How To Stop A Crime Wave

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In politics, the range of ideas that the public will accept is known as the Overton Window. Ideas from outside the window can shift the public discourse, changing what people think of as normal.

The same is true for behaviour. People's conduct is governed by their idea of what is socially acceptable. The more that antisocial behaviour is tolerated, the more it will be normalised, and the more of it society will have. And that is how a crime wave forms.

As those of us living in Melbourne know all too well, this is not only an academic concern. Over the last two years, Victoria has seen robbery rates rise 20 per cent, theft rise 9 per cent, and assault rise 8 per cent. Crime has a habit of begetting more crime, and the failure to crack down on serious offending has seen Melbourne fall into a crime wave.

And while crime is not up all over the country, international polling shows that Australians consistently report not feeling safe in neighbourhoods at night. On this measure Australia has ranked in the bottom 10 developed countries for more than a decade. This comes despite a rise in

the national incarceration rate to the highest level since Federation, and spending on each prisoner that outstrips all but three other developed countries.

There is good reason to believe that incarceration is not the correct tool with which to address Australians' concerns about crime. Instead, preventing and stopping an escalation of criminality like that seen in Victoria is, more than anything else, a job for the police.

The judiciary and prisons do have a role to play in reducing crime and recidivism over the longer-term. However, because of the way that criminals think, policing remains the most effective way to deter crime. As the economist Alex Tabarrok has written, criminals in general are impulsive, placing greater value on immediate benefits and costs, and failing to consider longer-term consequences. This means that they are more responsive to 'quick, clear and consistent' penalties than to punishments affecting their more distant futures, like longer sentences.

Policing raises the perceived costs of crime to criminals by increasing the probability that a crime will either be interrupted or have adverse consequences. This in turn short circuits the process of normalisation that leads to a crime wave.

This insight forms the basis of the policing theory known as 'broken windows'. Broken windows policing involves active policing of small crimes in order to prevent the escalation of both the number of crimes and their seriousness. Originating in a research paper by criminologists James Q. Wilson and George Kelling, broken windows policing became famous when adopted by the New York Police Department following the election of Rudy Giuliani as mayor in 1993.

New York began its crackdown by targeting the estimated 250,000 daily subway fare evaders, then expanded to public disorder offences like public drug use, begging, and graffiti. In Australia, we see similar signs of disorder, like public drug use and drunkenness, often leading to aggressive behaviour on the streets.

There was a dramatic fall in crime in New York during Giulani's leadership. For example, in 1993, there were 1946 murders in the city. By 2015, this had fallen to 352. While Giuliani was mayor, violent crime dropped by 56 per cent. Robbery fell by 67 per cent, and aggravated assault by 28 per cent. Not all of this decline can be attributed to broken windows policing. Crime had begun to fall before 1993, and the United States experienced a nationwide reduction in crime across the 90s that was visible in cities with similar policies and without. But a 2015 review of broken windows policing across a number of jurisdictions concluded that focusing on disorder led to a statistically significant reduction in all types of crime.

While the theory of the deterrent effect of policing is sound, the practical implications are less clear. The answer is not as simple as increasing police numbers. More police will theoretically increase the chances for criminals of being caught, but we also need to account for how effectively police resources are deployed.

Australia is already among the most heavily-policed countries in the developed world. A recent IPA research report found that Australia has more police per capita than all other common law

countries bar Ireland and the tenth highest annual per capita spending on police services in the OECD, at $427 for every Australian.

While the circumstances of each Australian jurisdiction are different, there is reason to believe that, rather than committing to yet higher spending, we ought to be looking for better value for money.

The targeting of police to problem areas is known as 'hot spots policing'. While critics have alleged that this approach merely displaces crime, a recent University College London study found that areas surrounding the targeted area actually benefit from the targeting too.

The success of targeted policing is another demonstration of the validity of the rational choice model of crime: criminals respond to a raising of the costs of crime, whether those costs be the chances of being caught or the effort required to find opportunities for crime.

In Victoria, despite the fact that 50 per cent of criminals in our prisons come from just 6 per cent of the postcodes, the state has positioned two or more quasi-police 'community safety officers' at every train station in the city, even those in decidedly tranquil suburbs.

However, hot spots policing on its own is not enough. An increased police presence in select areas of the city can make residents of those areas feel under siege and reduce their cooperation with the police.

In New York City, Giuliani was succeeded as mayor by Michael Bloomberg, who doubled-down on broken windows theory, commanding police to institute a policy of 'stop and frisk' for anyone acting at all suspiciously in targeted areas of the city. This policy was criticised by civil libertarians, including the Cato Institute, for its disproportionate impact on black and Latino people, and for enabling the police to harass people for no good reason.

For this reason, the implementation of targeted policing should go hand-in-hand with a form of community policing—the practice of police outreach to constituents of high-crime areas to develop an understanding of the community's expectations and needs. This outreach is usually combined with a greater focus on more personal forms of policing, such as foot patrols.

A visible, active police presence is necessary for preventing the normalisation of crime. However, there is no reason that this presence has to be akin to, as critics often suggest, an occupying military force. Such critics often forget that the majority of people in high-crime areas are law-abiding and they are the primary victims of rampant criminality. Hot spots policing is better understood as needs-based policing.

There is a virtuous circle between the effectiveness of the police and community confidence in the police. This dynamic is underpinned by the moral authority of the law, which is derived from its role in securing public order and allowing individuals to go about their lives in peace.

The primary responsibility of the criminal justice system—the police, the courts, and punishments—is to keep the community safe. The greatest threat to this agenda is the imposition

on the criminal justice system of other agendas. Police, for example, are not social workers, and it is not their role to bring about societal change.

Targeted policing depends on the police having a wide range of discretion to connect with the expectations of law-abiding residents and to interrupt patterns of criminality. Civil libertarians are right to point out that there needs to a system of safeguards to make sure police are not acting arbitrarily. But equally, police advocates are right to point out that successful policing depends on trusting the police to do their jobs.

Ultimately, as New York City shows, empowering the police to crack down on seemingly minor offending is the only way to head off an escalation not only in the number of crimes but in the severity of the offending. Crime waves are caused by the normalisation of crime. Let's not leave the Overton Window of crime in pieces.

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