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LECTURE

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Cops Count, Police Matter: Preventing Crime and Disorder in the 21st Century

William J. Bratton

Abstract: *Policing is not a government program; it is a moral covenant. It is keeping people safe. It is the essential element of our democracy, but we can never forget that the consent of the governed is earned, not owed. The police profession has a once-in-a-lifetime chance to change its legacy, to shape its future. It has a chance to confound expectations, to move past demagoguery, and to save lives. It is the chance to make our country safe and fair everywhere for everyone. The combination of tools that comprise precision policing is not the culmination of nearly half a century, but rather the continuing evolution of the police profession, with occasional revolutions such as community policing in the 1990s.*

EDWIN MEESE III: Heritage has, over the years, done a great deal in the policing, law enforcement, and public safety areas, and we certainly are very pleased to have our keynote speaker today. It's a particular pleasure for me to introduce him since we have known each other for a number of years. I think we first met when we were both at Harvard for the Executive Session on Policing that they had some years ago.

The United States has had many fine police chiefs over the last century or more, but there is a very exclusive group of the finest people who have had an impact on the police profession through an entrepreneurial spirit and with a good deal of imagination and innovation in improving policing in the United States.

It goes back actually almost a century to August Vollmer, who was the Chief of Police in Berkeley, California. August Vollmer was also Chief of Police for a brief time in Los Angeles. And then, in the middle of the last century, Bill Parker in Los Angeles and Stanley

Key Points

- Preventing crime and disorder, not measurement of our response to it, is the key to successful policing and has been ever since Sir Robert Peel articulated his nine principles of policing in 1829.
- Peel's first principle is that the basic mission for which the police exist is to prevent crime and disorder.
- The two go together, but in the 1970s and '80s, we lost our way. In the 1990s, with the guidance of the community policing initiative, we got back to the basic mission for which the police exist.
- Peel's ninth principle is that the test of police efficiency is the absence of crime and disorder, not the visible evidence of police action in dealing with it. If you can reduce crime and disorder, the need for police to be seen engaging in the suppression of crime and disorder diminishes.

This paper, in its entirety, can be found at **http://report.heritage.org/hl1286**

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Schrotel in Cincinnati, and then they were followed by Orlando W. Wilson in Chicago and Pat Murphy in New York, Detroit, and Washington, D.C.

There's no question that today's keynote speaker, as an innovator, as an imaginative leader, has had a unique place in policing excellence in this country. He has headed six police departments, including the two largest in the country. He has done an outstanding job in all of the police departments that he's headed and has really set a standard for police leadership. He has, in a sense, invented a language. Nobody knew that there was such a thing as CompStat until he came along and developed it, and now almost every large police department in the country is using some form of CompStat.

In addition, he has had, in all of the departments in which he has provided leadership, three results in each one. The first has been improved policing, the second has been decreased crime, and the third has been better relationships between the community and the police. This is a terrific record, and that's why we're so pleased to have him here today.

Ladies and gentlemen, it is my pleasure to introduce my friend and an outstanding leader of the law enforcement profession, Bill Bratton.

WILLIAM J. BRATTON: Good morning—and it is a good morning. General, I want to thank you for that more than gracious introduction.

The General and I do go back a long way. We first met at the Harvard Kennedy School Executive Sessions on Policing in the late 1980s, early '90s. I was Superintendent of the Metropolitan Police in Boston at that time, a state police agency, and the executive sessions, more so than just about any other government activity that I'm aware of over the last 50 years, shaped American policing and shaped it for the better. We are still a profession that is developing, evolving continually, but a major revolution was created during those sessions.

Not widely known was the General's role in that. Through the National Institute of Justice, Chips Stewart, it was funded, and a Republican Administration, funding an executive session at one of the most liberal universities in the United States, created what effectively was community policing. Community policing that oftentimes was largely associated with Democratic Administrations in the '90s was effectively created by active participation of the Reagan Administration in the person of the Attorney General, who attended, despite his incredibly busy schedule, every session over many years. I am an extraordinary admirer of his. It is an unheralded accomplishment on his part.

I welcome the opportunity today to remind people just how instrumental he was personally in his capacity as Attorney General in helping to point American policing in a very defining way at a very difficult time in the history of our country.

I thank him for inviting me here to The Heritage Foundation for the second time to give a speech on this issue. First time was 1996 in October, 21 years ago. I had shortly before left the NYPD, working with Mayor Rudy Giuliani, and this time I've been out of the NYPD for the second time, having worked for Mayor Bill de Blasio. Two individuals from totally different spectrums: Republican Conservative, Progressive Liberal Democrat. I'd like to think I can work with anybody, and by giving those two examples, I think that's proof positive that I can.

