DAVID ONEK: Welcome to the Criminal Justice Conversations podcast, a coproduction of the Berkeley Center for Criminal Justice and the Berkeley School of Journalism. I’m your host, David Onek. The podcast, recorded weekly in the Berkeley School of Journalism studios, features in depth interviews with a wide range of criminal justice leaders: law enforcement officials, policy makers, advocates, service providers, academics, and others. The podcast gets behind the sound bites that far too often dominate the public dialogue about criminal justice to have detailed, nuanced conversations about criminal justice policy.

Today’s guest is Berkeley law professor Frank Zimring. Zimring is the William G. Simon professor of law and Wolfen Distinguished Scholar at the law school as well as a faculty board member of the Berkeley Center for Criminal Justice. He joined the Berkeley faculty in 1985 after 18 years at the University of Chicago law school. Zimring is the author of
numerous books including The Great American Crime Decline, Criminal Law and the Regulation of Vice, American Juvenile Justice, America Youth Violence and many others. He is frequently quoted in publications such as the New York Times, the Los Angeles Times, the Washington Post, and the San Francisco Chronicle.

Zimring is currently working on the book “The City that became Saved, New York and the future of Crime Control” which is due out next year, and he joins us in studio this morning, Frank Zimring, welcome to the program.

FRANK ZIMRING: Good morning.

ONEK: Today we’re going to talk about your work studying the huge crime decline in New York in the past 20 years. You started this work as a chapter on New York in your book The Great American Crime Decline, and you’re now expanding it into a full book. And you’re spending the next academic year in New York to continue your research. How dramatically has crime gone down in New York in the past 20 years, and why is it so important that we understand what has happened there?
ZIMRING: Well, there’s a related question and that is I just finished a book on the great American crime decline of the 1990s, what on Earth is there about this one city in the country whose crime decline calls for good heavens, yet another book? And the answer is that if you start just with the statistics, a rule of thumb is this, the crime decline that was all over the United States in the 1990s was about 40% give or take.

Some crimes a little bit more, some crimes a little bit less. The rule of thumb for what we found in New York City if you believe the official statistics is that the New York decline was first of all twice as long as the decline everywhere else. The great American crime decline ended in the year 2000. New York is still in a crime decline that started in 1991 and hasn’t finished yet. So that’s twice as long. The second thing which is striking about New York is that the crime decline is twice as deep as what happened in other American cities.

And that’s not just the difference in statistics or degree, the difference between a 40% drop in crime and an 80% drop in crime, is a huge difference. What’s happened in New York City and we can go life-threatening crime by life-threatening crime, is that 4/5 or slightly more than 4/5 of the crime rate in this
large American city has disappeared in a two decade period. The homicide rate in 2009 in New York City is 18% of what the homicide rate was in 1990. The robbery rate is 16% of what it was. And the all-time award winner is auto theft, if you believe the official statistics and we checked the homework, the auto theft rate in New York City in 2009 is 6% of what it was in 1990.

Now this is a substantial decline of a kind that no American or other developed country’s city has ever experienced in the recorded history of crime statistics.

ONEK: So it’s almost too good to believe. And in fact there has been some controversy recently about whether the books were cooked in New York. Two local criminologists conducted a survey of retired NYPD captains and commanders and reported that over 100 of the officers said that pressure to lower crime numbers led some supervisors to manipulate their crime data. We had former New York police commissioner Bill Bratton on this program a few months ago and he forcefully refuted those charges. What evidence have you uncovered to support or disprove the allegations of book cooking, starting with homicide which has been down 82% in the past 20 years?
ZIMRING: Much as it pains me to say that Bill Bratton is right, for three of the seven indexed crimes, there are very good ways of double checking the police. And this is something that you want to do because the problem here is that the police both keep score with crime statistics and are vitally interested in the outcome. So you always the problem of checking the official math. But if you start with homicide it turns out that there is a separate statistical system, totally independent of the police, that is run by health departments that publishes vital statistics every year. And you go to the health department and you look at the correlation between health department homicides and police department homicides and the correlation is 0.999. It couldn’t be better.

OK. The auto theft statistic, let’s take that one because it’s the most extreme. There --

ONEK: Down 94%.

