken windows policing. In terms of police management, Kelly tightened existing accountability and productivity requirements and made police officers even more likely to give tickets or arrest people for misdemeanors. Moreover, Kelly decided to enlarge stop-and-frisk policies. Stop-and-frisk took place at all times, but especially in the evening and night hours and usually in minority areas. Police officers in uniforms left their station house in large groups and eventually separated into smaller ones. They routinely stopped, questioned, and frisked thousands of people each week. They were assisted by plainclothes police officers in unmarked cars who also frisked people hanging out in certain public spaces. Productivity requirements became

**Figure 12.** Number of New York Police Department stop-and-frisks, 2002-2015. Source: New York City Civil Liberties Union, 2014.
part of the practice since each stop-and-frisk required the completion of a form. The number of stop-and-frisks increased from 160,851 in 2002 to 685,724 in 2011. People stopped and frisked were usually blacks and Latinos (Figure 12). The budget of district attorneys and other prosecutors as well as that of corrections remained stable (Figures 8 and 9), but there were fewer people arrested for felonies (Figure 6). Jail admissions also declined (Figure 7).90

The most serious effect of New York’s version of aggressive policing in the 2000s was the criminalization of young blacks and Latinos. In an effort to deter or stop violent criminals, the enforcement of minor offenses led to a higher arrest rate of blacks and Latinos living in low-income neighborhoods. Many of these blacks and Latinos ended up with criminal records that prevented them from obtaining certain jobs, college scholarships, or driver’s licenses. One of the most disturbing NYPD practices concerned the possession of marijuana. Police officers could only arrest someone possessing twenty-five grams or less of marijuana, if they witnessed the drugs in public view. However, in their stop-and-frisk sweeps, police officers forced individuals to empty their pockets. Then they proceeded to arrest the individuals who had small amounts of marijuana under the excuse that they displayed it in public. The practice became known as “manufacturing arrests.” Police officers even defied an operations order issued by Kelly in 2011 instructing them to stop arresting people with small amounts of marijuana.91

In August 2013, federal judge Shira Scheindlin ruled that the way the NYPD practiced stop, question, and frisk was racially biased and among other things violated the Fourth and Fourteenth Amendments to the U.S. Constitution. In her ruling, Scheindlin blasted city officials for having designed a policy based on racial profiling. Kelly had admitted as much when he stated that he wanted to instill fear on young blacks and Latinos that whenever they left their homes they could be stopped by police for whatever reason. This meant that broken windows policing was based on the redistribution of fear and that this redistribution had a racial component; a policy intended to reduce fear among certain groups of people ended up instilling fear on other groups.92

**Conclusion**

In recent years, scholars have been exploring the rise of the carceral state, showing that the United States holds the world’s largest prison population and that the majority of people incarcerated are blacks or Latinos from low-income urban neighborhoods. Michelle Alexander in particular has equated the caste systems of slavery and Jim Crow with mass incarceration. She argues that the carceral system has resulted in the resurgence of Jim Crow practices such as political disenfranchisement.93

Although the orderly city originates from the policies of law and order that created mass incarceration, it goes beyond the carceral state. Given that the orderly city has flourished during periods of low crime rates, it has become a structural urban apparatus that equates economic prosperity with extreme spatial regulation. The orderly city seeks to control young blacks and Latinos not because they commit crimes but because powerholders think that affluent groups are more likely to invest or live in a city that regulates the activities of minority groups.

The contemporary vision of the orderly city emerged in the 1980s. It was based on the enhancement of the quality-of-life of middle-class residents by reducing annoyances they encountered in public space. The broken windows theory popularized this vision by providing its intellectual rationale and explaining the fear of crime in terms of social disorder. While the vision of the orderly city was articulated in racially and economically neutral terms, it had connotations based on race and class. Some people who were usually low-income blacks and Latinos were branded as offenders. They were blamed for undermining the quality-of-life of some other people who were usually whites and more affluent.

New York was one of the first cities where this vision of the orderly city became part of city governance. In the early 1980s, Koch articulated the vision of the orderly city and embraced the
broken windows theory. To be sure, Koch was influenced by many of his core supporters—white ethnics in the outer boroughs who complained about the misbehavior of racial minorities. Koch did not necessarily take the required measures to make New York more orderly despite the establishment of a tougher criminal justice system. If anything, the 1980s are known as a period of a declining appearance of order in New York and this had much to do with the effects of the fiscal crisis as well as the crack epidemic.

