

City University of New York (CUNY)

CUNY Academic Works

Capstones

Craig Newmark Graduate School of Journalism

Fall 12-16-2016

In The Wake of Broken Windows Policing How Aggressive Policing Contributed to East Harlem Residents Distrust of Police

Stephanie Daniel

Cuny Graduate School of Journalism

Nicole Lewis

Cuny Graduate School of Journalism

Kalalea Kalalea

Cuny Graduate School of Journalism

[How does access to this work benefit you? Let us know!](#)

More information about this work at: https://academicworks.cuny.edu/gj_etds/179

Discover additional works at: <https://academicworks.cuny.edu>

This work is made publicly available by the City University of New York (CUNY).

Contact: AcademicWorks@cuny.edu

In The Wake of Broken Windows Policing

How Aggressive Policing Contributed to East Harlem Residents' Distrust of Police

By Nicole Lewis, Stephanie Daniel, and KalaLea

January 2, 2017

In Every Interaction, Police Make a Friend or Foe

Michael Perada was smoking a cigarette on the roof of a NYCHA building on 115th Street in East Harlem last year when the police stopped him. They wanted to know what the 20-year-old was doing in the building. Perada, who is Latino, told the officers he was a resident, but had left his ID in his apartment since he had only gone out to the roof for a quick smoke.

But the police didn't care; they wouldn't let him get his ID from his apartment. Instead, the officers wrote Perada a ticket for trespassing and took him down to the 25th Precinct where he was kept in a holding cell for six hours.

Perada's father brought his ID down to the precinct but the officers did not dismiss the charge. Instead, Perada was given a date to attend summons court where he was sentenced to one day of community service, raking leaves near the tennis courts along the FDR drive. His experience only reinforced his belief that the police target black and Latino people, often issuing tickets for no apparent reason. Many others in the community feel the same way about the police.

"The police feel like because they have a badge that they can stop you and do whatever they want," he said.

The strained relationship between the police and the black and brown residents in cities across the United States has been a national talking point in recent years. Headlines and cable news channels have been dominated by stories of protests against police officers who use or appear to use unrestrained force, mostly against black men. Outside the media spotlight, East Harlem residents like Perada fear the potential hostility of the police.

Their fear is not unwarranted. The neighborhood's high crime rate has been used to justify an aggressive style of policing known as Broken Windows, in which minor crimes are ticketed with criminal court summons. Initially, law and justice experts applauded Broken Windows policing for cleaning up the streets, but now it's been discredited, leaving places like East Harlem to pick up the pieces. In 2015, the neighborhood had the highest rate of criminal court summonses amongst residential areas —145 summonses for every 1,000 residents—more than four times the citywide average, according to an analysis of data obtained from the NYPD.

Not every violation is a clear-cut case. Often, officers can make the choice between issuing a ticket and offering a warning.

“It is hard to write a nice person a summons ticket,” said officer Albert Vitarelli who has worked in several precincts throughout the city. “We have full discretion. The times when we stick to the letter of the law it’s because somebody said so or because we got called to the scene so we have to respond.”

Some residents in East Harlem feel they do not benefit from officer’s discretion, and are instead profiled on the basis of their race.

“The cops around here, they take the job personal. So if you do get arrested they’ll put the handcuff tight on you. They’ll beat you up. Stuff like that,” said Darren Jason, 35, who has lived in the neighborhood his entire life.

While summons rates have declined since they peaked citywide in 2010, officers of the 25th have consistently written between 7,000-8,000 each year. Of the almost 7,000 tickets written in 2015, many were for minor and ambiguous infractions: 321 for failing to comply with a sign, 525 for “other health code violations” and 544 for “federal motor vehicle safety regulations.” The bulk of the remaining tickets issued were for minor criminal infractions: 2,601 for public consumption of alcohol, 739 for urinating in public, and 500 for disorderly conduct.

Each interaction tests the relationship between the community and the police. How the almost 7,000 people who received summons tickets last year felt after being written up by the police determines whether or not the 25th made almost 7,000 new enemies or potential allies.

In East Harlem, CUNY reporters made an unprecedented effort to listen to what the community members said about their relationship with police. Over the course of several months, the reporters attended community board meetings in which residents discussed the important goings on in their community. The reporters spoke with community leaders, many of who have been trying to devise solutions for East Harlem’s numerous social issues. They went to churches, schools, and barbershops. They stopped dozens of people on the street and asked them for their thoughts on the local police. They camped outside of polling places on Election Day to ask voters for their take on policing in the neighborhood. They spoke with leaders of community organizations who are trying to build trust between the youth and the NYPD. They attended community events and canvassed block parties. The reporters went door to door leaving flyers for residents, and sent them in a mass-mailing, asking to hear their stories.