ZIMRING: Down 94%. Now when you double-check that against insurance claims for theft from auto insurance you find out that not all the 94% shows up there. Just 88% of it shows up there.
But the point is that the statistics metric that you use there, whether people are insured, is sufficient so that what you can say is that in its timing and magnitude, what it does is confirm the police statistics.

The third crime which is a safety crime of great importance, where you’ve got the test, is on robbery. Now you don’t have an independent agency counting robberies. But you do have in the homicide statistics a way of robbery is such a dangerous crime that you can look at trends in killings involving robberies. And when you do that what you find is a drop in robbery killings which is not only as great as the 84% drop in reported robberies, it’s slightly bigger. So in general, what happened in New York to the extent that you can measure it, is real.

And again, it’s something that it’s not just a question of degree, when you drop your crime rate by more than four fifths, without changing your population, or your general urban structure, that’s a game changer. That’s a different city, criminologically than it was in 1990.

ONEK: I want to pick up on that and talk about what hasn’t changed in the city that potentially could explain this, tell me
what is the same that you don’t think explains this huge crime drop.

ZIMRING: OK, well, you can first start with rounding up the usual suspects. For the 1990s crime decline, the things that people were constantly talking about, that would explain declining crime all over the country, were economic growth, increasing imprisonment and a decline in the youth share of the population. Now particularly during the 1990s, all of that happened in New York as well. But when you shift the subject from what might’ve explained New York’s participation in the crime rate everybody had to what was different about New York, what was the difference between the 40% and the more than 80% drop that they had?

Then none of the usual suspects play the game. Let’s start with imprisonment. Over the period from 1990 to 2009 the American rate of imprisonment went up by 62%. New York City’s rate of sending people to jail and to state prison went down 27%. So the usual strategy that Americans use which is well, you find people who are conducting crimes and you lock them up, was continued apace in the general US, but incapacitation couldn’t have played a role in the New York difference because the New
York difference was less, rather than more.

Economic growth was about the same in New York. And the economic growth ended for all intensive purposes early in the 21st century but the crime decline continued. The question of the population getting older and other population changes, New York did have a slight aging of its population in the 1990s but no more so than anybody else. So the New York difference couldn’t have been that. And then when you take a look at the high-risk populations, the ones that have homicide rates seven times everybody else which are African-American and Hispanic minority populations, the African-American population in New York is stable.

The Hispanic population has gone up. So by the usual metrics what you would’ve expected is either stability or a slight increase, and what you get again is not a drop, but a distinctive, more than 80% drop. Other things that haven’t changed, look, the schools have not gotten better. Economic inequality has increase, housing hasn’t changed dramatically, so that to the extent that we’re talking about the basic urban structure that we have thought for many years simply produced violent crime as a natural and essential outgrowth
of urban society, that structure is still in place, but the life-threatening crime that we’ve long associated with it, has diminished very substantially.

Now I don’t want to be accused of exaggerating. The homicide rate in New York is six per 100,000. In Tokyo it’s one per 100,000. And in Toronto and Montreal it’s two per 100,000. So New York still has a violence profile which isn’t the lowest in the world, but the homicide rate in New York City in 1990 was 30.6 per 100,000. So going from 30.6 per 100,000 to 6 per 100,000 is Guinness Book of World Records remarkable.

ONEK: What have we learned about the relationship between drug use and violent crime from New York in the last 20 years?

ZIMRING: Well, you have to go back to the mid 1980s when a very strange thing happened in this country, the percentage of the population that was young was going down. The number of people we were throwing in prisons was going way up. So in the first half of the 1980s crime decreased, and we said you see? It works. In the second half of the 1980s homicide went through the roof in New York City and lots of other places. So all of a sudden there was a crisis. Things weren’t working as they were
supposed to.

Well, we said that’s because of crack cocaine and public drug markets. And nowhere was that more pronounced and more dramatic than in New York City. So now that we have a 4/5th decline in life threatening crime, do we have 4/5ths decline in the taking and use of illegal drugs? The answer is probably not. What you have is that the police remove public drug markets. They took back the streets. But by every measure in the public health system, of illegal drug use, we can’t measure marijuana very well, but we can measure cocaine and heroin because we can use drug overdose deaths, they’re relatively stable. They’re down about 10%.