I want to acknowledge the report that's being distributed today.[1] I was not able to attend the symposium that was held earlier this year by The Heritage Foundation and the number of reports that came from that. I had the opportunity to read all of them. They have helped to inform my prepared remarks as well as some of the extemporaneous comments that I will make and some of the questions that will follow. I was very taken with the substance of them all, and some in particular, a number of them written by very close colleagues of mine. Garry McCarthy from Chicago, former Chicago PD and New York PD, wrote an extraordinary piece on the issue of bias and race on this issue.[2] NOBLE, the National Organization of Black Law Enforcement Executives, contributed significantly.[3] Chips Stewart put in several papers.[4]

Again, I thank those people for their continuing contributions to the dialogue. I see Chuck Wexler. Chuck and I have worked together since 1975, now the director of PERF, the Police Executive Research Forum. PERF, like The Heritage Foundation, is keenly interested in these issues, and it's been my pleasure over the years to be affiliated with PERF, affiliated by invitation with The Heritage Foundation.

So hopefully today there will be the opportunity to discuss, as they say in the paper, "Policing in America: Lessons from the Past, Opportunities for the Future." I think I can speak to the past, speak to the current situation, and offer some thoughts going

forward where there is so much contention at the moment about where we need to go at this particular point in time.

The remarks, the comments, are mine. I've been in the business for almost 50 years, starting with three years in the military police in 1967. I think I've seen the arc of policing over this incredible time, a continuing period of evolution with many periods of revolution. The community policing initiative that the Attorney General led was one of those revolutions. CompStat, which I had the privilege of being a part of, was another, and I'll talk about several others. So, with that introduction, I thank you once again, Attorney General.

The company I currently work with, Teneo, my division Teneo Risk, works almost exclusively with the private sector. Ironically, after 50 years, I'm very limited in my involvement with policing, where I put most of my life, but the private sector's needs are the same as the needs of American policing, dealing now in the 21st century with terrorism, dealing with cybercrime issues, dealing with social media issues. The combination between private and public is effectively what community policing is all about: the idea of collaboration, because we all have shared interests.

The Key to Successful Policing

With that, let me speak to you about the paper that I'm presenting. First, let me give you a title: "Cops Count, Police Matter: Preventing Crime and Disorder in the 21st Century." Preventing crime and disorder: They are linked. I passionately believe that preventing crime and disorder is the key to successful policing rather than measurement of our response to it, and it has been since Sir Robert Peel articulated nine principles of the profession of policing. Those nine principles of policing are effectively my bible, my foundation. They are more relevant today in the 21st century than they were when they were written back in 1829.

His first principle is that the basic mission for which the police exist is to prevent—I emphasize "prevent"—crime and—I emphasize the "and"—disorder. The two go together. More importantly, when they go together, they are successful. Through a large part of our history, particularly over these last 50 years, they did not, so in the '70s and '80s, we lost our way. In the '90s, with the guidance of the community policing initiative, we got back to the basic mission for which the police exist.

His ninth principle is that the test of police efficiency is the absence of crime and disorder, not the visible evidence of police action in dealing with it. If you can reduce crime and disorder, the need for police to be seen effectively engaging in the suppression of crime and disorder changes. Their time can be spent more effectively and more productively collaborating with communities, working together. The idea is that it's the visibility of the enforcement that generates so much of the hostility.

In today's 21st century world of videos, there is not a week that goes by that there is not a video where police are using force, and the video representation of that force, even it looks lawful, pulls us further apart rather than brings us together. So if we can in fact reduce crime and disorder to such an extent we can reduce police necessity for use of force, that will go a long way toward bringing us together.

I believe that Peel's nine principles have been key since long before they were first enunciated in 1829, for as long as society and democratic governments have entrusted and empowered some of their citizens, we the police—and we are a citizen police in this country—to keep others safe. In our country, the first obligation of government is public safety. Enshrined in our Constitution, our Declaration of Independence, our Bill of Rights, that obligation is fulfilled principally in our criminal justice system, and most visibly in the role and responsibility of the police.

"Three Cs and a T"

"Cops count, police matter" is a term I first used in the LAPD in 2003 as part of the rebuilding of that very damaged organization, which had effectively ceased to police the city of Los Angeles. Crime was rising, spirits were low, morale was deplorable, and as a way of inspiring that department, I came up with that mantra. In simple terms, it means that the individual actions of cops count, good and bad, and that the actions of police departments and the police profession, good and bad, matter. Cops count, police matter.

We can assure that those actions are good more often than bad if we're always guided by what I would describe as "the three Cs and a T."

- We need to police **constitutionally**. We can't break the law to enforce it.

- We need to police **compassionately**. We are policing fellow citizens. We are policing people.

- We need to police **consistently**, not police differently in poor neighborhoods, minority neighborhoods, than we might in white neighborhoods or richer neighborhoods.

- And at all times, and increasingly in the 21st century with the advent of cameras, we need to police with **transparency**.

There can be no denying that through much of our history, particularly in our relations with African Americans, our actions and those of our government that directed those actions were shaped by our country's original sin, the scourge of slavery. Nearly 300 years of slavery on this continent, more than 100 years of Jim Crow laws—a terrible national legacy that we still deal with today.

Likewise, many of our actions with immigrants, legal and illegal, and with the Native Americans whose land this was first, and with other marginalized groups, were often shaped by societal and political prejudice, racism, bigotry, and homophobia. But policing in the last quarter of the 20th century, and now into the 21st, is changing for the better, rapidly and in so many fundamental ways, and I have been privileged to be part of that change.