In addition to on-the-ground reporting, the reporters created a text-message questionnaire that was completed by scores of residents. The questionnaire asked about resident’s interactions with the police. The majority of the residents surveyed

agreed that the police unfairly target black and Latino residents, and most characterize their relationship with the police as hostile. Many young black and Latino residents say the police are a threat to their safety, and many say they've seen the police use unjustified force in the community.

But the survey also revealed something else: appreciation, and a desire to repair the relationship. When asked how they would like the police to change, East Harlem residents expressed a common refrain: officers need to get to know the neighborhood and the people in it.

"Be genuinely involved with the people in this neighborhood," wrote one survey respondent.

"Show their good side by having a committed relationship with people of the community. Get involved," wrote another.

"Be more visible, friendly, relatable, and live in or nearby community," wrote another respondent.

Better communication and a willingness to be involved, they say, could help restore the people's trust in the officers of the 25th.

Mending the relationship isn't simply a public relations issue, says Josh Hinkle a criminologist and researcher at Georgia State University. In 2015, Hinkle published a study examining the underlying mechanisms of Broken Windows Policing. Hinkle says a good relationship between the police and residents is essential for effective policing, and for preventing the kinds of major crimes Broken Windows is supposed to address.

"The police can't do much of anything without community support," said Hinkle. "People have to call in crimes. Most cases are made on victims being willing to testify and cooperate. When the relations go south, there are major consequences on both sides."

To Deal with Disorder Police Cast A Wide Net

The 25th Precinct employs 140 officers and encompasses just one square mile of East Harlem. It's home to almost 50,000 residents, the majority of whom are black and Latino. The precinct is tucked inside a larger neighborhood best known as El Barrio because of the numerous Latino immigrants who made their homes here over the past several decades. Their influence on the neighborhood is still felt today in the family-run *panaderias*, *dulcerias*, and *taquerias*.

Like most low-income black and Latino neighborhoods across the city, El Barrio is in the midst of a transition as new, more affluent, residents flock to the area in the hopes of finding affordable rent in the neighborhood's brownstones and apartment

buildings. In February 2016, the New York Times listed East Harlem as one of *New York's Next Hot Neighborhoods*, calling it the “best bet” for people who want a good deal in Manhattan. The new coffee shops and faces only add to the lively mash up of cultures that play out in public spaces.

African women wait outside the 125th Street subway station beckoning patrons into their hair braiding salons. “Hair braiding Miss,” they ask. Old men gather on the street corners to talk and play dominoes. Younger men linger on the block. Along 116th Street, vendors sell anything from incense and soaps to socks and t-shirts. Homeless men and women look for a place to camp during the daylight hours while the shelters are closed.

The NYPD runs a 24-hour mobile command unit near the intersection of 125th Street and Lexington Avenue, which bustles day and night. The unit was assembled in 2015 after a spike in K2 use, a form of synthetic marijuana, left the drug’s users puking, pissing, stumbling, and passing out in the streets.

At Levels II Barbershop on Lexington Avenue, down the block from the lively intersection, several barbers jokingly refer to the daily commotion as “live on Lex.”

The barbers and many residents commend the police for dealing with the ruckus. Kat Peeler has lived in the neighborhood for 10 years. Peeler sees the disorder on Lexington as a direct result of the high concentration of support services—halfway houses, methadone clinics, and homeless shelters—in the area. Every day, buses full of homeless people from shelters on nearby Ward’s Island and Randall’s Island drop off at the intersection.

“There’s a lot of people in this neighborhood who don’t really live here,” said Peeler. “There’s a lot of litter and defecating on the streets and peeing, and all kinds of stuff that goes on here that I don’t think you see as much in other neighborhoods.”

Intolerance for this kind of disorder—vandalism, vagrancy, and public intoxication—is a central tenet of Broken Windows policing. Under Broken Windows, disorder is seen as the foundation for crime, signaling to would be crime committers that the neighborhood is an open ground for criminal mischief.

However, the empirical evidence is clear: there is no connection between disorder and crime. Nor is there a connection between the aggressive policing of minor infractions and major crime reduction. The biggest blow to Broken Windows theory came in June when the Inspector General (IG) released an 88-page report on the efficacy of Broken Windows in the city. By analyzing six years of data on summons and arrests from the NYPD, the IG determined there was no evidence to suggest that policing quality of life offenses results in a decline in major crimes.

Experts say instead Broken Windows yields another consequence: racial disparities in arrests for minor infractions.

“Arrests for misdemeanor offenses are deeply racially biased,” said Bernard Harcourt, a professor at Columbia School of Law and author of *Illusion of Order: The False Promise of Broken-Windows Policing*. “When [the NYPD] builds a policy around policing minor offenses, they are building it on a racially skewed basis. Continuing with these policies – when we know that these are the effects—is deeply problematic.”

