

Broken Windows Policing

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'Broken Windows' policing was a theory first proposed in 1982 by social scientist James Q. Wilson and criminologist George Kelling. In short, it is a theory that suggests when there are things such as broken windows, graffiti, panhandling, and other low-level crimes that infringe on the area of interest's general aesthetic quality of life, so too is there more high-level crimes such as theft, rape, and murder. The 'Broken Windows' policy is to have police perpetually crackdown on the low-level crimes, and that is intended to purge the area of the aforementioned high-level crimes. I shall provide the supposed benefits of this policy, such as reducing low-level crimes. I will also give some of the negative consequences of this policy. Overall, it is my position that it is an overreach of government, a policy destined to fail, and threatens the legitimacy of the police who incorporate and enforce such a policy.

From its onset, the idea of 'Broken Windows' policing is to take aim with immediacy when a window is broken, for example. It is suggested that when a building in a neighborhood has a window broken and no one fixes it swiftly, other windows are then broken because some people, i.e. the criminals in mind, will begin to think no one cares about the building or area (4). This, then, leads to further detriment of the building and the area around it. As more destruction and vandalism takes place, other likeminded menacing individuals tend to collect around the demolished area creating more havoc and chaos delving into worse crimes against others (4). It is a rational view of the world, because areas of lower socioeconomic standing tend to have such issues and the areas that

hooligans gather is typically marked and scuffed by past or recent delinquent activities.

However, this policy was initially proposed as a way of policing all of society, rich and poor alike. Reading between the lines, it was directed primarily at more impoverished areas, as the crime in those areas is what leads to fears of criminal spillover into the wealthier areas (3-5). It is blatantly evident that the number of crimes spoken of throughout the 'Broken Windows' piece happen disproportionately higher in lower socioeconomic areas. One immediate problem with this is that lower income areas tend to not own as much property, and already struggle to pay for maintenance of their area. Landlords and owners of those areas, especially in many major US cities, are often tied down with rent control preventing them from affording as much maintenance and updates as would be appropriate or necessary. All of this, in combination with many other problems plaguing low-income areas, and apathy running amuck, the likelihood of broken windows being fixed and graffiti being removed, aside from that which city services performs, is negligible at best. Those that are trapped in the area are pulled back into their crab pot and the parlay of urban decay is perpetual.

If this sort of policy were to have an effect on low-level crimes and deterrence, it would only be for those low-level crimes, and not the more serious rape, murder, stealing, etc. To suggest that there is a direct correlation with broken windows and someone murdering completely ignores human behavior as acts of individuals and claims the aesthetic of a society determines outcomes and predictable behavior. According to the 'Broken Windows' theory, it would not be farfetched to suggest it was the insidious broken window and not the ol' Devil that made the person commit their atrocious act. It

seems many “social scientists” want to blame outside sources for crime, and not the individual acting. More seriously, the act of policing broken windows criminalizes people for having unkempt property by threatening punishment of fines or coercively escalating through the system if demands are not met. The use of one’s property, as long as not infringing on that of others’, is at the exclusive discretion and prerogative of that individual as being sole owner. If they want broken windows, no windows, tinted windows, or stained glass, and so forth, it is not the place of government to police such a thing. The primary role and responsibility of a police force is to serve and protect a community, not determine uses or artistic appeal of property. They can police those that committed the act of aggression against the property owner or renter only. Nevertheless, this sort of policy incentivizes an overreach of government and policing via pretextual means. It is also an added cost to tax payers as it requires more police, more vehicles, more resources, and more, in order to implement the program.

‘Broken Windows’ policing allows police to approach, question or interrogate, and search suspicious people hanging around areas of concern due to the pretextual concerns of broken windows, graffiti, etc. since those are illegal acts and it is not necessarily known who may have committed the acts. This is similar to pretextual traffic stops, e.g. broken taillights, dirt covered license plates, and so on. In times where the officers are not legally allowed to search, they either do anyway, or trick those intended to be searched into permitting the search. This can then turn into a drug case if the person has illegal drugs on his person, or whatever other things a cop can pin on someone. This is unconstitutional if done without consent, probable cause, or warrant as stipulated in the

4th Amendment, and impractical in that if an officer does find anything like drugs on someone, the officer will now be off the streets for a while booking the suspect, and then the more heinous crimes are not as well policed.

In part, 'Broken Windows' policing is a byproduct of one of the worst and most failed policies in US history, that of the 'War on Drugs.' Both the 'War on Drugs' and 'Broken Windows' policing particularly target, discriminate, and disenfranchise individuals, families, and communities, with lower socioeconomic statuses. This over-policing policy, stop and frisk approach, and criminalizing property owners, illegitimizes the police for acting outside of the federal republic's constitution which is the only reason they have power to begin with. To have their power or position is why police and many other US government officials are required to uphold the US Constitution. Viz., to act outside of it is to illegitimize the powers granted, and over-policing only incites those being targeted to resent the police and government.

In summary, 'Broken Windows' policing is a broken policy from its onset as it is an overreach of government, unconstitutional, does not act as a deterrent for the crimes it supposes will be reduced, and further infuriates the community being policed. It is an exorbitant cost on society, as it is not only fiscally inebriating but also taxing on the community's capacity to live and thrive. In order to alleviate the growing problems in troubled communities, the 'War on Drugs' would need to be ended, decriminalize drugs in general, and end all policies similar to 'Broken Windows' policing which act aggressively against the people sworn to protect. These are only a small portion of that which is necessary to correct the problems created from over-policing.

Work Cited

George L. Kelling and James Q. Wilson. "Broken Windows." *The Atlantic*, Atlantic Media Company, 19 Feb. 2014, www.theatlantic.com/magazine/archive/1982/03/broken-windows/304465/.