In that regard, we the police need to shape the narrative, the opinions, and the rhetoric. We have not been doing that very well. We need to write the real American police story, blemishes and all. Under no circumstance can we allow it to be framed primarily by those who don't like us, respect us, or trust us. Nor can we allow it to be framed by those who seek to advance their own societal beliefs and social agendas by denigrating the heartfelt, reasonable, practical, and effective efforts of police leadership to change and improve.

I've been associated with police leadership through most of my career. I know many of the police leaders of the past and of today. They are an extraordinary group of progressive thinkers who face these issues with open minds and pride in their profession and a determination to help address the many issues that police are expected to address plus the many others that, by default, have fallen to us.

Crime and Quality of Life: Changing Behavior

Police can and must stay focused not only on the prevention of crime, but also on preventing disorder. There has been great debate about the concept of broken windows and quality of life. I say to you, it is essential to effective policing that we focus on both crime and, at the same time, quality of life. The two go together. In the '70s and '80s, we separated them, and we saw the disaster of 1990, the worst crime year in the history of this country.

Police prevent crime and prevent disorder, and they do so by changing behavior. That is so incredibly important.

- They do so with targeted enforcement, not indiscriminate enforcement or, as we discuss issues of immigration, with immigration sweeps of people who have done nothing but enter here illegally, even though that is a crime.

- They do so by working with prosecutors to seek full force but fair sentencing, not a return to harsh guidelines that eliminate judicial discretion and fill prisons with people who aren't impact players and could be dealt with much more effectively in other environments.

- And they do so through neighborhood engagement where police work with people to prevent problems and realize their potential in the neighborhoods through the genesis and the genius of community policing.

It's that simple. It really is that simple. We have made it too complex.

I spent nearly 50 years in the profession of policing: as a military policeman in Vietnam; as a patrol cop walking a beat in an all-black neighborhood in Boston that three years before was an all-Jewish white neighborhood but went through the real estate busting that went on in that city at that time, and then a number of years dealing with desegregation of schools, desegregation of public housing in one of the most segregated northern cities in America, perhaps even more segregated than many in the South at that time; and as a leader and change agent, as the Attorney General referenced, at six different police departments, one with 68 police officers, another with 38,000. So I've basically managed or directed or led police departments of every size in this country.

From Prevention to Response to Prevention: The Swinging Pendulum

During that time, the profession has swung like a pendulum from prevention to response and back to prevention. Without false modesty, I believe that I played a large role with many of my colleagues in the swing back to the focus on prevention that occurred eventually beginning in the 1990s. That was in fact reinforced by the efforts of the executive session, focusing effort back on prevention and not on response.

My concern now is that we may be swinging back. I watch with great concern the pendulum swinging back to the days of the '70s and '80s. We don't need to go that way. We have found, in the '90s and into the 21st century, other ways to do it. American police chiefs in particular understand that as they've been living it.

If we see history as a pendulum, we can see the swing away from prevention in the 1960s, away from the model of the cop on the beat who knew his neighborhood and took active steps, at times discretionary steps, to maintain order and prevent crime.

And while we idolize Officer Friendlies, the cops on the beat who controlled behavior and kept the neighborhood safe, or my personal hero, Detective Joe Friday of the Los Angeles Police of the '50s and '60s, who focused on responding to crime but never with compassion—he solved the crime, but basically the LAPD model at that time was response-oriented and "keep your distance from the public"—we must acknowledge that efforts at crime prevention and disorder control in that era were not always fair nor just.

As George Kelling and James Q. Wilson, two personal heroes of mine—George Kelling has been a friend and mentor and adviser for most of my police life, and James Wilson, I had the privilege before his passing to spend a lot of time with him—pointed out in their "Broken Windows" article, some of those steps, meaning the actions of the police, "probably would not withstand a legal challenge" today.[5] Sometimes officers enforce social mores rather than the law, and social mores can be ephemeral, unfair, and discriminatory.

This was certainly true during the civil rights era. The social upheaval and unrest of that era and the terrible riots sent the pendulum hurtling from one extreme to the other. It swung from too much discretion in the hands of officers all the way over to the response era of the '70s and '80s. The much-needed rulings such as *Miranda*,[6] *Escobedo*,[7] and the exclusionary rule,[8] were necessary to correct the abuses of the past—for example, the third degree, the failure to inform people under arrest of their rights. They were necessary changes to deal with the issues of the '60s as we moved into the '70s and '80s, but the pendulum swung too far.

Police corruption gave rise to police oversight, and police reform grew out of reports like the Kerner Commission's, and all of it commingled with new ideas about the origins of crime. I had to read this book, literally almost memorize it, to take my sergeant's promotional exam in 1974 with the Boston Police Department. It was part of the professionalization and liberalization of police agencies at that time. The Kerner Commission Report and the preceding crime report that the President, Lyndon Johnson, had commissioned set us on a path for the next 20 years that brought us to the 1990s.[9]

While there were so many extraordinarily good recommendations here, a lot of what we talk about today, legitimacy of policing efforts, there was one that really tore us apart. They believed at that time that the causes of crime were racism, were poverty, were police practices in many instances, unemployment, demographics. They thought those were the causes. They were not, they are not, and they never have been.