The orderly city is based on the possibility of implementing broken windows policing. This type of policing is based on four requirements. First, broken windows policing requires the generous funding of the police force. This money is used for facilities, equipment, and overtime but mostly to hire a large number of new uniformed police officers. During period of fiscal stress, it is difficult to have an orderly city because it is an expensive undertaking requiring resources that may not be available. In New York, the orderly city emerged in the 1990s during the Giuliani mayoralty because of significantly higher NYPD budgets that made broken windows policing possible. In fact, in its efforts to maintain the orderly city, the Bloomberg administration continued the generous funding of the NYPD, even if the budget did not grow as much as in the 1990s.

Second, broken windows policing requires low crime rates. If crime rates are high, the city administration cannot justify a disproportionate attention on minor infractions. This second requirement appears to be ironic because broken windows proponents claim that the decline in small offenses translates into a reduction in major crimes. However, the broken windows theory as advanced by Wilson and Kelling in 1982 was a prescription of making people feel safe during periods of declining budgets and high crime. The idea that broken windows policing can also reduce serious crime came later and gained credibility in the 1990s after continuous crime declines in New York (Figure 5). These declines began during the Dinkins mayoralty when broken windows policing was not even implemented.

Third, broken windows policing requires a well-deployed, accountable, and corrupt-free police force. Lack of uniformed personnel can interfere with efficient deployment and besides even well-designed strategies have to be realized by police officers who are disciplined and accountable. In New York, police accountability reached optimal levels during Bratton’s era as police commissioner from 1994 to 1996. Accountability began to permeate the NYPD almost completely with statistics based on computers determining lack of productivity, which was punished. One can argue that in their effort to meet productivity requirements, police officers gave too many erroneous summonses and violated people’s constitutional rights, but this is part of the orderly city.

Fourth, broken windows policing requires a functioning criminal justice system. This last requirement appears to be the most questionable because it has never been possible to adequately process everyone being arrested. However, this is part of the orderly city. In many cases, it is the process that counts as punishment. Police officers meet their productivity requirements while offenders are humiliated. Many of the people arrested are not charged with anything though the ones found guilty acquire a criminal record for offenses that are insignificant.

Ultimately, the orderly city is based on racial profiling. People are profiled because they are not affluent and because they are not white. Where they live also matters, because black or Latino neighborhoods are targeted disproportionately. Given the structural characteristics of the orderly city, racial profiling survived grassroots and political opposition and even intensified during the Bloomberg administration. City powerholders felt that low crime rates were not enough, probably because the individuals that these policies sought to impress were different. They were no longer the old middle class that Koch championed but an upper class.

Author’s Note

A portion of this article was presented at the Urban History Association Conference in Chicago in 2016.
Acknowledgments

I am grateful to Douglas Di Carlo from the La Guardia and Wagner Archives for his invaluable assistance with the Giuliani administration papers. I would like to thank the participants of the Urban History Association panel and the audience for their useful suggestions, and Jonathan Soffer for his thoughts in a separate occasion. Finally, I would like to thank Christopher Lowen Agee for his comments and for coediting this collection with me.

Declaration of Conflicting Interests

The author declared no potential conflicts of interest with respect to the research, authorship, and/or publication of this article.

Funding

The author received no financial support for the research, authorship, and/or publication of this article.

Notes

5. This account may not be historically accurate, but nonetheless influenced conservative thinking about urban affairs.
8. Ibid.
9. Ibid., 30.
13. Ibid., 51-57.
15. Public transportation in New York City is operated by the New York City Transit Authority (NYCTA). The NYCTA is a subsidiary of the Metropolitan Transportation Authority (MTA), a quasi-autonomous public authority chartered by the State of New York.


27. At the same time, McGuire and Koch maintained cordial relations. When McGuire made it clear that he was going to resign in 1983, Koch urged him to reconsider.


30. Stanley Brezenoff to Benjamin Ward, “Increase in Reported Crimes,” KDC, box 231, folder 4, June 17, 1986, MACNY.


32. Benjamin Ward to Stanley Brezenoff, KDC, box 38, folder 9, June 26, 1986, MACNY.


34. Community Patrol Officer Project (CPOP) was better designed than Total Patrol Concept (TOPAC), though it was still subject to similar limitations.