Miriam Lopez has lived in East Harlem for over 40 years. Over the past several decades, Lopez watched East Harlem descend into disorder as factory closings in the '80s left residents without jobs and provided an ideal space for the areas now numerous public housing buildings. The neighborhood fell into further disrepair as the crack epidemic tore through the community, creating violence and sending masses of people to prison

Lopez says the police have been helpful in dealing with some of the resulting crime, but all too often she says police hassle law-abiding citizens.

“I’ve seen how poorly [the NYPD] has treated low-income black and Latino people as part of a criminal element,” said Lopez. “And if you have family members who’ve had run-ins with the law, who have committed crimes, and gotten arrested, the whole family is painted with this brush.”

‘Neighborhood Watch’ Monitors the Cops

Peggy Morales, 68th District Leader, lives on 119th Street in a cramped but homey apartment with her two pit bulls and teenage daughter. Now a proud grandmother, Morales has lived in the neighborhood for most of her life, where she raised her two sons into adulthood.

When her boys were young, Morales, who is Puerto Rican, felt the police were unfairly targeting young people in the neighborhood. She said it was common for police to “stop, question, and frisk,” her two sons simply for being in the street.

Morales recalled a particularly frustrating instance of racial profiling. Her sons, who were in high school at the time, were playing tag, weaving in between cars on Park Avenue and 119th street. The police saw the kids running and thought they had mugged someone, so they ran over to the boys, with their guns fixed on the teenagers, and threw them up against a fence.

Morales saw the encounter from her car. She pulled over then ran over to the scene to confront the officers.

“My children were terrified,” she said. “They were terrified! I thought to myself: What if I hadn’t been there, what would’ve happened to them?”

Morales says her experiences haven't soured her relationship with the local police. She believes that personal responsibility could be used as a salve to help repair the wounded relationship. In 2010, she started a neighborhood watch with other concerned parents on her block who were fed up with watching their kids be harassed by the police.

"We decided that we were going to become part of the solution as opposed to complaining and continuing to be part of the problem," said Morales.

The members talked to their kids about how to monitor their own behavior to draw less attention from the police department.

"In our community, culturally, it's completely acceptable for young people to gather outside and sit and or talk, share information, discuss the game, boxing match, the things that are of interest to them," she said. "But if they are clustered in a corner there is a risk the police will pick everyone up and run their names."

The cultural disconnect between police and East Harlem residents came up time and again from community members. Most commonly, residents highlighted a pervasive 'us versus them' mentality that characterizes both the neighborhood's feelings towards the police and the police's feelings towards members of the neighborhood.

"Stop judging us on how we look, and start respecting us as human beings," wrote one survey respondent.

"The police need to recruit police officers who were born and raised in the area," wrote another survey respondent. "They also need education to know about the history of the neighborhood if they don't live in the area. That has to be taught in police academy."

East Harlem is predominately black and Latino, while the officers of the 25th are predominately white. None live in the neighborhood because the NYPD prohibits officers from working and living in the same precinct, citing potential conflicts of interest.

Kioka Jackson, 25th Precinct Community Council President, works to bridge the gap between residents and the 25th. She first started attending council meetings while she was working on her Masters thesis on youth violence. Over the years, Jackson noticed how little her community related to the police, and felt the council was an ideal avenue for making change.

"They are put in our community to protect us," Jackson said of the police. "We have to treat them in a respectful manner and not treat them like outsiders, because that's not what they are."

Can Police Reforms Help to Rebuild Trust?

Despite efforts to better the relationship between the NYPD and residents, many do not see any hope of repair.

“There is nothing they can do to build trust because they never had any,” wrote an East Harlem resident in response to a survey question about what police can do to rebuild trust the neighborhood. “They need to change a lot within the system.”

“I don’t think anything they do would work at this time,” wrote another.

“No, there’s nothing they can do. They can hear people out but they don’t do that,” said one respondent. “Black and Latino people are just targeted.”

For Robert Gangi, director of the Police Reform Organizing Project, rebuilding trust with the NYPD is the wrong framework for community-police relations. Effective policing, says Gangi, is the sole responsibility of the NYPD and requires a shift in the practices that have divided the officers and the community.

“Broken Windows policing,” said Gangi, “is blatantly racist and deeply immoral and it targets low-income people, black and brown people, mentally ill people, homeless people.”

In June 2016, Mayor Bill de Blasio issued a series of reforms aimed at reducing racial disparities in arrests from low-level offenses. The Criminal Justice Reform Act details the scope of the reforms, which include a focus on community policing, reducing fines for common summonses such as unreasonable noise, public urination, and the possession of an open container of alcohol. The Act also requires the NYPD to make demographic information for all summons and misdemeanor tickets publically available.