But for 20 years, I lived it. American policing was shaped by it, and I'll point to one line here in the report that sticks out to me:

> [I]n allocating manpower to the ghetto, enforcement emphasis should be given to crimes that threaten life and property. Stress on social gambling or loitering, when more serious crimes are neglected, not only diverts manpower but fosters distrust and tension in the ghetto community.[10]

In that line, they advocated that American policing move away from disorder control, not understanding that African Americans in their neighborhoods, Latinos in their neighborhoods, rich and poor, all want the same thing. Nobody wants the prostitute in the doorway, nobody wants the gang on the corner dealing drugs, nobody wants the graffiti, whether you're white or black.

But effectively, what they advocated in that report with so many great suggestions, that and the

earlier crime report, was emphasis on responding to crime. And that's what we did in the '70s and '80s. When 9-1-1 came into being, we celebrated. We could get there in eight minutes initially. Then it became 30 minutes and 40 minutes, and many times we never came.

We celebrated the idea of reactive investigation: Joe Friday, technology, all types of things to solve the crime after the fact. And we celebrated manned patrol, moving officers around in vehicles to get them more rapidly to those 9-1-1 calls, to the crimes that had already occurred. We moved from Sir Robert Peel's prevention of crime focus to response, and for 20 years, it basically ran us down the rabbit hole.

Getting It Right

In the 1990s, with the help of the executive sessions, American police leadership, and community leadership, we began to get it right. What did we get right? The cause of crime is people. Criminals or emotionally disturbed, of which those numbers are growing, or others in moments of passion commit criminal acts. The others are influences, and certainly the police don't have control of those influences, but we can have impact on them.

So we have righted the ship, starting in the 1990s. This report, while so valuable, effectively in many respects moved us in the wrong direction, and fortunately we've moved back.

The social upheaval and unrest of that era and the terrible riots sent the pendulum hurtling from one extreme to the other, as I've mentioned. It swung from too much discretion in the hands of officers all the way over to the response era in the '70s and '80s. Police corruption gave rise to police oversight and, as I referenced, reports such as the Kerner Commission report. Crime became less about what Johnny did to Joe and increasingly about what made Johnny act the way he did. The desire to focus on root causes was well intentioned, noble even, but they weren't the causes. They were the influences.

But if there was a new way to look at Johnny's behavior, it didn't always help Joe. Joe still remained the victim. The advent of 9-1-1 in 1968 and the spread of portable radios and vehicular patrol had the unintended effect of relegating police to being response agents rather than prevention agents. If a crime wasn't about behavior, if it was the result of social failures and deeply entrenched inequities—which, on some levels, it is—then there wasn't much a cop could do other than answer calls and pick up the pieces, and there were a lot of pieces in the '70s and '80s as our society went crazy.

This response model ascended during the eras of deinstitutionalization in the 1970s, when modern homelessness got its start as institutions, mental institutions, emptied out: a well-intended effort with unintended, catastrophic consequences that we see exploding once again on the streets of America. A significant portion of the so-called homeless population are people who really should be in institutions in some instances, in other environments where they can get treatment, and not relegated to hanging out in parks and streets of our cities where they waste away.

One place where the ability to control behavior runs up against a wall is addressing the emotionally disturbed. Providing mental health services should not be on the cops as so many things end up being on the cops. I had the NYPD adopt a four-day crisis intervention training program in 2015 with generous funding from the mayor's office, and more than 6,000 of New York's cops have received it; all of them will receive it over the next year. But the effectiveness of CIT shouldn't mean we stick cops with the failures of our mental health care system throughout the country. It is another epidemic that we're dealing with in the 21st century.

The response model was still in place during the '80s when crack and hyperviolence in the cities spiraled out of control. America's homicide peak was 1980, but New York City's topped out in 1990, the year I went to New York as Chief of Transit Police, with 2,245 murders in that city of 7.5 million people. Cops were quite simply not preventing crime. We were responding to it.

When I became chief of the New York City Transit Police in 1990, I set about undoing this perception. I finally had a major police department where I could put into practice ideas that many of my colleagues in policing, police leadership, and I shared and many political leaders also shared. Root causes should absolutely be considered by police executives, by judges, by anyone whose goal is making a safer, fairer world, but for a cop on the street, what he or increasingly she has to act upon is not root causes; it's behavior.

I demonstrated that in the Transit Police, and I demonstrated it again at the NYPD in '94–'96 with the invention of CompStat, working with the late,

great Jack Maple, one of the greatest minds in American policing that ever lived, and his partner, Chief of Department Louis Anemone. We gave cops the ability to do what they're meant to do: prevent crime and disorder and emphasize it. We let them go out and control behavior, always in accordance with the law, of course, which in a democracy is our proxy for what is right. Cops can control behavior, but, again, they must do it constitutionally, compassionately, consistently, and with transparency.

So the pendulum swung back again in the '90s to prevention. We began taking back corners and parks and whole cities.

In 2002, I went to Los Angeles. We brought crime down there as well. Overall crime in the United States went down dramatically in the 1990s, and although we had spikes over these last several years in some cities, it is still down overall. I was talking to Chief Charlie Beck yesterday, and Los Angeles just had its safest summer going back to the early 1960s in terms of number of homicides. It will end this year with a lower number of homicides for the year. New York's numbers are literally astronomical in terms of decline over the last 27 years.