Heroin and cocaine admissions to treatment in hospitals aren’t down at all. Emergency room mentions of heroin and other drugs are quite stable. They went down at one point, particularly for younger persons for cocaine in the late 1990s and they’re back up. So what we have is stability in drug taking and a tremendous decline in drug violence. Or, to put it another way, we’re winning the war on crime without winning the war on drugs.

ONEK: And so you’re talking about OK, we didn’t win the war on
drugs, we weren’t incarcerating more people in New York, so the big question, what made the difference in New York?

ZIMRING: In the first instance I have to divide the question. For the 40% crime drop that everybody had we’re not sure what happened in New York. That has nothing to do with policing, because you’ve got 20,000 different police departments in the United States. There wasn’t a large growth in the number of police. So that general decline that took place in the 1990s was a mixture of demography, some economic good news, some incarceration and the crime incarceration went up 15% for the first seven years of the New York period before it then turned down.

So you have some of the usual suspects there and a lot of question marks. When you turn the subject now to the second half of the New York decline, the one that pushes New York into the record books, it’s pretty clear that this had to be a change in the number of police, the aggressiveness of police, and the organization and management of police. And the reason I say it has to be, is that nothing else changed in a direction that would predict crime. In the 1990s you had a tremendous increase in the number of police on the streets in New York.
At its peak in 1999 and 2000 there were 42% more cops on the street. Or to put it another way, this one city, New York City department had added something very close to the Chicago police department to their ranks. Well, wouldn’t more cops by itself reduce the crime rate? In terms of what we think we know about that the answer would be no. But even more interesting than that is that once they reach their peak, in the year 2000, the city’s department of police reduced the number of police by about 10% while the population continued to grow. So now you have a little experiment going on.

You have the tremendous growth in police, and that was associated with the crime decline and you have the rather substantial decrease in the force. What happened then? Crime continued to go down. Now, the other thing that we have to admit is that our capacity to measure what it is that the police are doing that’s effective --

ONEK: That was going to be my next question. Because to what extent can we untangle the, more officers on the street versus ComStad and other management innovations versus other things the police did?
ZIMRING: Well there’s good news and bad news. Let’s begin with the bad news. You can’t take New York crime statistics and do a regression study that will tell you what part of policing there worked.

ONEK: Because they were doing these innovations throughout the city in every district so it’s hard to untangle one area versus another.

ZIMRING: They through the kitchen sink at the problem, and so you don’t know whether the faucets or the drains or any other part of it, the other reason you don’t know is that there were no rigorous evaluations or random assignment experiments in New York City. OK. So what you can do however, here’s the good news, is you can take particular strategies that New York used that other people have rigorously evaluated, and you can use those other cities, you can graft on what we know about policing strategies there, and when you do that there are three things that New York City did that seemed to have paid off.

One of them is so-called hotspots policing. You send the cops to the worst areas, you keep them there, and you sustain a presence
which removes the problem. Second thing that had to have worked, is the destruction of public drug markets. Now that overlaps a little bit with hotspots, because open-air places where crack cocaine is being sold are of course, where your crime rate is going to be very substantial. And the third thing that we suspect has worked very strongly is the management issue because it makes sure that steps one and two that I just outlined actually happen.

ONEK: You can’t go to the hotspots if you don’t know where the hotspots are.

ZIMRING: And you don’t know that you’re sustaining them if you have no control over where your police are. What about the fact there are hundreds of thousands of racially isolating darn near profiling stops each year in New York City? I can tell you that the police swear by it there. They think they’re part of what’s worked. I can also tell you that it hasn’t been rigorously evaluated in New York City. And when you go to other cities because aggressive policing wasn’t invented in New York City, they call it different things, they call it field interrogation in San Diego.
They call it proactive policing or preventive policing in Los Angeles or other places. The problem is that it has never when rigorously evaluated come with a passing score that it’s part of the solution in other places, so you can’t transplant the rigorous evaluation. Now what that means it that a very big part of the next agenda in New York City is going to be testing that extremely expensive and relatively troublesome element to find out whether it’s a necessary part of the crime reduction. We don’t know now and it’s a shame that we don’t know. But it means that we better find out.