But some advocates say the reforms don’t go far enough. The systemic issues within the criminal justice system and communities of color are a major factor influencing the relationship, says Robert Taylor, executive director of Youth Action Program and Homes in East Harlem. Taylor works with young adults, ages 18 to 24, and the police on several initiatives designed to diffuse the tension between the two groups.

“There is a national context that we are not immune to,” he said. “And even if we locally make some progress, the young people are savvy. They are connected through social media, so they see that there are larger systemic issues that we aren’t prepared to address.”

The lack of justice for victims of police killings, the mass incarceration of black and Latino people, the lack of economic opportunities in communities of color, and the corporatization of prison are just a few of the systemic issues Taylor sees as barriers to building a better relationship.

But even with these complex issues in the background, Taylor continues to work in East Harlem to make inroads.

He is encouraged by a few examples of solidarity between the police and the community. In March, 16-year-old Juwan Tavarez, who lived in East Harlem's Wagner Houses, was killed in a gang-related shooting. Tavarez had a reputation for being tough, but was nevertheless loved by many. The community organized a peace march to bring attention to gun violence. The police came out to support the march, making sure the demonstrators were safe and joining the marchers on their walk through public housing.

"It further strengthened our relationship with the local precinct," he said. "It was a galvanizing event for our organization and for our community."

In addition to displays of solidarity by officers in East Harlem, many community leaders say a change in leadership within the 25th Precinct has also improved the community-police relationship.

Captain Kathleen Walsh came to the 25th Precinct in February 2015, after deputy inspector Thomas Harnisch retired. When she took office, criminal summonses had been declining in the precinct for five years.

Walsh decided to become a police officer when the NYPD held a recruitment fair at John Jay College where she was studying biochemistry. Walsh had plans to become a nurse, but when she saw the NYPD on campus, a light bulb went off in her head, she said.

"For me, joining the NYPD was about helping people and going after the bad guys—the robbers, the rapists, the burglars," she said. "That's what you think about when first come on the job. Obviously there is a lot more to it than just going after the bad guys."

While Walsh might not be taking down bad guys every day, she says that crime in neighborhood keeps the 25th Precinct busy.

Despite the transient population, gang violence, and quality of life issues, Walsh was surprised to hear the 25th Precinct had the highest rate of summonses amongst residential areas in 2015. She takes a quality over quantity approach to policing, encouraging her officers to write tickets for offenses that would prevent traffic fatalities or deter crime and boost residents quality of life.

The focus-on-quality approach, says Walsh, comes from the top down. In August 2016, Mayor Bill de Blasio appointed James O'Neil Police Commissioner of NYPD. O'Neil is heralded as the primary architect of the NYPD's Neighborhood Policing Plan. Former Police Commissioner William Bratton unveiled the plan in 2015, calling it realistic plan for community policing in a major city.

The plan calls for revamping the NYPD's patrolling units to improve officers' relationships with the communities. Bratton hoped to make the police allies instead of enemies by improving training for rookie cops who do the bulk of patrol work and adding community affairs officers—who build relationships.

“Community focused officers,” he wrote, “have been a bridge between the community and the police. But bridging the police/community divide is not enough. We want to close it.”

Under the new plan officers will be permanently assigned to a specific sector of the neighborhood. The hope is that a permanent assignment will encourage officers to take responsibility over their sector, getting to know both the people and problems within it. In addition, the officers are charged with spending 33 percent of their time on duty proactively solving problems in the area.

In April 2015, Public Service Area 5 in East Harlem received its first Neighborhood Coordination Officers. The area led by deputy inspector Eric Hernandez, is a division of the 25th Precinct focused on policing in the neighborhood's numerous public housing buildings.

Hernandez sees the community officers as a way for police to get to know members of the community, to find out “who is doing good, and who is up to no good.”

'We Are Scared Of Them'

While many residents welcome the opportunity to get to know their local cops, the criminal justice reforms and neighborhood policing plans don't address the bulk of residents' concerns about racial profiling and excessive violence by the police.

To make a real impact, officers need better training to teach them how to manage their prejudices and their tempers during one-to-one interactions with the community, residents say.

“They need more training,” wrote on survey respondent. “Every black or Puerto Rican person is a threat to them. Stop being so forceful, and give a little more respect and courtesy.”

“Train their officers better and give them a different perspective on how to look at people,” wrote another.

“Start with being less violent,” wrote a respondent. “Especially with guns. Maybe use Taser so you're not killing people.”

For Juss, 39, a black barber at Levels II on Lexington Avenue, his apprehension of the police boils down to a simple fact: officers in the NYPD have the power to kill,

and walk free. New leadership, shifting police patrol patterns, reducing fines, getting to know the neighborhood, or better communication cannot temper the fear he feels in interactions with the police.

"Seems like police are trained to be scared of us," said Juss. "That's the way it seems. And we are scared of them."