So we are getting it right in many cities, and we cannot lose focus on how to get it right because of the aberrations in certain other cities that, for a variety of reasons, are not experiencing the same declines; but as I've mentioned, pendulums don't rest.

Resources and Political Support

In New York City, the CompStat model became confused with the metrics it used. Garry McCarthy and I have had extraordinary conversations about this. He was the Deputy Commissioner of Operations, responsible for crime control strategies, at the time of the shift of CompStat in the 21st century. It became synonymous with zero tolerance, which it never was. Cops went from having a lot of discretion in the pre–Kerner report era, too much discretion perhaps, to having less and less in the response era, to having it returned as part of the early CompStat era, to having it taken away again as CompStat was misused in the 21st century in a quest for numbers-driven, activity-driven policing. And while crime kept going down, it was flattening out: more and more enforcement for smaller and smaller returns.

I returned to be Police Commissioner under Mayor Bill de Blasio, who gave me resources and political support throughout my three years there, three years of extraordinary resources unlike anything I'd ever experienced in the previous 47. New York City's current crime control and police–community achievements would have been impossible without that resourcing and support over those three years.

That resourcing and support, unfortunately, is missing in so many American cities, and some of those with some of the worst problems that we're experiencing at the moment I think are reflective of that resource issue and political support as well as other issues particular to some of those communities. I can't stress that enough, because in many ways, what's missing in policing is not the ideas of leadership. Extraordinary leaders with extraordinary ideas we have. It's resources and political support oftentimes, and community support for those ideas and the resources to implement them.

Look at the graphic that was distributed just prior to this meeting, a one-page graphic. Look at murders and shootings on that graph in 2003 to 2012. This is New York City. Compare the inconsistent decreases in those categories, nearly flat really, with the skyrocketing rate of enforcement in the form of arrests, summonses, and the issue that metastasized so drastically in New York City: stop-question-frisk Terry Stops.[11] Homicides leveling off, but police activity increasing dramatically even as the city was getting safer and safer and safer.

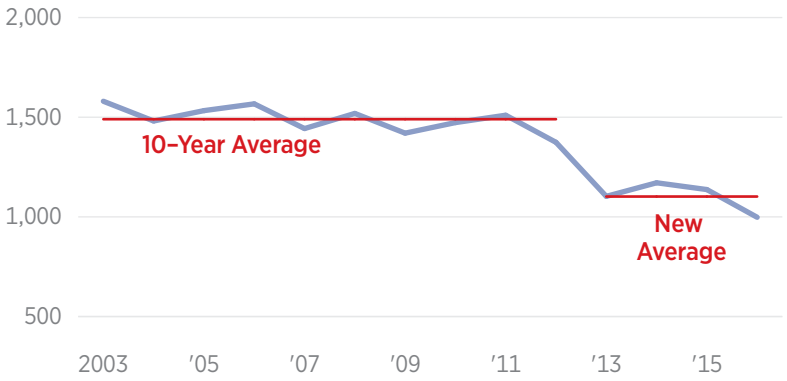
Then look at 2013, '14, '15, and '16. As enforcement plummets, violent crime doesn't rise. It falls too. The answer was something we initially called "intelligence-led policing" and "predictive policing" and now, assisted greatly by algorithms, advanced data mining techniques, we call "precision policing." Effectively, it's the CompStat of the '90s on steroids in the 21st century. I helped the department remember something it already knew: Blanket, indiscriminate enforcement isn't the key; prevention is the key, supported by precision enforcement.

This year, 2017, New York City is on track to see fewer than 300 murders, about 275 at current projections, down from 2,245 in 1990. It will have this year possibly the lowest number of homicides in modern times going back almost 50 years. A city with many more people than it had in 1990, 8.5 million now, with 60 million tourists, 100,000 tourists every day, will go from 2,245 murders to that 275 figure and, for the first time in over 50 years, fewer than 100,000 reported Part 1 indexed crimes[12] as opposed to over 500,000 in 1990 with fewer people.