ONEK: Let’s say that a mayor of a major city hears this podcast, calls you in and says, tell me exactly what I need to do to get the kind of crime drop we saw in New York, what would you say?

ZIMRING: OK, well the first thing that you tell them is that you can’t get an 83% crime drop because the way you have to do that is to start when everybody else is going to have a 40% crime drop. Whatever the metric was in the 1990s, we can’t bring it back, we don’t know what was in the water then. But you know what, declining crime by half would be good news in San Francisco or Oakland. We can then start with a few of the proven
policing really matters.

And I can give him two or three different things to do with policing that have been proved to work not so much in New York as in Atlantic City and Newark and elsewhere. Problem solving police, hot spot techniques, if you have any open air, street drug markets, close them fast. Those are off the shelf technologies that are going to work very well. Can I tell him about field interrogation or rounding up the usual suspects? Probably not. What can I tell him about order maintenance police, or broken windows policing?

Oddly enough, broken windows policing at least in its original form said stay away from the hot spots, they’re probably hopeless. Just go to the marginal areas. So that’s probably exactly the worst way of using your police resources. But a funny thing has happened and that is, we’ve changed our definition of order maintenance policing, the New York success is so conspicuous that we’re changing the terms of these large phrases that have been bandied around, but a new Mayor, the one thing I can say is you don’t need a new philosophy of policing.
You need to get very specific and rigorously test and tweak policing strategies in your city and keep score carefully.

ONEK: Now your research shows that policing matters. It also shows that we did not need an increase in incarceration in order to get the crime drop in New York.

ZIMRING: I think that there are two things, the thing that is being missed in this country, about the lessons from New York City is that the two largest assumptions that have been driving crime policy in this country are probably the wrong way to go about things. Our theory was that the only thing you could conceivably do when people are repetitively violating the law is put them in prison for a long period of time. That not only does incapacitation work but that only incapacitation works.

New York has disproved that. Their incarceration rate is down 28% and their crime is down 80%. Where have all the criminals gone? Some of my friends, well, maybe they moved to New Jersey, but when you do the careful statistical and demographic studies, they haven’t. So we now know that you don’t need mega imprisonment policy to have substantial decline in crime. Again, you won’t get 80%, but you can get 40 or 50%. The second article
of faith in America, is that you can’t get crime control without winning the war on drugs. But when you take a look at New York City’s drug overdose death rate and it’s down 15 or 20%, but their drug killings are down 90%, all of a sudden you realize that drug violence and illegal drug use may be two different problems.

ONEK: If you win the war on public drug markets but not necessarily the war on drugs themselves.

ZIMRING: So we go right back to the question of that hypothetical mayor, and we say Mayor, what you’ve got to be is highly specific in what you try and how you evaluate. But the good news is, if you are specific, and experimental, and rigorous, the pay offs we now know in 2010, are infinitely more substantial than the field thought was possible 20 years ago.

ONEK: Let me close with this. If you walked into a room of criminologists 20 years ago and said, I predict that New York will have an 80 plus drop in violent crime over the next 20 years, what would’ve been the reaction in that room?

ZIMRING: Well, criminologists don’t usually wear white suits
but they would’ve been calling for the men in white suits. This was the kind of, the problem is I’ve been a criminologist now for more than 40 years and for the first 20 of those years there were a lot of surprises in the field, but all of the surprises were bad news. What’s remarkable now is that everything we’ve been discussing, David, here, is in the first instance tremendously surprising to the field, but in the second instance it’s good news that’s surprising.

And what’s surprising is not that crime can change without urban structures changing, it’s that they can change so much. What we found out is, for cities like New York or Oakland or San Francisco or Los Angeles, life threatening crime is not an essential part of the social and economic organization of the cities we live in. And that’s wonderful news.

ONEK: Frank Zimring, thank you so much for joining us. Please tune in next week when we’ll be joined by Oakland police chief Anthony Batts. Thank you for listening to the Criminal Justice Conversations Podcast. You can find this episode of the podcast and all prior episodes on our website at www.law.berkeley.edu/cjconversations and on iTunes. You can also become a fan of the criminal justice conversations podcast on Facebook and can
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