39. Paul Dickstein to Robert M. Morgenthau, KDC, box 127, folder 1, November 22, 1983, MACNY; John S. Moore to Paul Dickstein, KDC, box 127, folder 1, November 28, 1983, MACNY; Elizabeth Holtzman to Edward I. Koch, KDC, box 127, folder 1, November 28, 1983, MACNY; Sterling Johnson Jr. to Paul Dickstein, KDC, box 127, folder 1, November 30, 1983, MACNY; John S. Moore to Paul Dickstein, KDC, box 127, folder 1, January 3, 1984, MACNY; William L. Murphy to Office of the Mayor, KDC, box 127, folder 1, March 5, 1984, MACNY; Robert N. Kaye to Kenneth Conboy, KDC, box 127, folder 1, March 2, 1984, MACNY.
40. William C. Donnino to Kenneth Conboy and Paul Dickstein, KDC, box 127, folder 3, November 12, 1985, MACNY.
43. “Ravitch Proposes Hiring 6,000 New Cops,” KDC, box 22, folder 15, June 14, 1989, MACNY. For the gap between public pronouncements by Koch and actual policy, see also Howard Golden to Edward I. Koch, KDC, box 9, folder 10, August 15, 1988, MACNY.
44. Alex Vitale argues that Koch wanted to be judged by his economic policies rather than his policing ones and that he only adopted the quality-of-life terminology after members of community organizations complained. Jonathan Soffer demonstrates how Koch remained a conflicted liberal. This may have influenced the extent to which quality-of-life policing was implemented during his mayoralty. See Vitale, *City of Disorder* and Soffer, *Ed Koch and the Rebuilding of New York City*.

50. Brown resigned in 1992 because his wife Yvonne was ill. She died a few months later from cancer.


56. Thompson, Double Trouble, 256-63.


61. Brian H. Moody to Fran Reiter, OMRG, Deputy Mayors Fran Reiter, box 02/09/008, folder 337, July 19, 1995, LGWA.


63. “Statement of the Real Estate Board of New York in Support of the Mayor’s Commitment to Maintain Staffing Levels in the Police Department,” OMRG, Deputy Mayors, Peter Powers, box 02/01/019, folder 462, April 4, 1994, LGWA.
64. “Memorandum of Understanding between the New York Housing Authority and the City of New York on Merger of the New York City Housing Authority Police Department and the New York Police Department,” OMRG, Deputy Mayors, Ninfa Segarra, box 02/14/010, folder 499, June 14, 1994, LGWA; “Memorandum of Understanding among the Metropolitan Transportation Authority, the New York City Transit Authority and the City of New York on Merger of the New York City Transit Authority Police Department and the New York City Police Department,” OMRG, Deputy Mayors, Ninfa Segarra, box 02/01/037, folder 932, 1995, LGWA.


67. From the early 1970s onward, because of widespread corruption, patrolmen could no longer enforce offenses relating to prostitution, alcohol, and drugs.


69. Diana L. Pizzuti to Daniel Telesca Jr., OMRG, Deputy Mayors, Peter Powers, box 02/01/019, folder 463, June 20, 1994, LGWA.

70. Mindy Tarlow to Dennison Young Jr., “Police Patrol Strength,” OMRG, Deputy Mayors, Peter Powers, box 02/01/019, folder 460, January 4, 1994, LGWA; Pizzuti to Telesca Jr., OMRG, Deputy Mayors, Peter Powers, box 02/01/019, folder 463, June 20, 1994, LGWA.


72. William J. Bratton to Peter Powers, “Monthly Report—May 1994,” OMRG, Deputy Mayors, Peter Powers, box 02/01/020, folder 466, July 5, 1994, LGWA. The observations recorded here were made during ethnographic research conducted in the late 1990s in Manhattan and Brooklyn.


76. Fagan and Davies, “Street Stops and Broken Windows.”


82. Donna Lynne to Howard Safir, “Memorandum: NYPD Redeployment Initiative,” OMRG, Deputy Mayors, Peter Powers, 02/01/047, folder 1258, April 9, 1996, LGWA; Yolanda B. Jimenez to Reverend Winston M. Clarke, OMRG, Deputy Mayors, Randy Mastro, box 02/04/006, folder 0174, September 23, 1996, LGWA.


92. Floyd v. City of New York, 959 F. Supp. 2d 540 2013, No. 08 Civ. 1034 (SAS) (2013), 16-7. Without ordering the end of stop-and-frisk, Scheindlin ordered the New York Police Department (NYPD) to reform the practice and called for an independent monitor to oversee the reforms. In October 2013, the United States Court of Appeals for the Second Circuit granted New York’s motion to stay Scheindlin’s opinion and sent the case back to the District Court to be heard by a new judge. However, the administration of Bill de Blasio who was elected mayor in 2013 dropped the appeal in 2014 and accepted a federal monitor for the NYPD.


Author Biography

Themis Chronopoulos is associate professor and director of American Studies at Swansea University in Wales, the United Kingdom. He is the author of Spatial Regulation in New York City: From Urban Renewal to Zero Tolerance (New York: Routledge, 2011) and the coeditor with Jonathan Soffer of After the Urban Crisis: New York and the Rise of Inequality forthcoming as a special section of the Journal of Urban History. His current research and writing examine topics such as race and ethnicity, social inequality, housing and urban development, and neighborhood change.