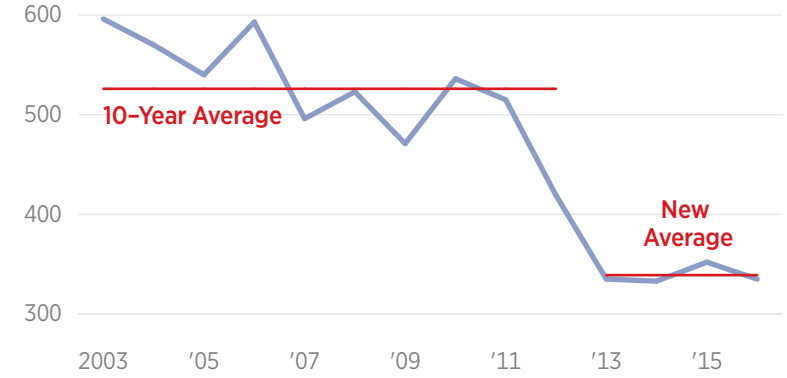
CHART 1

Policing in America

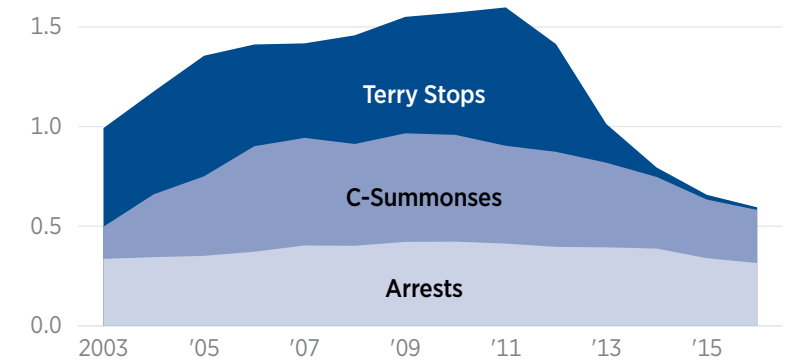
SHOOTINGS, 2003–2016



MURDERS, 2003–2016



PEACE DIVIDEND, 2003–2016, IN MILLIONS



SOURCE: New York City Police Department, "The Police Commissioner's Report, January 2017," http://www1.nyc.gov/assets/nypd/downloads/pdf/publications/pc-report-2017.pdf (accessed December 6, 2017).

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Chicago this year, unfortunately, has had more than 500 already, with about 30 percent of New York City's population. If New York had Baltimore's current homicide rate, it would have nearly 3,500 murders at this time. Instead, it has fewer than 300. Think about that in terms of L.A., the second-largest city with many fewer police resources, both starting to continue the trend that has gone on for 20-odd years of steady, consistent crime decline. I predict that crime will not go back up in New York City. It may spike here or there from time to time, but they have found a way to prevent it, control it, and deal with it.

Three Falsehoods About Policing

Look again at the pictures of murders and shootings over time, and then compare them with the enforcement activities we measure. We have better outcomes with less enforcement. That's the truth, and the truth brings me to something else: Like the so-called fake news that has come to dominate public debates in this post-truth era in America, there are three falsehoods that have taken root in the public discourse, promoted by different parties. In some ways, they are mutually exclusive, but they are entrenched.

There is a saying that a lie can go around the world while the truth is putting its pants on. That has happened here, and those three falsehoods are the result.

The Falsehood of the Academics. The first is the falsehood of the academics: the notion that police don't control crime, they don't have an impact on it, and there are so many sociological or moving parts that no one can ever really know why crime rises and falls. I remember going to Boston in 1995 as the Police Commissioner of New York to talk about CompStat, and the complaint at the International Criminologists Association meeting in Boston was that in New York, we did it everywhere all at the same time. Why didn't we do half the city so they could have studied and had evidence-based understanding of what happened? That would have been fine for the hundreds of lives saved in Manhattan, but the people in Brooklyn might have objected that for experimental purposes, we did not save lives.

The academics can't figure it out. I believe I've figured it out. New York City is the living example of it, and going forward, you will see evidence-based policing in that city, so everybody trying to figure out how does crime go down for 27 straight years will have the answer. I think I know because I was happy to play a part in that reduction, in that continuing reduction and the prediction that it's not going to go up in New York City ever again to the levels that we saw in the past.

Everyone who lived in New York City saw the change in the '90s, the massive plummet from '93 to '96. Why? CompStat, the cops, political leadership. With seven police commissioners and four mayors over 27 years, crime has gone down every year: mayors of totally different political ideologies, very different police managers, police chiefs, but they were all working with CompStat; they were all working with the belief that something could be done about crime.

Now you're seeing on that handout that the NYPD did it again over the past four years. When Mayor de Blasio was elected, there were predictions by the *New York Post* and others that Armageddon was now coming through the door with this new progressive mayor. Armageddon did not arrive, but rather, four more years of straight crime decline, the idea being that with progressive, with liberal, with conservative, if you have the right medicines, you can have the right results.

It's a demonstrable decline despite the fact that many academics said that crime could not go lower and in some cases even claimed that a degree of crime increase would be tolerable if it meant less intrusive tactics. Imagine that. I think you could have less intrusive tactics *and* crime reduction. Precision policing proved them wrong and will continue to prove them wrong.

The Falsehood of the Left. The next is a falsehood from the Left: that police bias is pervasive. This is totally false. I've been in this profession for 27 years, left it a year ago. Now I look at it as an outsider. Bias exists; that's a reality, but it is not a professional issue. It is the issue of individuals, individual police officers, and in some instances, unfortunately, maybe some police departments. But the damage that is being created among American police forces in terms of their morale, the damage to the potential building of relationships among the public and the neighborhoods that need us most by that broad-brush implication that American policing is fundamentally racially biased is wrong. It is false, and I do not believe that I make a mistake in making that statement.

I fully acknowledge that the profession has miles to go in the pursuit of racial equality, but I reject the idea that it has any further to go than society at large. In fact, I think we're much farther along than the society at large.

In our conflicted era, we also need to do a better job of seeing each other, not looking past each other. I use that expression based on a comment from Sweet Alice, a black activist in Watts who came from a sharecropping farm, I believe, in Mississippi or Alabama back in the '50s or '60s. We spent a lot of time in Los Angeles—myself, my wife, the LAPD—working on developing police–community relationships. Yesterday, David Kennedy, in an article he wrote, I think, for *The Hill*, talked about some of the success of the L.A. model dealing with race issues in Watts in the housing developments, which were the worst crime areas.[13]

We spent a lot of time on the issue of building race relations, and as I was leaving, my wife and I, to go back to New York after seven years in L.A., the *L.A. Times* editorialized that finally, a corner had been turned on race relations in Los Angeles. Sweet Alice basically said to me in that delightful southern accent, "Chief, you know why we like you so much?" And I said, "No, Sweet Alice, why is that?" "You see us. You really see us."

Those words, "You see us"—police, community, we all need to see each other, and if we make false claims, if we paint with a broad brush, we will never be able to see each other. I would say to you that in this society that's still riven by so much racial tension as a result of our history, policing is probably going to be in a position to light the way, as we are in truth on the front lines of the issue every day.

With regard to the racial and ethnic diversity at the NYPD, with regard to rates of representation, I will stack that department and many other American police departments against any arm of government, any newsroom, any corporate office or Ivy League campus, and I like my odds that the NYPD is more diverse. We reflect our city: 49 percent white, 28 percent Latino, about 15 percent black, 18 percent women. I think we now have three transsexual individuals who went through operations who have faced no discrimination in the department.

We have over a thousand Muslim officers in that minority-majority city with almost 700,000 Muslims. Forty percent of the population in New York City is foreign born; 60 percent of that population was not there in the 1990s in the bad old days. So New York City, the city that works, the New York City Police Department that reflects what we are all advocating for, departments that reflect the communities they serve—all of this builds into the success that New York has been experiencing. The bull pens at many of the nation's leading newspapers could also stand to look a little more like a typical precinct roll call in New York City.

We cannot ignore also, as I've emphasized, the great shadow of race, this nation's original sin and enduring challenge, particularly for the police. But neither can we assume that disparities in police enforcement are proof of bias when they're tied to disparities in crime rates. There is an inconvenient truth, to use Al Gore's term, that disproportionate impact reflects the reality of the cause. We do not expect a doctor or a physician to apply chemo or radiation out of proportion to the cancer that he's treating—that would be medical malpractice—or deny treatment when it is essential. Why is that expected in the 21st century of American police? Why is it advocated? Why has it become the mantra?

Data-driven or evidence-based policing is not bias policing. Cops go where the problem is; cops go where the calls are; and, unfortunately in America for our minority residents and particularly our African Americans and our poor, that's where the crime is, that's where the disorder is, that's where the need is, and that's where American police are. It's not driven by racial bias. The challenge for us is to ensure that while we are there, we see each other.

The Falsehood of the Right. Finally, there is the falsehood of the Right, which says only heavy-handed tactics can control crime. This is false. It may be the most harmful falsehood of all. The New York experience with smarter policing has worked better than zero tolerance ever did. There's proof of that. There's proof that focusing on behavior works and that bias has no place in that equation even though it still occurs, unfortunately.

I know that behavior matters more than bias because I know that the disparities that supposedly demonstrate bias are not the whole picture. Disparities in enforcement are often taken as proof of disparate treatment and disparate impact and never contemplated as proof of disparate behavior, but that half-story can be called into question by one thing: gender. No one says there should be as many women stopped or arrested or in prison as men. No

one objects to the fact that women make up only 27 percent of arrests. For violent crime, 80 percent of people arrested are men. Is there bias against them, or is behavior the issue? Men tend to be more violent than women. That's a fact.

In New York City, more than 95 percent of murders are perpetrated by minorities, but more than 95 percent of the victims are minorities also. That's a fact, and it's not fake news. These terrible imbalances remain even as the NYPD drives shootings and murders down to never-before-seen lows. The disparities are not a policing issue. It is about behavior. At this, some on the Right elbow each other and say, "See? I told you." They're wrong too. The enforcement disparity is real, and the violence disparity is real, and so is the disparity between the part and the whole.

In New York City, we're talking about maybe 800 shooters out of a nearly 4.5 million population of people of color: 800 individuals who are responsible for a significant part of the shooting violence in New York. We had an expression in L.A. when I was there: "Ten percent of the victims account for 50 percent of the victimization, 10 percent of the locations account for 50 percent of the calls for service, and 10 percent of the criminals account for 50 percent of the criminal behavior." That is effectively what is at work: all populations that can be dealt with, with precision, so we don't end up affecting larger populations with inappropriate and excessive amounts of police attention.

Behavior and Bias: The Good News

Behavior and bias are both real, so here's the good news:

- We can control both (Sir Robert Peel) legally and respectfully in a partnership with the community, as is evidenced by the neighborhood policing initiative that's going on in New York, now being led by Police Commissioner Jimmy O'Neill.

- We can have cops do what they do best: Keep people safe.

- We can have a profession that recognizes the inescapable bias and inequality and terrible history that makes whites in this country 68 times wealthier than blacks under certain formulas.

- We can use precision policing to focus on the impact players who push the crews toward violence and ruin neighborhoods while using neighborhood policing to address the vast majority of the other people who don't: the law-abiding.

We can and we are, and it's working. I use New York as the example and Los Angeles to a similar extent. You have the crime numbers, and they're self-evident, but we have other numbers too. Poll numbers show that the overall NYPD job rating and trust rating is at a 66 percent approval level. The President would like to have those numbers. I think he's at 32 percent currently. So would Congress. I think their latest is 19 percent. So would the media. They're at 9 percent. I'll take the cop numbers. I like them better.

Recent NYPD polling—and they now have developed the most intimate polling of any entity in America, down to the block level in New York City that can be done at any time—shows that 65 percent of blacks and 71 percent of Hispanics agree that, "based on their personal experience most NYPD officers in their neighborhoods treat them and those they know with respect." Falling crime, increasing satisfaction.

The Emergent Template

In 2017, we have an emergent template of what to do in New York, just as we did in 1994 with CompStat, as the Attorney General referenced. There is much more to do, and we can't ever rest on our laurels. We can never forget that the consent of the governed is earned, not owed. But there is a template.

That template does not emphasize indiscriminate enforcement—or immigration enforcement, for that matter—although it does hinge on targeted enforcement of criminal behavior no matter who commits it. Even libertarian think tanks have reported what cops know: Immigrants don't commit more crime. The Cato Institute notes that immigrants are less likely to be incarcerated also. In fact, they're far more likely to be victims than perpetrators, and pushing them into the shadows makes that much worse.

We need to know where the crime is; we need to know who the victims are; and if we have policies and procedures that discourage them from working with us, then we are truly not seeing each other. If you frighten people into choosing not to report crime, it doesn't mean that crime isn't happening.

The cause of crime always has been people. The

template does not emphasize harsher sentencing, although it does hinge on fully applying existing and appropriate sentencing for impact players. It is discriminating, not discriminatory. It is precise, not prejudiced.

The opportunity, the obligation to address these issues in this way has been knocking on the door for three years now in New York and the nation, since the tumultuous protests of the winter of 2014 across the country: Ferguson, Missouri, and "the Ferguson effect;" in my city, the murder of two police officers sitting in their car; the death of an individual at the hands of a police officer that still remains the subject of a federal controversy.

The combination of tools that comprise precision policing has been building even longer than those three years, however. It's not the culmination of nearly half a century in the business for me, but rather the continuing evolution of the police profession even now as I have left it, with occasional revolutions, thankfully, such as community policing in the '90s.

Conclusion

When opportunity knocks, shouldn't we answer the door? Opportunity is banging on the door with a battering ram. Let's open it.

Policing is not a government program; it's a moral covenant. It's keeping people safe. It's the underpinning and the essential element of our democracy.

Our profession, the police profession, has a once-in-a-lifetime chance, a chance to change its legacy, to shape its future. It has a chance to confound expectations, to move past demagoguery, and to save lives, which is always our mission. It is the chance to make our country safe, to make our country safe and fair everywhere for everyone. It is, after all, what we do in policing: to try to make it safe and fair for everyone.

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Endnotes

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5. See George L. Kelling and James Q. Wilson, "Broken Windows: The Police and Neighborhood Safety," *The Atlantic*, March 1982, https://www.theatlantic.com/magazine/archive/1982/03/broken-windows/304465/ (accessed December 11, 2017).
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7. *Escobedo v. Illinois*, 378 U.S. 478 (1964).
8. See *Weeks v. United States*, 232 U.S. 383 (1914), applying the rule to federal prosecutions, and *Mapp v. Ohio*, 367 U.S. 643 (1961), applying the rule to the states.
9. See *Report of the National Advisory Commission on Civil Disorders* (Washington: U.S. Government Printing Office, 1968), https://babel.hathitrust.org/cgi/pt?id=mdp.39015000225410;view=1up;seq=23 (accessed December 11, 2017), and *The Challenge of Crime in a Free Society: A Report by the President's Commission on Law Enforcement and Administration of Justice* (Washington: U.S. Government Printing Office, February 1967), https://www.ncjrs.gov/pdffiles1/nij/42.pdf (accessed December 11, 2017).
10. *Report of the National Advisory Commission on Civil Disorders*, p. 162.
11. See *Terry v. Ohio*, 392 U.S. 1 (1968).
12. The FBI maintains a list of eight crimes that it calls "Part I offenses" in its crime data reports, selected based on their seriousness, regularity, and prevalence across the country and probability of being reported. They are aggravated assault, arson, burglary, larceny-theft, motor vehicle theft, murder and non-negligent homicide, rape, and robbery. See U.S. Department of Justice, Federal Bureau of Investigation, *Uniform Crime Reporting Statistics*, https://www.ucrdatatool.gov/offenses.cfm (accessed December 13, 2017).
13. David M. Kennedy, "Jeff Sessions's Evidence-Free Crime Strategy," *The Hill*, September 20, 2017, http://thehill.com/opinion/criminal-justice/351427-jeff-sessionss-evidence-free-crime-strategy (accessed December 13, 2017).